

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/009421-2022>

Tender

KMCCD-016 Framework for the Provision of Clerk of Works Services

Kirklees Council

F02: Contract notice

Notice identifier: 2022/S 000-009421

Procurement identifier (OCID): ocids-h6vhtk-032b68

Published 7 April 2022, 5:39pm

Section I: Contracting authority

I.1) Name and addresses

Kirklees Council

PO Box 1720

Huddersfield

HD1 2TA

Contact

Corporate Procurement

Email

procurement@kirklees.gov.uk

Telephone

+44 01484221000

Country

United Kingdom

NUTS code

UKE44 - Calderdale and Kirklees

National registration number

GB184352457

Internet address(es)

Main address

<http://www.kirklees.gov.uk>

Buyer's address

<https://uk.eu-supply.com/ctm/Company/CompanyInformation/Index/104104>

I.3) Communication

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

https://uk.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=45811&B=UK

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

https://uk.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=45811&B=UK

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

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

KMCCD-016 Framework for the Provision of Clerk of Works Services

Reference number

KMCCD-016

II.1.2) Main CPV code

- 71000000 - Architectural, construction, engineering and inspection services

II.1.3) Type of contract

Services

II.1.4) Short description

Framework for the Provision of Clerk of Works Services. Clerk of Works services shall be provided to support the breadth and depth of construction and engineering works delivered by the Council. This can include full scope of services on medium to large new capital projects and major building refurbishments to single discipline support for small revenue projects and inspection of building repairs. Whilst this Framework is intended for predominantly Building, Mechanical and Electrical Clerk of Works Services, from time to time there may be a requirement for Civil Engineering Clerk of Works Services.

II.1.5) Estimated total value

Value excluding VAT: £360,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 71520000 - Construction supervision services
- 71521000 - Construction-site supervision services

- 71530000 - Construction consultancy services

II.2.3) Place of performance

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Kirklees

II.2.4) Description of the procurement

Framework for the Provision of Clerk of Works Services. Clerk of Works services shall be provided to support the breadth and depth of construction and engineering works delivered by the Council. This can include full scope of services on medium to large new capital projects and major building refurbishments to single discipline support for small revenue projects and inspection of building repairs. Whilst this Framework is intended for predominantly Building, Mechanical and Electrical Clerk of Works Services, from time to time there may be a requirement for Civil Engineering Clerk of Works Services.

II.2.5) Award criteria

Quality criterion - Name: Resourcing – Larger Works / Weighting: 20%

Quality criterion - Name: Resourcing – Smaller Works / Weighting: 20%

Quality criterion - Name: Reports and Documentation / Weighting: 20%

Price - Weighting: 40%

II.2.6) Estimated value

Value excluding VAT: £360,000

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

Duration in months

36

This contract is subject to renewal

No

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.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

In accordance with: (i) Article 57 to 60 of Directive 2014/24/EU of the European Parliament and of the European Council; and (ii) Regulations 57 to 60 of the Public Contracts 2015 (SI 2015/102) (the 'Regulations'), which require or permit the contracting authority not to select or to treat as ineligible, economic operators, the contracting authority reserves the right to exclude any economic operator whom they deem to not satisfy any criteria outlined within the scoring matrices contained within the standard selection questionnaire ('SQ') within the Tenderer Submission Documents which are available to download at: <https://yortender.eu-supply.com> or is available at the address set out in Sections I.1) and I.3) of this Notice above.

III.1.2) Economic and financial standing

List and brief description of selection criteria

See Section 4 of the SQ (available to download at: <https://yortender.eu-supply.com>).

Economic operators must submit either

a) copy of the audited accounts for the most recent two (2) years if requested. If it cannot, then it must provide either:

b) a statement of the turnover, Profit and Loss Account/ Income Statement, Balance

Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation;

c) a statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position; or

d) alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).

Economic operators must also confirm whether or not they are part of a wider group (e.g. a subsidiary of a holding/parent company), and if so must provide confirmation of:

a) the name of the organisation;

b) the relationship to the economic operator completing the SQ; the organisation's company accounts (if available); and confirmation on whether or not this organisation would be willing to provide a guarantee if necessary, and if not would the economic operator be able to obtain a guarantee elsewhere (e.g. from a bank)

Insurance -

See Section 8.1 of the SQ (available to download at: <https://yortender.eu-supply.com>).

Economic operators are asked to self-certify whether they already have, or can commit to obtain, prior to the commencement date of the Contract, the levels of insurance cover indicated below:

a) Employer's (Compulsory) Liability Insurance £10,000,000 (in relation to any one claim or series of claims); and

b) Public Liability Insurance £10,000,000 (in relation to any one claim or series of claims)

Minimum level(s) of standards possibly required

Finance -

See Section 4 of the Selection Questionnaire (available to download at: <https://yortender.eu-supply.com>).

The rationale applied will be economic operators being able to demonstrate an annual turnover of at least equal to the estimated annual value as outlined within the Tender Documents (£120,000.00 is the estimated annual value therefore Suppliers will have to

demonstrate an annual turnover of at least £120,000.00) and a positive net worth. Failure by an economic operator to supply either a copy of the audited accounts for the most recent two (2) years or any one of the document listed in (a) – (c) in Section 4.1 of the SQ may also result in exclusion. Further, any answers which leads the contracting authority, acting reasonably, to conclude (considering the risk that the relevant answer suggests about the economic operator’s ability to properly perform the Contract) that it would be inappropriate to select the economic operator on this occasion may result in exclusion. In addition, if an economic operator indicates in Section 5 of the SQ that its parent or holding company is prepared to guarantee the performance of the economic operator’s company, the information provided in response to Sections 5.1 to 5.3 will be used in the financial assessment of the economic operator.

Insurance –

See 8.1 of the SQ (available to download at: <https://yortender.eu-supply.com>).

Failure to indicate ‘Yes’ to any of the required insurances stated in Section 8.1 will result in exclusion.

III.1.3) Technical and professional ability

List and brief description of selection criteria

Economic operators are asked to provide examples of relevant experience in accordance with the requirements set out within Section 6 of the SQ (available to download at: <https://yortender.eu-supply.com>).

Minimum level(s) of standards possibly required

Pass – The Candidate has provided EITHER:

a) at least one example of a previous contract that meets the minimum requirements set out in Section 6, and demonstrates to the reasonable satisfaction of the contracting authority that the economic operator possesses the relevant general technical expertise and professional experience to be entrusted with a Specific Contract from the Framework;

OR

b) a satisfactory reason as to why the economic operator is unable to provide any examples of previous contracts that are relevant to the contracting authority’s requirements under the Contract, and that meets the minimum requirements set out in Section 6.3 of the SQ.

HOWEVER, economic operators are asked to note that:

c) If economic operators need to use more than one example to demonstrate that they possess the relevant general technical expertise and professional experience, they may do so up to a maximum of three (3) examples.

d) The contracting authority reserves the right to confirm the accuracy of any information provided in response to Section 6 of the SQ with any named customer contact(s). Any replies from any named customer contact(s) which lead the contracting authority, acting reasonably, to doubt any significant representations made in the economic operator's responses to Section 6 may result in exclusion.

Fail – The economic operator:

a) has failed to provide any examples of any previous contracts in response to Section 6 of the SQ;

AND

b) has failed to provide a satisfactory reason as to why they were unable to provide any examples;

c) the examples given in response to Section 6 of the SQ do not demonstrate to the reasonable satisfaction of the contracting authority that the economic operator possesses the relevant general technical expertise and professional experience to be entrusted with a Specific Contract from the Framework.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open 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: 3

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

9 May 2022

Local time

1:00pm

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)

IV.2.7) Conditions for opening of tenders

Date

9 May 2022

Local time

1:00pm

Place

Kirklees

Information about authorised persons and opening procedure

Opening procedure via Electronic Tendering portal. Audit record logged on system upon opening following the submission deadline expiration and also recorded by a member of the Procurement Team unrelated to the Tender document preparation.

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

The contracting authority considers that this framework agreement may be suitable for economic operators that are small or medium enterprises ('SMEs'). However, any selection of economic operators will be based solely on the criteria set out for the procurement, and the framework agreement will be awarded to the most economically advantageous tender on the basis of most economically advantageous tender.

The procurement documentation can be found at: <https://yortender.eu-supply.com>

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

N/A

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contracts Regulations 2015 (SI 2015/102), the contracting authority will incorporate a minimum ten (10) calendar day standstill period at the point that information on the

award of the Framework Agreement is communicated to economic operators. This period allows any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the Framework to the successful economic operators. Such additional information should be requested from the address at Sections I.1 and I.3 of this Notice above. If an appeal regarding the award of the Framework has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be started within thirty (30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date. Where the Framework has not been awarded, the Court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If however the Framework has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the Framework to be ineffective.