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Planning

## **Independent Certifier for Birmingham Highways PFI Project**

BIRMINGHAM HIGHWAYS LIMITED  
Birmingham City Council

F01: Prior information notice

Prior information only

Notice identifier: 2023/S 000-001893

Procurement identifier (OCID): ocds-h6vhtk-039969

Published 20 January 2023, 3:54pm

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

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

BIRMINGHAM HIGHWAYS LIMITED

Unit G1 Ash Tree Court, Nottingham Business Park

NOTTINGHAM

NG86PY

#### **Contact**

Michael Murray

#### **Email**

[mmurray@equitix.co.uk](mailto:mmurray@equitix.co.uk)

#### **Telephone**

+44 7710057497

**Country**

United Kingdom

**Region code**

UKG31 - Birmingham

**Companies House**

07064140

**Internet address(es)**

Main address

<https://www8.idealsvdr.com/v3/11677415>

Buyer's address

<https://www8.idealsvdr.com/v3/11677415>

**I.1) Name and addresses**

Birmingham City Council

10 Woodcock Street

Birmingham

B4 7WB

**Contact**

Mark Shelswell

**Email**

[mark.shelswell@birmingham.gov.uk](mailto:mark.shelswell@birmingham.gov.uk)

**Telephone**

+44 7885236391

**Country**

United Kingdom

**Region code**

UKG31 - Birmingham

**Justification for not providing organisation identifier**

Partnership

**Internet address(es)**

Main address

<https://www8.idealsvdr.com/v3/11677415>

Buyer's address

<https://www8.idealsvdr.com/v3/11677415>

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

The contract involves joint procurement

**I.3) Communication**

Access to the procurement documents is restricted. Further information can be obtained at

<https://www8.idealsvdr.com/v3/11677415>

Additional information can be obtained from the above-mentioned address

**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**

Independent Certifier for Birmingham Highways PFI Project

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

- 71311210 - Highways consultancy services

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

Services

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

Birmingham City Council and Birmingham Highways Limited intends to procure an Independent Certifier for the Birmingham Highways PFI Project to carry out (i) standardised works periodically including, for example, auditing street lighting schemes' designs and implementation and assessing the performance of Birmingham Highways Limited in respect of achieving the relevant condition targets in accordance with the Project Agreement (and related documents), and (ii) variable tasks and differing/additional services which may be requested on an ad hoc basis, which may include, for example, certifying the carriageway schemes, footway schemes, structural works and traffic signal installations, services relating to handback, and assistance with dispute resolution.

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

Value excluding VAT: £1,000,000

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

This contract is divided into lots: No

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

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

- 71311220 - Highways engineering services

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

NUTS codes

- UKG31 - Birmingham

Main site or place of performance

Birmingham City Highway Network.

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

As at the date of this notice, Birmingham City Council and Birmingham Highways Limited intends to launch a joint procurement process at the end of January/beginning of February 2023 using the restricted procedure under the Public Contracts Regulations 2015 in order to procure an Independent Certifier for the Birmingham Highways PFI Project.

The Independent Certifier will be required to perform all the functions and obligations attributed to the Independent Certifier in respect of the a project agreement entered into by Birmingham City Council and Birmingham Highways Limited in relation to the Birmingham Highways PFI Project ("Project Agreement") (and related documents).

It is envisaged that this procurement process will run in parallel with the procurement of a replacement operating subcontractor for the Birmingham Highway PFI Project (covering the rehabilitation, operation and maintenance of the highways network infrastructure in the City of Birmingham) ("Operating Sub-Contractor"), which runs until June 2035 (previously advertised via a contract notice published on 14 February 2022, and with reference 2022/S 000-004207). The contract between the replacement operating sub-contractor and Birmingham Highways Limited will largely be a back-to-back flow down of the Project Agreement.

Birmingham City Council, Birmingham Highways Limited and the Independent Certifier will each be a party to the Independent Certifier Appointment, and a collateral warranty will be entered into by Birmingham City Council, Birmingham Highways Limited, the Operating Sub-Contractor, and the Independent Certifier.

At a high level, the duties and obligations are anticipated to include:

- Initial Services: (i) standardised works which will be carried out periodically including, for example (but not be limited to) assessing the performance of Birmingham Highways Limited in respect of achieving the relevant condition targets in accordance with the Project Agreement (and related documents); (ii) an auditing role in relation to the design and implementation of the street light schemes. The services undertaken for which the audits are required include but are not limited to: inspections of structures; replacement of street lighting, traffic signal controllers and other powered apparatus; and pavement interventions. The auditing role would be based on a review of a specified percentage of the works to be undertaken within each contract year.

- Variable Services: variable tasks and differing/additional services may also be requested on an ad hoc basis. This may include, by way of example, (i) the inspection and certification of the completion of carriageway schemes, footway schemes and traffic signal installations including, based on a visual inspection of the completed scheme, the production of a list of any minor snagging issues; (ii) undertaking additional monitoring of design compliance (should, for example, the initial percentage based review find errors and for the review of special reports or events), (iii) certifying structural works; (iv) services relating to handback; and (v) assistance with dispute resolution.

If your organisation may be interested in bidding for this opportunity, or would like to request further information, including an overview of the main terms and conditions that Birmingham City Council and Birmingham Highways Limited envisage will be included in the form of appointment of the Independent Certifier which will become the subject of the procurement process referred to above, please email Michael Murray at [mmurray@equitix.co.uk](mailto:mmurray@equitix.co.uk). Please note, all of the details provided (including those containing in this notice) are subject to amendment/finalisation, and will be confirmed in the contract notice (and accompanying procurement documents) which will be published in due course.

### **II.3) Estimated date of publication of contract notice**

31 January 2023

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## **Section IV. Procedure**

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

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

The procurement is covered by the Government Procurement Agreement: Yes