

United Kingdom-Exeter: Sewage services

OJ S 249/2014 27/12/2014

Contract notice

Services

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

Official name: Devon and Cornwall Housing

Postal address: Devon and Cornwall,1 Paris Street

Town: Exeter

Postal code: EX1 2JZ

Country: United Kingdom

For the attention of: Mr Paul Taylor

E-mail: [paul.taylor2@dchgroup.com](mailto:paul.taylor2@dchgroup.com)

Telephone: +44 1392814480

#### Internet address(es):

General address of the contracting authority: [www.dchgroup.com](http://www.dchgroup.com)

Address of the buyer profile: [www.advantageswtenders.co.uk](http://www.advantageswtenders.co.uk)

#### Additional information can be obtained from:

Official name: DCH

### I.2. Type of the contracting authority

Body governed by public law

### I.3. Main activity

Housing and community amenities

### I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: yes

## Section II: Object of the contract

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### II.1. Description

#### II.1.1. Title attributed to the contract by the contracting authority

9S2E-TEWOFY Maintenance of DCH Sewerage assets.

#### II.1.2. Type of contract and place of performance or delivery

Services

Service category No 16: Sewage and refuse disposal services; sanitation and similar services

Main site or place of performance: South West England.

NUTS code UKK South West (England)

#### II.1.3. Information about a framework agreement or a dynamic purchasing system

The notice involves a public contract

#### II.1.4. Information about framework agreement

#### II.1.5.

### **Short description of the contract or purchase(s)**

A) The regular maintenance of DCH sewerage Assets based upon 2 visits / year (May and November), desludging of treatment plants ranging from 1 to 4 times / year and emptying of septic tanks to mostly 2 times / year.

B) To ensure the systems are maintained on a 24/7 basis in the best possible condition, a further aim being to reduce breakdowns to a minimum through preventative maintenance wherever possible.

#### **II.1.6. CPV code(s)**

90400000 Sewage services

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

#### **II.1.8. Lots**

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

#### **II.1.9. Information about variants**

Variants will be accepted: no

### **II.2. Scope of the procurement**

#### **II.2.1. Total quantity or scope**

Estimated value excluding VAT: 800 000 GBP

#### **II.2.2. Information about options**

Options: yes

Description of options: An option to extend the initial agreement term of 2 years by a further 2 x 1 year extensions giving a potential total aggregate figure of 4 years duration.

Provisional timetable for recourse to these options:  
in months: 24 (from the award of the contract)

#### **II.2.3. Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: 2

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 12 (from the award of the contract)

### **II.3. Duration of the contract or time limit for completion**

Duration in months: 24 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Devon service requirement

#### **1) Short description**

This lot includes the details of the services and equipment that are required to be maintained in Devon.

#### **2) CPV code(s)**

90400000 Sewage services

#### **3) Quantity or scope**

#### **4) Indication about different time frame or duration**

## 5) Additional information about lots

Lot No: 2

Lot title: West Devon Homes

### 1) Short description

Details of the services required and equipment to be maintained in the West Devon Homes area.

### 2) CPV code(s)

90400000 Sewage services

### 3) Quantity or scope

### 4) Indication about different time frame or duration

### 5) Additional information about lots

Lot No: 3

Lot title: Cornwall service requirement

### 1) Short description

Details of the services required and equipment to be maintained on the Cornwall area.

### 2) CPV code(s)

90400000 Sewage services

### 3) Quantity or scope

### 4) Indication about different time frame or duration

### 5) Additional information about lots

## Section III: Legal, economic, financial and technical information

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### III.1. Conditions related to the contract

#### III.1.1. Deposits and guarantees required

#### III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

#### III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

#### III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

### III.2. Conditions for participation

#### III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Any supplier may be disqualified who:

(a) is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;

- (b) is the subject of proceedings for a declaration of bankruptcy, for an order compulsory winding up the administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) has been guilty of grave professional misconduct proven by any means which the contract authorities can demonstrate;
- (e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;
- (h) has been the subject of a conviction for participation in a criminal organization, as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26 May 1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;
- (j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (k) has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering.

Completion of the qualification questionnaire which is include in the tender pack to allow assessment of suitability.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: (a) appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance;

(c) a statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last 3 financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information of these turnovers is available.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

(b) a list of the principal deliveries effected or the main services provided in the past 3 years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given: — where the recipient was a contracting authority, in the form of certificates issues or countersigned by the competent authority, — where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator.

### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Open

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

9S2E-TEWOFY

#### **IV.3.2. Previous publication concerning this procedure**

no

#### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Time limit for receipt of requests for documents or for accessing documents: 4.2.2015 - 12:00  
Payable documents: no

#### **IV.3.4. Time limit for receipt of tenders or requests to participate**

4.2.2015 - 12:00

#### **IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

#### **IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

until: 1.2.2015

#### **IV.3.8. Conditions for opening of tenders**

Persons authorised to be present at the opening of tenders: no

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: no

## **VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

## **VI.3. Additional information**

The Authority and the Participating Organisations expressly reserve the rights:

- not to award any contract as a result of the procurement process commenced by publication of this notice;
- to make whatever changes it may see fit to the content and structure of the tendering competition; and
- to award one or more public contract(s) in relation to part only of the requirements covered by this notice; and
- to award a contract(s) in stages.

In no circumstances will the Authority or any Participating Organisation be liable to any bidder for any costs incurred.

## **VI.4. Procedures for review**

### **VI.4.1. Review body**

### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The Authority will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to bidder(s). Applicants who are unsuccessful shall be informed by the Authority as soon as possible after the decision has been made as to the reasons why the Applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2006 (SI 2006 No. 5) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take action in the High Court (England, Wales, and Northern Ireland). Any such action must generally be brought within 30 days. If a declaration of ineffectiveness is sought, any such action must be brought within 30 days where the Authority has communicated the award of the contract and a summary of reasons to bidder(s), or otherwise within 6 months of the contract being entered into. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the Authority to amend any document and may award damages. If the contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the Authority to pay a fine, and/or order that the duration of the contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.

### **VI.4.3. Service from which information about the review procedure may be obtained**

## **VI.5. Date of dispatch of this notice**

22.12.2014