

**United Kingdom-Huddersfield: Various surface works**

**OJ S 192/2020 02/10/2020**

**Contract notice**

**Works**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: The Council of the Borough of Kirklees

Postal address: High Street, West Yorkshire

Town: Huddersfield

NUTS code: UKE44 Calderdale and Kirklees

Postal code: HD1 2EY

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contract@kirklees.gov.uk](mailto:highways.contract@kirklees.gov.uk)

Telephone: +44 1484221000

**Internet address(es):**

Main address: <http://www.kirklees.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

**I.1. Name and addresses**

Official name: Leeds City Council

Postal address: Civic Hall, Calverley Street, West Yorkshire

Town: Leeds

NUTS code: UKE42 Leeds

Postal code: LS1 1UR

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

Telephone: +44 1484221000

**Internet address(es):**

Main address: <http://www.leeds.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

**I.1. Name and addresses**

Official name: City of Bradford Metropolitan District Council

Postal address: City Hall, Channing Way, West Yorkshire

Town: Bradford

NUTS code: UKE41 Bradford

Postal code: HD1 2EY

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

Telephone: +44 1484221000

**Internet address(es):**

Main address: <http://www.bradford.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

#### **I.1. Name and addresses**

Official name: The City of Wakefield Metropolitan District Council

Postal address: Town Hall, Wood Street, West Yorkshire

Town: Wakefield

NUTS code: UKE45 Wakefield

Postal code: WF1 2HQ

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

Telephone: +44 1484221000

##### **Internet address(es):**

Main address: <http://www.wakefield.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

#### **I.1. Name and addresses**

Official name: The Borough of Calderdale Council

Postal address: Town Hall, Crossley Street, West Yorkshire

Town: Halifax

NUTS code: UKE44 Calderdale and Kirklees

Postal code: HX1 1UJ

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

Telephone: +44 1484221000

##### **Internet address(es):**

Main address: <http://www.calderdale.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

#### **I.1. Name and addresses**

Official name: City of York Council

Postal address: Hazel Court, James Street, North Yorkshire

Town: York

NUTS code: UKE44 Calderdale and Kirklees

Postal code: YO10 3DS

Country: United Kingdom

Contact person: Andy Holt

E-mail: [highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

Telephone: +44 1484221000

##### **Internet address(es):**

Main address: <http://www.york.gov.uk>

Address of the buyer profile: <https://www.yortender.co.uk>

#### **I.2. Information about joint procurement**

The contract involves joint procurement

#### **I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.yortender.co.uk/>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted to the abovementioned address

**I.4. Type of the contracting authority**

Regional or local authority

**I.5. Main activity**

General public services

**Section II: Object**

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**II.1. Scope of the procurement**

**II.1.1. Title**

Surfacing and Planing Works Yorkshire Alliance Contract KMCHS-315

**II.1.2. Main CPV code**

45233200 Various surface works

**II.1.3. Type of contract**

Works

**II.1.4. Short description**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit. The contractor may price one, or more or all lots. The locations will be within the administrative areas of City of Bradford Metropolitan District Council:

Lot 1: The Borough of Calderdale Council,

Lot 2: Kirklees Council,

Lot 3: Leeds City Council,

Lot 4: City of Wakefield District Council,

Lot 5: City of York Council, and

Lot 6: any other Local Authority (as defined in the Local Government Act 1972) within the

Yorkshire and Humber Region. <http://local.direct.gov.uk/LDGRRedirect/MapLocationSearch.do?mode=1.1&map=4>

**II.1.5. Estimated total value**

Value excluding VAT: 72 000 000,00 GBP

**II.1.6. Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

City of Bradford Metropolitan District Council:

Lot 1: The Borough of Calderdale Council,

Lot 2: Kirklees Council,

Lot 3: Leeds City Council,

Lot 4: City of Wakefield Metropolitan District Council,

Lot 5: City of York Council,

Lot 6: There will be no limitation to the number of lots to any one tenderer, maximum of 25 contractors per lot, refer to tender documents.

## **II.2. Description**

### **II.2.1. Title**

City of Bradford Metropolitan District Council — Surfacing and Planing Works Yorkshire Alliance Contract KMCHS-315  
Lot No: 1

### **II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

### **II.2.3. Place of performance**

NUTS code: UKE41 Bradford  
Main site or place of performance: Geographical area of Bradford, West Yorkshire.

### **II.2.4. Description of the procurement**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of Bradford Metropolitan District Council — Lot 1.

The contractor may price one, or more or all lots as detailed at section II), paragraph II.1.4) of this notice.

For the purposes of the framework agreement, all of the other local authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the contract administrator in relation to the framework agreement.

### **II.2.5. Award criteria**

Criteria below  
Quality criterion - Name: Quality / Weighting: 40  
Price - Weighting: 60

### **II.2.6. Estimated value**

Value excluding VAT: 10 000 000,00 GBP

### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48  
This contract is subject to renewal: yes  
Description of renewals:  
The above duration is for an initial 24 months contract with the option to extend up to 24 months.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

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

### **II.2.14. Additional information**

#### **II.2. Description**

##### **II.2.1. Title**

The Borough of Calderdale Council — Surfacing and Planing Works Yorkshire Alliance  
Contract KMCHS-315  
Lot No: 2

##### **II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

##### **II.2.3. Place of performance**

NUTS code: UKE44 Calderdale and Kirklees  
Main site or place of performance: Geographical area of Calderdale, West Yorkshire.

##### **II.2.4. Description of the procurement**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of the Borough of Calderdale Council — Lot 2.

The contractor may price one, or more or all lots as detailed at section II), paragraph II.1.4) of this notice.

For the purposes of the framework agreement, all of the other local authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the contract administrator in relation to the framework agreement.

##### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

##### **II.2.6. Estimated value**

Value excluding VAT: 2 000 000,00 GBP

##### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The above duration is for an initial 24 months contract with the option to extend up to 24 months.

##### **II.2.10.**

## **Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

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

### **II.2.14. Additional information**

#### **II.2. Description**

##### **II.2.1. Title**

Kirklees Council — Surfacing and Planing Works Yorkshire Alliance Contract KMCHS-315  
Lot No: 3

##### **II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

##### **II.2.3. Place of performance**

NUTS code: UKE44 Calderdale and Kirklees

Main site or place of performance: Geographical area of Kirklees, West Yorkshire.

##### **II.2.4. Description of the procurement**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of Kirklees Council — Lot 3.

The contractor may price one, or more or all lots as detailed at section II), paragraph II.1.4) of this notice.

For the purposes of the framework agreement, all of the other local authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the contract administrator in relation to the framework agreement.

##### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

##### **II.2.6. Estimated value**

Value excluding VAT: 28 000 000,00 GBP

##### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The above duration is for an initial 24 months contract with the option to extend up to 24 months.

**II.2.10. Information about variants**

Variants will be accepted: no

**II.2.11. Information about options**

Options: no

**II.2.13. Information about European Union funds**

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

**II.2.14. Additional information**

**II.2. Description**

**II.2.1. Title**

Leeds City Council - Surfacing and Planing Works Yorkshire Alliance Contract KMCHS-315  
Lot No: 4

**II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

**II.2.3. Place of performance**

NUTS code: UKE42 Leeds

Main site or place of performance: Geographical area of Leeds, West Yorkshire.

**II.2.4. Description of the procurement**

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of Leeds City Council – Lot 4.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the “Contracting Authorities” for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

**II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

**II.2.6. Estimated value**

Value excluding VAT: 25 000 000,00 GBP

**II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The above duration is for an initial 24 months contract with the option to extend up to 24 months.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

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

#### **II.2.14. Additional information**

##### **II.2. Description**

###### **II.2.1. Title**

City of Wakefield Metropolitan District Council — Surfacing and Planing Works Yorkshire  
Alliance Contract KMCHS-315  
Lot No: 5

###### **II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

###### **II.2.3. Place of performance**

NUTS code: UKE45 Wakefield

Main site or place of performance: Geographical area of Wakefield, West Yorkshire.

###### **II.2.4. Description of the procurement**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of Wakefield District Council — Lot 5.

The contractor may price one, or more or all lots as detailed at section II), paragraph II.1.4) of this notice.

For the purposes of the framework agreement, all of the other local authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the contract administrator in relation to the framework agreement.

###### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

###### **II.2.6.**

## **Estimated value**

Value excluding VAT: 3 000 000,00 GBP

### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The above duration is for an initial 24 months contract with the option to extend up to 24 months.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

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

### **II.2.14. Additional information**

#### **II.2. Description**

##### **II.2.1. Title**

City of York Council — Surfacing and Planing Works Yorkshire Alliance Contract KMCHS-315  
Lot No: 6

##### **II.2.2. Additional CPV code(s)**

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

##### **II.2.3. Place of performance**

NUTS code: UKE21 York

Main site or place of performance: Geographical area of York, North Yorkshire.

##### **II.2.4. Description of the procurement**

The works will consist of carriageway and footway surfacing works together with other associated works and/or cold planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of York Council — Lot 6.

The contractor may price one, or more or all lots as detailed at section II), paragraph II.1.4) of this notice.

For the purposes of the framework agreement, all of the other local authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the contract administrator in relation to the framework agreement.

##### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

#### **II.2.6. Estimated value**

Value excluding VAT: 4 000 000,00 GBP

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The above duration is for an initial 24 months contract with the option to extend up to 24 months.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

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

#### **II.2.14. Additional information**

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

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#### **III.1. Conditions for participation**

##### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

Tenderers must complete section 4 of the selection questionnaire, responses to this section 4 shall be primarily for information purposes only. However, all Applicants must supply one set of evidence to demonstrate financial standing as required under this section 4. Failure to supply any one of either (a) to (c) may result in exclusion. Any answers which leads the Council, acting reasonably, to conclude (considering the risk that the relevant answer suggests about the applicant's ability to properly perform the framework agreement) that it would be inappropriate to select the applicant on this occasion will result in exclusion.

If you have indicated that your parent or holding company is prepared to guarantee the performance of your company, the information provided in response to 5.2 will be used in the financial assessment of the applicant.

In accordance with Article 57 and 59 to 61 of Directive 2014/24/EU and Regulations 57 to 61 of the Public Contract Regulations 2015, and as set out in the selection questionnaire available from the address as set out in section (I.1) of this notice, the Contracting Authority reserves the right to refuse any applicant's application and to exclude its tender from the evaluation in any of the circumstances as follows:

(i) in the event the completed selection questionnaire, supporting information and/or any other tender submissions are incomplete, inaccurate or misleading or otherwise not submitted in accordance with the requirements set out in the selection questionnaire or any of the other tender documents; and/or

(ii) for any reason specified in Regulation 57 (Exclusion Grounds) of the Public Contracts Regulations 2015, which requires or permits the Council not to select or to treat any applicant as an ineligible economic operator; and/or

(iii) tenderers scoring fail in the selection questionnaire will not be selected for consideration of their tender submission.

Minimum level(s) of standards possibly required:

B Insurance, B1 — Tenderers must self-certify that they already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:

Employer's (compulsory) liability insurance = GBP 10 000 000.00.

Public liability insurance = GBP 10 000 000.00.

Failure to indicate 'yes' to B1 will result in exclusion.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

Selection criteria as stated in the procurement documents.

## **III.2. Conditions related to the contract**

### **III.2.2. Contract performance conditions**

Contract conditions as set out in the framework contract.

## **Section IV: Procedure**

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### **IV.1. Description**

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

Open procedure

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

#### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2. Administrative information**

#### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 16/12/2020 Local time: 13:00

#### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 6 (from the date stated for receipt of tender)

#### **IV.2.7. Conditions for opening of tenders**

Date: 16/12/2020 Local time: 13:00

Place:

The above time and date for opening is estimated, subject to change.

Information about authorised persons and opening procedure: Representatives of corporate procurement, audit and any other authorised officer of the Council.

## **Section VI: Complementary information**

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

This is a recurrent procurement: no

#### **VI.2. Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

The Contracting Authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. The award criteria is set out in the tender documents. Estimated total value of purchase for the entire duration of the framework agreement. Please note the range of values stipulated in section II.1.5) of this notice covers the potential spend of all the participating Contracting Authorities, throughout the duration of the framework agreement. Notwithstanding the above paragraph, however, for the avoidance of doubt please note that:

(i) The estimates given in section II.1.5) of this notice are strictly estimated values only.

(ii) Any information supplied in the tender documents as to the likely volumes of works or the times when they are likely to be required are given purely as indication of past experiences of the contracting authorities.

(iii) Furthermore, please note that estimates given in section II.1.5) of this notice are based on third party estimates of anticipated future workloads during the framework period as at the date of this notice, and Kirklees Council gives no warranty as to the accuracy to said data.

(iv) The anticipated total value and usage of this framework agreement is unknown at present. Tenderers should note that it is not possible to establish an exact future workload and it is therefore not possible to guarantee that all or any of the successful economic operators with whom Kirklees Council enters into the framework agreement will in fact be called upon to execute Works on behalf of Kirklees Council or any of the other contracting authorities. Unless otherwise specifically stated elsewhere in the tender documents, there is no minimum or maximum value/quantity of works that may be ordered on any one occasion and the rates tendered must therefore reflect the likelihood of varying magnitude of work and types of works.

(v) No contracting authority is bound to enter into any task order or other contract following discussions or other representations and no contracting authority shall incur any liability in respect of any failure to enter into any works contract or in connection with the total volume, type of works or value of works anticipated by any of the tenderers or which any tenderer is asked to carry out.

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

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

Official name: High Court of England and Wales

Town: N/A

Country: United Kingdom

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contracts Regulations 2015 (SI 2015/102), the Contracting Authority incorporated a

minimum ten (10) calendar day standstill period at the point that information on the award of the contract was communicated to economic operators. This period allowed any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the contract to the successful economic operators. Such additional information should be requested from the address at sections I.1) and I.3) of this notice above. If an appeal regarding the award of the contract has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be started within thirty (30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date. Where the contract has not been awarded, the Court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If however the contract has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the contract to be ineffective.

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

29/09/2020