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Contract

Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme

Bolton Council

F03: Contract award notice

Notice identifier: 2023/S 000-015310

Procurement identifier (OCID): ocds-h6vhtk-03d060

Published 30 May 2023, 5:18pm

Section I: Contracting authority

I.1) Name and addresses

Bolton Council

3rd Floor Bolton Town Hall, Victoria Square

Bolton

BL1 1RU

Contact

Mrs Sarah Atherton

Email

sarah.atherton@bolton.gov.uk

Telephone

+44 0

Country

United Kingdom

Region code

UKD3 - Greater Manchester

Internet address(es)

Main address

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

Buyer's address

<http://www.bolton.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

Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme

Reference number

DN672415

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

The contracting authority is not awarding a contract - This is a 30 day VEAT Notice in respect of the proposed Farnworth Town Centre Development Scheme, due to commence on or around 3 July 2023.

II.1.6) Information about lots

This contract is divided into lots: No

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

Value excluding VAT: £28,200,000

II.2) Description

II.2.2) Additional CPV code(s)

- 45000000 - Construction work

II.2.3) Place of performance

NUTS codes

- UKD3 - Greater Manchester

II.2.4) Description of the procurement

The scheme is publicly funded through an agreed funding strategy comprising a combination of grant and loan financing from Bolton Council, Future High Street Funds, Brownfield funds, and lending from Greater Manchester Combined Authority (“GMCA”).

Bolton Council intends to enter into an Option Agreement, with an annexed Buy Back Option and a Price & Overage Deed with Capital & Centric (Cocoon) Ltd. (“C&C”) for the planned regeneration development at Farnworth Town Centre.

The Option Agreement places an obligation on Bolton Council to sell the land at Farnworth Town Centre to C&C should C&C exercise the option.

Should C&C exercise the option to buy the land, it can as the developer, develop the land in accordance with planning permission (subject to permitted variations) if it chooses to, but is not required to do so.

Bolton Council can exercise the Buy Back Option if;

- i. The funding agreement with GMCA is not entered into in line with the agreed funding

strategy; and/or

ii. A forward purchase agreement is not entered into in line with the agreed funding strategy; and/or

iii. There is, broadly, an insolvency event in relation to C&C; and/or

iv. Practical completion of the development is not reached within a certain timeframe.

The Price & Overage Deed allows for deferred consideration payable for the property to Bolton Council shortly after practical completion which will be secured by way of a charge.

II.2.5) Award criteria

Cost criterion - Name: Price & Quality / Weighting: 100%

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

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Bolton Council considers that the contract with C&C for the regeneration development at Farnworth Town Centre falls outside the scope of Public Contract Regulations 2015 ("PCR 2015") as it is not a public works contract.

The site at Farnworth Town Centre has been fully vacant for twelve months and provides an opportunity for land disposal and development to regenerate the area. The development will include a varied mix of residential units and commercial units.

Whilst Bolton Council has set certain requirements in relation to any development that takes place, C&C is not required to develop the land at all. In any event, if C&C does develop the land, certain variations are permissible to the requirements.

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

Title

Voluntary Ex Ante Transparency Notice (VEAT) - Farnworth Town Centre Development Scheme

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

30 May 2023

V.2.2) Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

Capital & Centric (Cocoon) Limited

Phoenix, 72 Chapeltown Street

Manchester

M1 2EY

Country

United Kingdom

NUTS code

- UKD3 - Greater Manchester

National registration number

13742684

The contractor is an SME

Yes

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

Initial estimated total value of the contract/lot: £28,200,000

Total value of the contract/lot: £28,200,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Bolton Council

Town Hall, Victoria Square

Bolton

BL1 1RU

Country

United Kingdom