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Award

## **Housing Infrastructure Fund Legal Services**

Medway Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-012041

Procurement identifier (OCID): ocds-h6vhtk-02b67b

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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](mailto: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

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**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

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## 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

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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**

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

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## **Section VI. Complementary information**

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

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

Medway Council

Chatham

Country

United Kingdom