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Tender

Building Safety Consultancy - Framework Agreement

Portsmouth City Council

F02: Contract notice

Notice identifier: 2023/S 000-012406

Procurement identifier (OCID): ocds-h6vhtk-03c55f

Published 28 April 2023, 5:57pm

Section I: Contracting authority

I.1) Name and addresses

Portsmouth City Council

Civic Offices, Guildhall Square

PORTSMOUTH

PO1 2AL

Contact

Procurement Service

Email

procurement@portsmouthcc.gov.uk

Telephone

+44 2392688235

Country

United Kingdom

Region code

UKJ31 - Portsmouth

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

I.3) Communication

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

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

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

Building Safety Consultancy - Framework Agreement

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

Portsmouth City Council - the 'council' - is inviting tenders from suitably qualified and experienced consultants for inclusion on a new multi-supplier fire & building safety services framework agreement.

The framework agreement will be used to source relevant services

required to fulfil the council's landlord duties in respect of its portfolio of 15,000 social housing properties and 900 corporate assets. The scope of relevant framework services is summarised within Section II.2.4. below.

The framework agreement may also be accessed by Gosport Borough Council and Southampton City Council, however the council can provide no guarantees in respect of usage by these additional named Contracting Authorities.

Between 3-4 consultants will be appointed a place on the framework agreement on a ranked basis. Summary information on how the framework agreement will operate is set out within Section II.2.4. below.

The framework agreement will established via, and concurrently with, the award of two significant council call off contracts, being 1) 18m+ Project Contract and 2) Individual Surveys Contract, details of which are summarised within Section II.2.4. below.

Tenderers must submit bids for both contracts and it is intended that the council will award both contracts to the overall highest scoring tenderer who will also be appointed as the number 1 ranked consultant on the framework agreement. In order to ensure consistency the council is not pursuing a Lotted multiple award strategy for the call off contracts in this

instance.

The target date for award of the framework agreement and call off contracts referred to above is 13th July 2023 with commencement immediately following execution of the framework agreements and call off contracts. The framework agreement will then run for a duration of 4 years.

Total spend let via the framework agreement over the 4-year term is estimated at between £2.2M - £8.3M based upon the breakdown set out below:

- Portsmouth City Council - Call Off Contract 1 '18m+ Project' = £1.2M - £2M
- Portsmouth City Council - Call Off Contract 2 'Individual Surveys' = £1M - £1.5M (over max 5 year term)
- *Portsmouth City Council - Call Off Contract 3 '11-18m Blocks' = £2.5M - £3M
- **Gosport Borough Council = £400,000 - £600,000
- **SCC Demand = £800,000 - £1.2M

*This call off contract will only be let in the event that the Building Safety Regulator reduces the height of "higher risk" buildings to 11m during the term of the framework agreement.

**These estimates are based upon values which have been provided by each of the named Contracting Authorities. The council provides no guarantee in respect of the accuracy of these estimates or any guarantee that the Contracting Authorities will call off from the framework agreement.

The value of individual surveys commissioned via council Call Off Contract 2) is expected to vary from between £500 to £15,000 per building. However, the council may also commission packages of surveys which may be of a higher value. These ranges are purely indicative and no minimum or maximum values for surveys or packages of surveys will apply.

The Council will establish the framework in accordance with the Open Procedure in accordance with Public Contracts Regulations 2015 following the timetable set out below:

- FTS Notice & Tender Issue - 28th April 2023
- Clarification Deadline - 19th May 2023 @ 23:59
- Tender Return Deadline - 30th May 2023 @ 12:00 (Noon)

- Notification of award and Standstill / S20 Commencement - 12th June 2023
- End of Standstill Period - 22nd June 2023
- End of Section 20 Notice Period - 12th July 2023
- Award of Framework Agreement & Call Off Contracts 1) & 2) - 13th July 2023

Application is via submission of completed tender via Council's e-sourcing system (accessible via <https://in-tendhost.co.uk/portsmouthcc.aspx/home>) which will be used to administrate the procurement process.

II.1.5) Estimated total value

Value excluding VAT: £8,300,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 71250000 - Architectural, engineering and surveying services
- 71300000 - Engineering services
- 71620000 - Analysis services
- 71631000 - Technical inspection services

II.2.3) Place of performance

NUTS codes

- UKJ31 - Portsmouth
- UKJ32 - Southampton
- UKJ35 - South Hampshire

Main site or place of performance

The council's property portfolio also encompass properties which are located within the boundaries of Havant Borough Council.

The framework agreement may also be accessed by Gosport Borough Council and Southampton City Council, however the council can provide no guarantees in respect of usage by these additional named Contracting Authorities.

