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Award

Completion works of part-constructed building at Luckwell Road

BRIGHTER PLACES

F15: Voluntary ex ante transparency notice

Notice identifier: 2025/S 000-016694

Procurement identifier (OCID): ocids-h6vhtk-0506c1

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Section I: Contracting authority/entity

I.1) Name and addresses

BRIGHTER PLACES

Eden House, 10 Eastgate Office Park

Bristol

BS56XX

Contact

Lucy Coombs

Email

lucy.coombs@brighterplaces.co.uk

Telephone

+44 1179424600

Country

United Kingdom

Region code

UKK11 - Bristol, City of

Companies House

25495R

Internet address(es)

Main address

<https://www.brighterplaces.co.uk/>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Housing and community amenities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Completion works of part-constructed building at Luckwell Road

II.1.2) Main CPV code

- 45200000 - Works for complete or part construction and civil engineering work

II.1.3) Type of contract

Works

II.1.4) Short description

The direct award of a JCT 2016 Design and Build Contract to Markey Construction Ltd for the completion of a partly constructed residential affordable housing development

following procurement via the Westworks DPS and subsequent other market engagement failed to procure any interest.

The development comprises the design and construction of the completion of 67 partially constructed dwellings, along with the strip out of defective works, site clearance of defective materials, associated external works including drainage, service connections and diversions, parking areas, footpaths and landscaping.

The scheme was originally contracted as a JCT Design and Build Contract in December 2020. The previous contractor fell into administration in November 2023. This replacement has been prompted by the insolvency of the previous contractor and the need to complete the housing development in accordance with funding timescales.

Brighter Places considers the award of a contract without prior publication to be permitted by Part 2 of the Regulations.

Brighter Places has published this VTN setting out its intention to enter into the contract referred to above.

Brighter Places will not enter into the contract referred to above before the end of a period of at least ten (10) days beginning with the day after the date on which the VTN was published in the Find a Tender Service.

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: £10,712,899.25

II.2) Description

II.2.2) Additional CPV code(s)

- 45211000 - Construction work for multi-dwelling buildings and individual houses

II.2.3) Place of performance

NUTS codes

- UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

Main site or place of performance

Land bounded by Winterstoke Road, Luckwell Road and Lynwood Road, Bristol, BS3

3HH

II.2.4) Description of the procurement

It is Brighter Places' intention to award a JCT 2016 Design and Build Contract for the completion of 67 residential dwellings at the land bounded by Winterstoke Road, Luckwell Road, Winterstoke Centre Linwood Road, Bristol BS3 3HH to Markey Construction Ltd for the anticipated sum of £10,712,899.25.

Brighter Places considers the award of the contract without prior publication to be permitted by Part 2 of the Regulations.

The project is required to complete within Homes England grant programme deadlines and therefore extreme urgency has dictated the need for a direct award, following a failed procurement attempt through the Westworks Framework, and further unsuccessful market engagement.

Brighter Places has possession of the site at Luckwell Road following the administration of the original contractor. There is currently no sub-contractor presence on site due to the insolvency and there are numerous risks which need to be addressed as a matter of urgency, including site security/safety and the risks associated with further delay including the further degradation of the part-finished buildings.

This VTN sets out Brighter Places intention to enter into the contract referred to above after the expiry of at least 10 days.

The conditions to directly award the contract in accordance with regulations 72(1)(d)/32(2) have been met. The contract does not contain substantial modifications.

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

The award of the contract without prior publication is permitted under Part 2 of the Regulations.

The conditions to directly award the contract in accordance with regulation 32(2)(c) have been met:

(c) insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with (the Extreme Urgency Condition).

Having put out the opportunity through the Westworks DPS and having had no responses the need to complete the scheme within grant funding programme deadlines meets the Extreme Urgency Condition.

The conditions to award the contract to Markey as a replacement contractor in accordance with regulation 72(1)(d) have been met:

(d) where a new contractor replaces the one to which the contracting authority had initially awarded the contract.

The need for a contract to complete the scheme at Luckwell Road has come about as a direct result of the insolvency of the previous contractor Real SW. The JCT contract does not include substantial amendments and the appointment of Markey is not aimed at circumventing the application of the Regulations.

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

16 April 2025

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

Markey Construction Limited

Q1 Quadrant Way, Hardwicke

Gloucester

GL2 2RN

Country

United Kingdom

NUTS code

- UKK1 - Gloucestershire, Wiltshire and Bristol/Bath area

Companies House

09649435

The contractor/concessionaire is an SME

Yes

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

Initial estimated total value of the contract/lot/concession: £10,712,899.25

Total value of the contract/lot/concession: £10,712,899.25

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

London

Country

United Kingdom