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Award

## **VEAT Notice: Variation of development agreement relating to Weaver's Triangle, Sandygate, Burnley**

BURNLEY BOROUGH COUNCIL

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-003656

Procurement identifier (OCID): ocids-h6vhtk-0314e3

Published 9 February 2022, 8:25am

### **Section I: Contracting authority/entity**

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

BURNLEY BOROUGH COUNCIL

Town Hall

Burnley

BB119SA

#### **Contact**

Chris Gay

#### **Email**

[cgay@burnley.gov.uk](mailto:cgay@burnley.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKD46 - East Lancashire

**Internet address(es)**

Main address

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

**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**

VEAT Notice: Variation of development agreement relating to Weaver's Triangle, Sandygate, Burnley

Reference number

WTV001

**II.1.2) Main CPV code**

- 45000000 - Construction work

**II.1.3) Type of contract**

Works

**II.1.4) Short description**

Variation of a development agreement relating to Weaver's Triangle, Sandygate, Burnley due to the need to include additional land in the definition of the Property to which the development agreement relates.

**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: £11,600,000

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

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

- 45100000 - Site preparation work
- 45400000 - Building completion work
- 71000000 - Architectural, construction, engineering and inspection services
- 79420000 - Management-related services

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

NUTS codes

- UKD46 - East Lancashire

Main site or place of performance

Burnley, Lancashire.

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

Variation of an agreement entered into by Burnley Borough Council and Barnfield Investment Properties Limited and Barnfield & Burnley (Developments) Limited dated 29 March 2012. The agreement will be varied to include land at Newtown Mill within the Property to which the development relates.

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

Options: No

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## **Section IV. Procedure**

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

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

Negotiated without a prior call for competition

- Additional deliveries by the original supplier
- New works/services, constituting a repetition of existing works/services

Explanation:

The Council is of the view that this variation is within the scope of Regulation 72(1)(b) of the Public Contracts Regulations 2015 which provides for a contract to be modified by adding additional works or services which have become necessary. A change of contractor cannot be made for economic or technical reasons. The extent of works that have already been completed means that procuring a new contractor would cause significant inconvenience and substantial duplication of costs to the Council.

The increase in value will not exceed 50% of the original value.

#### **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.2.1) Previous publication concerning this procedure**

Notice number: [2010/S 131-200710](#)

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## **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**

4 February 2022

#### **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**

Barnfield Investment Properties Limited and Barnfield & Burnley (Developments)

Nelson

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £11,600,000

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## **Section VI. Complementary information**

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

Please note re section V: Award of contract/concession - a new contract has not been awarded, this is a variation of an existing development agreement (original OJEU notice 2010/2 131 200710). The Council is not procuring a new contract. This agreement is not related to a project and/or programme financed by European Union funds.

## Additional CPV Codes

45100000 Site preparation work

45400000 Building completion work

71540000 Construction management services

71200000 Architectural and related services

71541000 Construction project management services

79420000 Management-related services

71000000 Architectural, construction, engineering and inspection services

71210000 Advisory architectural services

71220000 Architectural design services

71221000 Architectural services for buildings

71222000 Architectural services for outdoor areas

71222100 Urban areas mapping services

71223000 Architectural services for building extensions

71240000 Architectural, engineering and planning services

71241000 Feasibility study, advisory service, analysis

71242000 Project and design preparation, estimation of costs

71243000 Draft plans (systems and integration)

71244000 Calculation of costs, monitoring of costs

71245000 Approval plans, working drawings and specifications

71246000 Determining and listing of quantities in construction

71247000 Supervision of building work

71248000 Supervision of project and documentation

71250000 Architectural, engineering and surveying services

71251000 Architectural and building-surveying services

71300000 Engineering services

71310000 Consultative engineering and construction services

71311000 Civil engineering consultancy services

71311100 Civil engineering support services

71311300 Infrastructure works consultancy services

71315000 Building services

71315100 Building-fabric consultancy services

71315200 Building consultancy services

71315210 Building services consultancy services

71315300 Building surveying services

71315400 Building-inspection services

71317200 Health and safety services

71317210 Health and safety consultancy services

71318000 Advisory and consultative engineering services

71356400 Technical planning services

71400000 Urban planning and landscape architectural services

71510000 Site-investigation services

71520000 Construction supervision services

71521000 Construction-site supervision services

71530000 Construction consultancy services

70300000 Real estate agency services on a fee or contract basis

70310000 Building rental or sale services

70311000 Residential building rental or sale services

70320000 Land rental or sale services

70321000 Land rental services

70322000 Vacant-land rental or sale services

70330000 Property management services of real estate on a fee or contract basis

70331000 Residential property services

70332000 Non-residential property services

70332100 Land management services

70333000 Housing services

45215214 Residential homes construction work

71500000 Construction-related services

71230000 Organisation of architectural design contests

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

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

Burnley Borough Council

Burnley

Country

United Kingdom