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Tender

## **Contract for Phase 1 services/works for the Cultural Heart Programme**

Kirklees Council

F02: Contract notice

Notice identifier: 2023/S 000-001440

Procurement identifier (OCID): ocds-h6vhtk-03983e

Published 17 January 2023, 3:30pm

### **Section I: Contracting authority**

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

Kirklees Council

Town Hall, Ramsden Street

HUDDERSFIELD

HD1 2TA

#### **Contact**

Corporate Procurement

#### **Email**

[procurement@kirklees.gov.uk](mailto:procurement@kirklees.gov.uk)

#### **Telephone**

+44 1484221000

**Country**

United Kingdom

**Region code**

UKE44 - Calderdale and Kirklees

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

[www.kirklees.gov.uk](http://www.kirklees.gov.uk)

Buyer's address

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

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

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

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

#### **II.1.1) Title**

Contract for Phase 1 services/works for the Cultural Heart Programme

Reference number

KMCCD-021

#### **II.1.2) Main CPV code**

- 45000000 - Construction work

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

Through a restricted procedure Kirklees Council is looking to enter into a contract with an economic operator to deliver the detailed design and construction of the Phase 1 works for the Cultural Heart Programme.

The successful economic operator will initially be appointed by Kirklees Council via the Pre-Construction Services Agreement (PCSA) forming part of the Procurement Documents.

The design and price will develop concurrently during the delivery of the PCSA Services and will conclude with the finalisation and agreement of a JCT Design and Build Contract 2016 with amendments as set out in the Procurement Documents.

#### **II.1.5) Estimated total value**

Value excluding VAT: £40,000,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

## **II.2) Description**

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

- 45100000 - Site preparation work
- 45200000 - Works for complete or part construction and civil engineering work
- 45300000 - Building installation work
- 45400000 - Building completion work
- 71000000 - Architectural, construction, engineering and inspection services

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

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Huddersfield Town Centre

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

Scope of Works for Phase 1:

Phase 1 of the Cultural Heart programme comprises the part demolition and redevelopment of the former Queensgate Market Hall (Grade II Listed) and surrounding area to form a new library, commercial food hall, outdoor events space and improved University links. These works will also require localised adaptation of the existing services tunnels, located below the Queensgate market and Piazza Shopping Centre below and all associated service infrastructure. Public realm works will also be required between buildings and the event space.

Within the above works the Market Hall is proposed to be sensitively adapted, refurbished and extended in order to provide accommodation for a new library and commercial food hall. Proposed works to existing buildings include demolition, with exposure of the existing market column and roof structure, and an extension to form the new library. In addition sections of the existing Piazza shopping centre, considered of lesser quality, are to be demolished as part of the works in order to create the events square.

The above scope of works and services is a broad categorisation rather than exhaustive.

Bidders should assume that the works and services actually required will broadly be within the scope listed above but will also include extensions to related or ancillary works and services.

The actual scope of works and services required may also be narrower than that set out above.

The procurement is intended to cover the scope of the arrangement as set out in this notice and the accompanying procurement documents, available as set out in Section 1.3.

Please also note that the estimated contract value is based on the value of the works. The final value of the works and services will depend on the scope of the final services required and bidders should presume that this value will cover the works and services listed and those ancillary to the principal works and services required on a project of a comparable scale (including any extensions of scope set out in this notice).

To help to ensure that sufficient interest in the contract will be generated, the services being procured will not be divided into separate lots.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Value excluding VAT: £40,000,000

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

Duration in months

25

This contract is subject to renewal

No

### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates:

Selection criteria for the questions are provided in the Procurement Document

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

Variants will be accepted: No

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

Options: No

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

Duration in months: 25 months (PCSA 5 months, construction contract 20 months).

This is the estimated duration for the contract. The actual duration of the contract will be the length of time needed to deliver the scope as outlined at II.2.4, which may exceed 25 months.

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

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

##### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

In accordance with (i) Article 57 and 59 to 61 of Directive 2014/24/EU and (ii) Regulations 57 to 61 of the Public Contract Regulations 2015 (SI 2015/102), and as set out in the selection questionnaire ("SQ") available from the address as set out in Section (I.1) of this notice above, the Council of the Borough of Kirklees acting as the principal contracting authority reserves the right to refuse any economic operator's application and to exclude its tender from the evaluation in any of the circumstances as follows:-

(i) in the event the completed SQ, 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 SQ 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 (SI 2015/102), which requires or permits the principal contracting authority not to select or to treat any economic operator as an ineligible economic operator; and/or (iii) economic operators scoring "Fail" in the SQ will not be selected for consideration of their tender submission.

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

List and brief description of selection criteria

Information and formalities necessary for evaluating if requirements are met in accordance with Regulations 57-58 of the Public Contracts Regulations 2015 is set out in the Procurement Documents which are available at:

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

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

List and brief description of selection criteria

Information and formalities necessary for evaluating if requirements are met in accordance with Regulations 57-58 of the Public Contracts Regulations 2015 is set out in the Procurement Documents which are available at:

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

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

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

As stated in the Procurement Documents

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## **Section IV. Procedure**

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

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

Restricted procedure

#### **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 February 2023

Local time

12:00pm

#### **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)

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## **Section VI. Complementary information**

### **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**

i) To express an interest in this procurement please register at: -

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

ii) Expressions of interest must be submitted from the candidates' registered office address by

the deadline set out in IV2.2. above and in accordance with the instructions set out in the Selection Questionnaire.

iii) The procurement timetable set out in the Procurement Documents is indicative only and Kirklees Council reserves the right to change and/or amend it at their sole discretion.

iv) The estimates given in Section II.1.5 and II.2.5 of this Notice are strictly estimated values only.

v) Furthermore, please note that estimates given in Section II.1.5 and II.2.5 of this Notice are based on third party estimates and the principal contracting authority gives no warranty as to the accuracy to said data.

vi) Right to Cancel - Kirklees Council reserves the right to discontinue the procurement process at any time, which shall include the right not to award a contract and does not bind itself to accept the lowest tender, or any tender received, and reserve the right to award the contract in part, or to call for new tenders should it consider this necessary.

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

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

High Court of England and Wales

The Strand, Westminster

London

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures in accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework agreement), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contract Regulations 2015 (SI 2015/102), the contracting authority will incorporate a minimum ten (10) calendar day standstill period at the point that information on the award of the contract is communicated to economic operators.

This period allows any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award (or non-award) of the contract. Such additional information can be requested from the address at Sections I.1 and I.3 of this Notice above.

If an appeal regarding the award (or non-award) of the contract is not successfully resolved, then the Regulations 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.