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Awarded contract

Housing Infrastructure Fund Legal Services

Medway Council

F15: Voluntary ex ante transparency notice

Notice reference: 2021/S 000-012041

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Section I: Contracting authority/entity

I.1) Name and addresses

Medway Council

Medway Council, Gun Wharf, Dock Road

Chatham

ME4 4TR

Contact

Michael Kelly

Email

michael.kelly@medway.gov.uk

Telephone

+44 1634332284

Country

United Kingdom

NUTS code

UKJ41 - Medway

Internet address(es)

Main address

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

Buyer's address

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

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

Housing Infrastructure Fund Legal Services

Reference number

DN542126

II.1.2) Main CPV code

- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security

II.1.3) Type of contract

Services

II.1.4) Short description

Medway Council requires legal services to support the delivery of the Housing Infrastructure Fund fund covering Environmental, Road and Rail pertaining to the Grant Determination Agreements (GDA).

II.1.6) Information about lots

This contract is divided into lots: No

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

Lowest offer: £700,000 / Highest offer: £900,000 taken into consideration

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKJ41 - Medway

II.2.4) Description of the procurement

Medway Council requires legal services to support the delivery of the Housing Infrastructure Fund fund covering Environmental, Road and Rail pertaining to the Grant Determination Agreements (GDA).

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 IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

Medway Council was successful in its application for £170m Housing Infrastructure Fund (HIF) grant funding and subsequently procured Pinsent Masons for Environmental, Road and Rail legal services pertaining to the Grant Determination Agreements (GDA).

Pinsent Masons were on the approved panel of Homes England for legal team who have a proven track record in negotiating and understand the mechanisms of the Grant Determination Agreements.

Beyond their initial appointment, Pinsent masons have continued to work on the Grant Determination, advising on planning and property matters pertaining to the delivery of Road, Rail and Strategic Environmental Management, these matters are intrinsically linked to the grant determination agreement and have been able to provide detailed advice to ensure that Medway Council adhere to the terms of the GDA.

The Grant Determination Agreement governs the entire delivery of the HIF interventions, the terms of the agreement are commercial and strictly confidential, Pinsent Masons being an approved legal practice have a deep understanding of the GDA and can advise on all aspects of the terms and clauses this will ensure that Medway Council delivers a viable scheme.

Medway Council is therefore of the understanding that due to the initial appointment of Pinsent Masons and continued work to date, a change in contractor would result in substantial duplication costs and a timely delay in the programme which would render the programme non-deliverable against the completion date set within the grant.

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

27 May 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

Pinsent Masons

London

Country

United Kingdom

NUTS code

- UKJ41 - Medway

The contractor/concessionaire is an SME

No

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

Lowest offer: £700,000 / Highest offer: £900,000 taken into consideration

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Medway Council

Chatham

Country

United Kingdom