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Tender

River Thames Scheme (RTS) Construction Partner

ENVIRONMENT AGENCY (Defra Network eTendering Portal)

F02: Contract notice

Notice identifier: 2024/S 000-002786

Procurement identifier (OCID): ocds-h6vhtk-04350f

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Section I: Contracting authority

I.1) Name and addresses

ENVIRONMENT AGENCY (Defra Network eTendering Portal)

Seacole Building, 2 Marsham Street

London

SW1P 4DF

Contact

Jon Mannering

Email

jon.mannering@environment-agency.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs>

Buyer's address

<https://defra-family.force.com/s/Welcome>

I.3) Communication

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

<https://atamis-9529.my.site.com/s/Welcome>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://atamis-9529.my.site.com/s/Welcome>

Tenders or requests to participate must be submitted to the above-mentioned address

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Environment

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

River Thames Scheme (RTS) Construction Partner

Reference number

C22875

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

The River Thames between Egham and Teddington has the largest area of undefended, developed floodplain in England. Over 10,000 homes and businesses within the area are at risk from flooding.

Major flooding in this area would cause severe disruption to the local and regional road network. It would suspend several major drinking water abstractions supplying the South East and threaten up to 20 local electricity sub-stations.

The River Thames Scheme (“RTS”) is being delivered in partnership between the Environment Agency and Surrey County Council and will reduce the risk of flooding to homes, businesses and critical infrastructure (roads, sewerage network, and power supplies) between Egham and Teddington.

The scheme consists of:

- Construction of 8 km of new flood channel built in two sections;
- Improving the flow capacity at Sunbury, Molesey and Teddington weirs;
- Improving the flow capacity downstream of the Desborough Cut channel;
- Building community resilience through flood planning and improved emergency planning;
- Creating new green open spaces and habitat creation areas;
- Providing a new sustainable travel route.

RTS will reduce flood risk to people living and working near the Thames, enhance the

resilience of nationally important infrastructure, contribute to a vibrant local economy and maximise the social and environmental value of the river.

II.1.5) Estimated total value

Value excluding VAT: £500,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45110000 - Building demolition and wrecking work and earthmoving work
- 45221245 - Under-river tunnel construction work
- 45112700 - Landscaping work
- 45233131 - Construction work for elevated highways
- 45200000 - Works for complete or part construction and civil engineering work
- 45233100 - Construction work for highways, roads
- 45210000 - Building construction work
- 45233000 - Construction, foundation and surface works for highways, roads
- 45233130 - Construction work for highways
- 45240000 - Construction work for water projects
- 45250000 - Construction works for plants, mining and manufacturing and for buildings relating to the oil and gas industry
- 45246000 - River regulation and flood control works
- 45262000 - Special trade construction works other than roof works
- 45500000 - Hire of construction and civil engineering machinery and equipment with operator

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

Surrey, between Egham and Teddington

II.2.4) Description of the procurement

The Environment Agency (EA) and Surrey County Council (SCC) are seeking to appoint a Construction Partner to deliver the River Thames Scheme. The EA shall be the sole contracting authority with the contract providing SCC with access rights by way of a collateral warranty.

The main works include design and construction of the 8km flood channel built in two channel sections:

- Egham Hythe to Chertsey;
- Laleham to Shepperton.

and will include design and construction of the following:

- Increasing the flow capacity of Sunbury, Molesey and Teddington weirs;
- Increasing the capacity downstream of the Desborough Cut;
- Highways bridges, roads and footbridges on private and public land, work to M3 motorway assets and utility service diversions, including the Southampton to London pipeline;
- Landscaping works including creation of areas for community use post construction and areas of habitat created to mitigate impacts during construction;
- Active travel routes to encourage cycling and other forms of non-motorised travel;
- Earthworks including excavation, storage, treatment, placement and disposal of approx. 1 million m³ of material including landfill waste, topsoil, alluvium and gravels - this represents a significant proportion of the overall construction costs;
- New operational assets to ensure the channel can be operated and maintained by a dedicated team once in service.

The contract shall be awarded in two stages as described below:

Stage One – Early Contractor Involvement phase - Design Development and Construction Planning:

- Mobilisation of the design team and undertaking full detailed design;
- Carry out surveys as appropriate to inform design and consenting requirements;
- Conduct sub-contractor procurement and agree pricing based on detailed design, carry out two stage appointments if necessary;
- Work progressively on the pricing proposals for Stage Two Works with reference to the Pricing Information, programme and Construction Partner's design for the Full Business

Case (FBC);

- Plan/apply for permits & licences in accordance with the consenting strategy;
- Engage specialist suppliers through its design process;
- Critically review the apportionment of risk and adopt a methodology of reducing the Client's risk in key areas;
- Collaborative development of KPIs that are to be adopted during Stage Two;
- Provide proposals for value engineering and optimisation where possible;
- Deliver project ambitions for carbon emissions and sustainability goals;
- Plan to prepare and commence works on site as soon as DCO is granted and FBC is approved;
- Take ownership of the existing relationship and negotiations with utility providers and undertake any necessary service diversion works necessary prior to Stage Two subject to funding approval;
- Any potential enabling works such as site clearance, site possession and security;
- Work collaboratively with the Client's design team for assurance on design activities.

