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Award

Queen Alexandra Hospital, North Car Park, MSCP

Portsmouth Hospitals University NHS Trust

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-003619

Procurement identifier (OCID): ocids-h6vhtk-02958b

Published 23 February 2021, 5:29pm

Section I: Contracting authority/entity

I.1) Name and addresses

Portsmouth Hospitals University NHS Trust

Queen Alexandra Hospital, Southwick Hill Road

Portsmouth

PO6 3LY

Contact

Mark Magrath

Email

mark.magrath@porthosp.nhs.uk

Telephone

+44 07824625139

Country

United Kingdom

NUTS code

UKJ31 - Portsmouth

Internet address(es)

Main address

<http://porthosp.nhs.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Queen Alexandra Hospital, North Car Park, MSCP

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

Portsmouth Hospitals University NHS Trust ("PHUT") intends to enter into an option agreement and ground lease with Noviniti Dev Co 6 Ltd ("Noviniti") in respect of a new multi-storey car park development at Queen Alexandra Hospital, Portsmouth ("the Hospital"). PHUT has structured the contractual arrangement as a land transaction exempt from the Public Contracts Regulations 2015.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £9,500,000

II.2) Description

II.2.2) Additional CPV code(s)

- 45213312 - Car park building construction work
- 98351000 - Car park management services

II.2.3) Place of performance

NUTS codes

- UKJ31 - Portsmouth

Main site or place of performance

Queen Alexandra Hospital, Southwick Hill Road, Portsmouth, PO6 3LY

II.2.4) Description of the procurement

PHUT intends to enter into an option agreement and ground lease with Noviniti in respect of a new multi-storey car park development at the Hospital. PHUT has structured the contractual arrangement as a land transaction exempt from the Public Contracts Regulations 2015

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The subject of this notice is an agreement to be entered into between PHUT and Noviniti for the grant of an option entitling Noviniti to call for the grant of a 35 years Ground Lease of part of PHUT's freehold land at the Hospital.

The area which will be subject to the option is defined within the option agreement and the option period will run for an initial period of 39 weeks (subject to extension).

PHUT has had valuation advice and will grant the Ground Lease at a premium which reflects market value

If Noviniti exercises the option and calls for the grant of the Ground Lease that Ground Lease will be for a period

of up to 35 years. The Ground Lease is subject to break clauses in favour of PHUT after 2 years and again at an agreed date reflecting the 30th anniversary of practical completion of the Potential Development (as defined below) by Noviniti.

The Ground Lease anticipates that Noviniti may choose (but with no obligation to do so) to undertake a Permitted Alteration (in accordance with a Licence for Alterations that may be entered into) of a multi-storey car park building at the Hospital (the "Potential Development").

The detail of the Potential Development will have been agreed between PHUT and Noviniti prior to the grant of the option agreement. PHUT has a right to terminate the Ground Lease if Noviniti has not commenced the works comprising the Potential Development by the date 52 weeks after the date of the Ground Lease.

PHUT will have obligations to use reasonable endeavours to assist Noviniti in dealing with matters relating to the planning permission for the Potential Development including entering into third party agreements necessary to facilitate the Potential Development.

The exercise of the option by Noviniti to call for the Ground Lease does not trigger any obligation on Noviniti to undertake or on PHUT to procure the Potential Development. If Noviniti decides to undertake the Potential Development, (and if PHUT subsequently so decides) Noviniti and PHUT may enter into an agreement for lease providing for the grant by Noviniti of an underlease of the completed development to a third party operator and a reversionary lease to PHUT. If that agreement is reached PHUT anticipates that PHUT, Noviniti and the third party operator will enter into further documents including an agreement for lease, a licence for alterations and underleases of the completed development.

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

22 February 2021

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Noviniti Dev Co 6 Ltd

The Stables, Churchfield Farm, Harley Way, Oundle

Peterborough

PE8 5AU

Email

jonathan.houlston@noviniti.co.uk

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £9,500,000

Total value of the contract/lot/concession: £9,500,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The Royal Courts of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom