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Tender

## **Medium Schemes Framework 4 (MSF4) on behalf of Midlands Highways Alliance Plus (MHA+)**

Leicestershire County Council  
Midlands Highway Alliance Plus (MHA+)

F02: Contract notice

Notice identifier: 2021/S 000-008029

Procurement identifier (OCID): ocds-h6vhtk-02a6ce

Published 16 April 2021, 10:46am

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

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

Leicestershire County Council

County Hall, Leicester Road, Glenfield

Leicester

LE3 8RA

#### **Contact**

Miss Izabela Skowronek

#### **Email**

[izabela.skowronek@leics.gov.uk](mailto:izabela.skowronek@leics.gov.uk)

#### **Telephone**

+44 1163057878

**Country**

United Kingdom

**NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://www.leicestershire.gov.uk/>

Buyer's address

<https://www.eastmidstenders.org/index.html>

**I.1) Name and addresses**

Midlands Highway Alliance Plus (MHA+)

County Hall

Glenfield, Leicester

LE3 8RA

**Contact**

Mr John Hooper

**Email**

[john.hooper@leics.gov.uk](mailto:john.hooper@leics.gov.uk)

**Telephone**

+44 1163057873

**Country**

United Kingdom

**NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://www.mhaplus.org.uk/>

Buyer's address

<https://www.mhaplus.org.uk/>

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

The contract involves joint procurement

The contract is awarded by a central purchasing body

**I.3) Communication**

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

<https://procontract.due-north.com/Advert?advertId=fb57f345-5699-eb11-810c-005056b64545&p=527b4bbd-5c58-e511-80ef-000c29c9ba21>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://procontract.due-north.com/Advert?advertId=fb57f345-5699-eb11-810c-005056b64545&p=527b4bbd-5c58-e511-80ef-000c29c9ba21>

**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

Medium Schemes Framework 4 (MSF4) on behalf of Midlands Highways Alliance Plus (MHA+)

Reference number

DN497090

#### II.1.2) Main CPV code

- 45233000 - Construction, foundation and surface works for highways, roads

#### II.1.3) Type of contract

Works

#### II.1.4) Short description

The framework scope of the MSF4 is for the execution of highway, civil and municipal engineering works. Typical schemes may involve, but not exclusively be, highway improvements, highway maintenance, highway infrastructure works (including bridges, subways, culverts and retaining walls), public realm works (town centre enhancements), drainage improvements, canal works and other infrastructure works such as waste management facilities.

Such schemes will be undertaken within the administrative boundaries of the existing MHA+ members (on behalf of the local authorities concerned or any other publicly-funded body working in conjunction with the MHA+ members), and other such bodies located within or adjacent to the geographical Midlands area that become members of the MHA+ during the currency of this Agreement. Any member of the MHA+ will be eligible to place orders under this framework, A full, upto date list of MHA+ members can be found on the MHA+ website <https://www.mhaplus.org.uk/about-us/membership/>

There is no lower or upper limit on the value of Work Orders that can be issued under the MSF4. It is anticipated that most work will be in the range of £1million to £12million but a published and regularly reviewed pipeline of potential schemes will be available to allow resource planning.

Prior Information Notice was previously published in relation to this opportunity in Find a Tender Service under reference 2021/S 000-003320.

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

Value excluding VAT: £1,000,000,000

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

This contract is divided into lots: No

## **II.2) Description**

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

- 45233100 - Construction work for highways, roads
- 45233131 - Construction work for elevated highways
- 45233139 - Highway maintenance work
- 45233210 - Surface work for highways
- 45233130 - Construction work for highways
- 45233300 - Foundation work for highways, roads, streets and footpaths
- 45233310 - Foundation work for highways

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

NUTS codes

- UKC - North East (England)
- UKD - North West (England)
- UKE - Yorkshire and the Humber
- UKF - East Midlands (England)
- UKG - West Midlands (England)
- UKH - East of England
- UKJ - South East (England)
- UKK - South West (England)

Main site or place of performance

Within the administrative boundaries of the existing MHA+ members (on behalf of the

local authorities concerned or any other publicly-funded body working in conjunction with the MHA+ members), and other such bodies located within or adjacent to the geographical MHA+ area that become members of the MHA+ during the currency of this Agreement.

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

For the purposes of this tender process, Leicestershire County Council is acting as the Client and the Contracting Authority on behalf of the Midlands Highway Alliance Plus (MHA+). Once the Framework Agreement is awarded, any organisation who is a member of the MHA+ (this includes any organisation that may become a member during the Framework Term), will be able to place a Works Order under it with a framework contractor. Each Works Order will create a separate, stand-alone contract between the MHA member who placed it and the Contractor. Leicestershire County Council will have no liability except in relation to Works Orders which it places itself. Irrespective of who places them, Works Orders will incorporate by reference all of the relevant information and arrangements set out in the Framework Agreement.

The Framework Agreement will be based on NEC4 Framework Contract. The permissible contract conditions for the call-off contracts placed under this framework will be: Engineering and Construction Contract, Main Option C; Engineering and Construction Short Contract or Professional Services Short Contract.

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

Quality criterion - Name: Quality (excluding Social Value) / Weighting: 55

Quality criterion - Name: Social Value / Weighting: 15

Price - Weighting: 30

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

Value excluding VAT: £1,000,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

The initial Framework term is four (4) years with two options to further extend by two (2) years each . The maximum term of the Framework is therefore eight years (4+2+2).

#### **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

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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

As specified in tender documents.

##### **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.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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## **Section IV. Procedure**

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

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

Restricted procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 4

In the case of framework agreements, provide justification for any duration exceeding 4 years:

Due to nature, size and complexity of contracts intended to be called-off under this framework, limiting the framework term to 4 years appears disproportionately short and does not allow for the full realisation of benefits of performance management, collaboration and continuous improvement. MHA+ retained the right to offer any options to extend the term beyond the initial 4 years only at its absolute discretion subject to review of framework's effectiveness, value for money offered and overall performance.

#### **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

1 June 2021

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

12 July 2021

**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: 4 (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: Yes

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

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

High Court of Justice

The Strand

London

WC2A2LL

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Leicestershire County Council (LCC) will incorporate a minimum 10 calendar days standstill period at the point of information on the award of the contract, as communicated to tenderers. Applicants who are unsuccessful shall be informed by LCC as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2015 provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order for any document to be amended and may award damages, make a declaration of ineffectiveness, order for a fine to be paid, and/or order the duration of the contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.