Stage Two – Construction works:

- Site mobilisation;
- Early works not completed in Stage One such as site clearance, site possession and security;
- Construction phase;
- Maintenance of the planted landscape elements;
- Reporting, health & safety file, O&M and handover at completion.

The Stage One contract shall be awarded to the successful bidder from this procurement process. Award of the Stage Two contract shall be subject to a number of success criteria that shall be defined in the Invitation to Tender (ITT). The intention is to award the Stage Two contract to the successful bidder from this procurement process but, in the event that the success criteria are not met, the Contracting Authority reserves the right to award the Stage Two contract to a different contractor.

The Authority estimates that delivery of RTS in its entirety may cost in the region of £300m - £375m. This estimate includes all pre-construction and construction activities that the Authority may require the successful contractor to undertake but does not include any other compensation events or permissible price increases during the term and therefore the Authority has estimated the total maximum value of the contract in the Contract Notice to be higher than this at £500,000,000 to provide some flexibility.

The construction programme for the successful completion of the works is expected to be a period of approximately 7.5 years (91 months) though this does not take account of as yet unforeseen requirements of the DCO approval, any extensions of time permissible by the Contract, the defects period, or any maintenance provision. The contract shall continue until the completion of the works and all of the subsequent related contractual

obligations have been fulfilled unless terminated earlier in accordance with its terms.

The Competitive Procedure with Negotiation is the selected procurement procedure for the RTS Construction Partner requirement. Two stages of shortlisting shall be utilised as follows:

- The Selection Questionnaire (SQ) shall apply the selection criteria to shortlist Candidates to a minimum of 4 and maximum of 6 for ITT.
- Initial tender responses shall be evaluated in accordance with the ITT evaluation model and a maximum of 3 taken forward to the negotiation stage.

The shortlisted bidders will be invited to participate in negotiations. The negotiations could cover any aspect of the tender, from the quality of the solution to contractual clauses, costs, innovation incentives, or ways in which solutions will be implemented excluding the defined minimum requirements which are not subject to negotiation.

The form of contract shall be an NEC4 Engineering & Construction Contract (ECC) utilising the Option C (Target Cost Incentive Model with Activity Schedule) pricing option for both Stage One and Stage Two. The share ranges for the Stage One contract shall be set to zero but appropriate share ranges shall be set for the Stage Two contract.

II.2.5) Award criteria

Quality criterion - Name: Environment / Weighting: 5%

Quality criterion - Name: Design & Construction Methodology / Weighting: 30%

Quality criterion - Name: Programme / Weighting: 10%

Quality criterion - Name: Sustainability & Carbon Reduction / Weighting: 5%

Quality criterion - Name: Supply Chain Management / Weighting: 3%

Quality criterion - Name: Staff / Weighting: 2%

Quality criterion - Name: Risk Transfer / Weighting: 2.5%

Quality criterion - Name: Health, Safety & Wellbeing / Weighting: 2.5%

Quality criterion - Name: Social Value / Weighting: 10%

Price - Weighting: 30%

II.2.6) Estimated value

Value excluding VAT: £500,000,000

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

Duration in months

91

This contract is subject to renewal

No

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

Envisaged minimum number: 4

Maximum number: 6

Objective criteria for choosing the limited number of candidates:

As described in the procurement documents.

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

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

See procurement documents for details.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Competitive procedure with negotiation

IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.5) Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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

22 March 2024

Local time

5:00pm

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)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

The Contracting Authority will use the Defra e-Sourcing portal, Atamis, in this procurement.

In order to participate and access the procurement documents, Candidates must register on Atamis at <https://defra-family.force.com/s/Welcome> and then search for project ref. C22875.

The Contracting Authority does not bind itself to accept any tender and is not liable for any costs incurred by those expressing an interest or tendering for this opportunity.

VI.4) Procedures for review

VI.4.1) Review body

High Court Royal Courts of Justice

London

The Strand

WC2A 2LL

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

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Seacole Building, 2 Marsham Street

London

SW1P 4DF

Country

United Kingdom

Internet address

<https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Contracting Authority will operate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers to provide time for unsuccessful tenderers to challenge the award decision before the contract is entered into. Unsuccessful tenderers shall be notified by the contracting authority as soon as possible after the decision is made as to the reasons why they were unsuccessful. The Public Contracts Regulations 2015 provide that aggrieved parties who have been harmed, or are at risk of harm, by breach of the rules are to take action in the High Court (England, Wales and Northern Ireland).