II.2.4) Description of the procurement

COUNCIL CALL OFF CONTRACTS - SUMMARY INFORMATION

1) 18M+ PROJECT CONTRACT

- Form of Contract: NEC 4 Professional Services Contract Option A
- Duration: July 2023 to March 2024 subject to consultant programme
- Estimated Value: £1.2M - £2M

2) INDIVIDUAL SURVEYS CONTRACT

- Form of Contract: NEC 4 Professional Services Contract Option E utilising Option X19 Task Order draw down mechanism
- Duration: 2 years from award with the potential for extension up to a maximum of 5 years in increments to be agreed.
- Estimated Value: £200,000 - £300,000 per annum

FRAMEWORK - SCOPE OF SERVICES

Typically, services will be related to fire engineering consultancy and will include, but not be limited to the following:

- Gap Analysis
- Fire Door Surveys (Residential and Communal)
- Compartmentation Survey Type 4
- FRAEW to PAS9980
- EWS1 Form
- Structural Assessment / Inspection
- Building Condition Survey

- Fire Alarm and Systems Check Review
- Fire and Rescue Service Equipment Review
- Fire Strategies
- Fire Risk Assessments
- Building Safety Cases
- Resident Engagement Strategies
- Prioritisation of works and blocks
- Existing building plans
- H&S compliance items

FRAMEWORK OPERATION - RE-RANKING

Ranking will remain fixed for the duration of the Framework but may be altered over the course of the framework as a result of:

- Suspension, barring, insolvency
- Re-ranking mini competition process
- KPI performance
- Procurement compliance

Generally, the re-ranking mini-competition process will not be undertaken at intervals of no more than 12 months except in exceptional circumstances.

FRAMEWORK OPERATION - CALL OFF PROCESSES

Once established, the framework will allow for call off of contracts via either Direct Award or Mini-Competition as set out below.

FRAMEWORK OPERATION - DIRECT AWARD CALL OFF PROCESS

Call off contracts may be let via direct award in the following circumstances:

- On a Ranked Basis - call-off contracts will be awarded to the highest ranked consultant

where the services required may be commissioned without any substantive alterations to terms and pricing established at point of framework award. Where the highest ranked Consultant is unable to undertake the services due to performance and / or capacity issues, the second ranked Consultant may be approached, and so on.

- On a Repeat Work Basis - where requirements are of a sufficiently similar nature to those being provided by a Consultant under a pre-existing contract let via the framework agreement and may be commissioned without any substantive alteration to terms and pricing established at point of framework or call off award.

Requirements may be considered sufficiently similar in nature where ALL of the factors below apply:

- o The value of the call off contract is within approximately 50% above or below in value of a previous similar call off contract
- o The scope of activities are materially similar in nature
- o Similar building types / infrastructure
- o The form of call of contract used includes for no changes to economic balance between the Client and the Consultant as the previous similar call off contract

FRAMEWORK OPERATION - MINI-COMPETITION CALL OFF PROCESS

As the council ideally wishes to work with one partner consultant over term of the framework, mini-competitions will generally only be run in the following circumstances:

- Where not all the terms governing the provision of the services concerned are laid down in the framework agreement and associated template call-off contracts
- Where there is a need to formulate more precisely or significantly depart from the terms of the relevant template call-off contract
- Where there is a need to alter the pricing established at the point of framework award
- As an alternative to direct award on a ranked basis following suspension or termination from the framework agreement of the previous number 1 ranked supplier or supplier who had undertaken similar services in the case of repeat work options

FRAMEWORK OPERATION - CALL OFF CONTRACT TERMS

Call off contracts established via the framework agreement will be let using the NEC 4 Professional Services Contract or NEC 4 Professional Services Short Contract.

FRAMEWORK OPERATION - PRICING & TIMESCALES

The following cost and timescale elements submitted at tender by the successful consultants will be held at framework level. These cost elements must be honoured throughout the term of the framework agreement on a meet or beat basis in respect of future call offs.

- *Hourly rates
- NEC 4 Fee Percentages (For NEC4 PSC Option A, NEC4 PSC option E and NEC4 PSSC)
- *Rates held in price list for individual surveys which will be used to price the task orders (NEC4 PSC Option E + X19)
- Lead in time for surveys and turnaround times for individual surveys

*These cost elements may be subject to yearly increase subject to request and approval by the council as set out within the procurement documents.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £8,300,000

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

Duration in months

48

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

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

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

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: 4

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

30 May 2023

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.7) Conditions for opening of tenders

Date

30 May 2023

Local time

12:05pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: April 2027 subject to the council having ongoing requirements for the services covered under this framework agreement.

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

The Strand

London

WCA 2LL

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+44 2079476000

Country

United Kingdom