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Contract

## **Framework Agreement for the Specialist Surface Treatment Works Yorkshire Highways Alliance Contract**

Kirklees Council  
Barnsley Metropolitan Borough Council  
City of Bradford Metropolitan District Council  
The Borough of Calderdale Council  
Doncaster Council  
Leeds City Council  
Rotherham Metropolitan Borough Council  
Wakefield Metropolitan District Council  
City of York Council

F03: Contract award notice

Notice identifier: 2022/S 000-017296

Procurement identifier (OCID): ocds-h6vhtk-034a35

Published 24 June 2022, 11:46am

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Kirklees Council

Town Hall, Ramsden Street

HUDDERSFIELD

#### **Contact**

Corporate Procurement

#### **Email**

[procurement@kirklees.gov.uk](mailto:procurement@kirklees.gov.uk)

**Telephone**

+44 1484221000

**Country**

United Kingdom

**NUTS code**

UKE - Yorkshire and the Humber

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

Barnsley Metropolitan Borough Council

Barnsley

**Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**NUTS code**

UKE31 - Barnsley, Doncaster and Rotherham

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

### **I.1) Name and addresses**

City of Bradford Metropolitan District Council

Bradford

#### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKE41 - Bradford

#### **Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

### **I.1) Name and addresses**

The Borough of Calderdale Council

Halifax

#### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**NUTS code**

UKE44 - Calderdale and Kirklees

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

Doncaster Council

Doncaster

**Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**NUTS code**

UKE31 - Barnsley, Doncaster and Rotherham

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

## **I.1) Name and addresses**

Leeds City Council

Leeds

### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

### **Country**

United Kingdom

### **NUTS code**

UKE42 - Leeds

### **Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

## **I.1) Name and addresses**

Rotherham Metropolitan Borough Council

Rotherham

### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

### **Country**

United Kingdom

### **NUTS code**

UKE31 - Barnsley, Doncaster and Rotherham

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

Wakefield Metropolitan District Council

Wakefield

**Email**

[highways.contracts@kirklees.gov](mailto:highways.contracts@kirklees.gov)

**Country**

United Kingdom

**NUTS code**

UKE45 - Wakefield

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

City of York Council

York

**Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**NUTS code**

UKE21 - York

**Internet address(es)**

Main address

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

Buyer's address

<https://yortender.eu-supply.com>

**I.2) Information about joint procurement**

The contract involves joint procurement

**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**

Framework Agreement for the Specialist Surface Treatment Works Yorkshire Highways Alliance Contract

Reference number

KMCHS-346

#### **II.1.2) Main CPV code**

- 45233100 - Construction work for highways, roads

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

The Works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works for the Yorkshire Highway Alliance. These Works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the Council of the Borough of Kirklees and the other contracting authorities. Tenders are invited by The Council of the Borough of Kirklees (the "Council") from Contractors with relevant experience and ability to demonstrate sufficient capacity for Specialist Surface Treatment (the "Works"). The Framework will be set up for Contracting Authorities listed below:

- City of Bradford District Council - Lot 1
- The Borough of Calderdale Council - Lot 2
- Kirklees Council - Lot 3
- Leeds City Council - Lot 4
- Wakefield Metropolitan District Council - Lot 5
- City of York Council - Lot 6



- Barnsley Metropolitan Borough Council - Lot 7
- Doncaster Metropolitan Borough Council - Lot 8
- Rotherham Metropolitan Borough Council - Lot 9

#### **II.1.6) Information about lots**

This contract is divided into lots: Yes

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

Value excluding VAT: £30,080,000

### **II.2) Description**

#### **II.2.1) Title**

City of Bradford District Council-Specialist Surfacing Treatment Works Yorkshire Highway Alliance Contract - KMCHS-346

Lot No

1

#### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

#### **II.2.3) Place of performance**

NUTS codes

- UKE41 - Bradford

Main site or place of performance

Geographical area of Bradford Council, West Yorkshire

#### **II.2.4) Description of the procurement**

The works will consist of the provision of Labour, plant. materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified Locations and ancillary installation of the road marking and road studs at various Locations within the

geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities Listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

The Borough of Calderdale Council - Specialist Surfacing Treatment Works Yorkshire Highway Alliance Contract- KMCHS-346

Lot No

2

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Geographical region of The Borough of Calderdale Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

## **II.2.5) Award criteria**

Price

## **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

Kirklees Council - Specialist Surfacing Treatment Works Yorkshire Highway Alliance  
Contract - KMCHS-346

Lot No

3

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Geographical region of Kirklees Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

## **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

Leeds City Council - Specialist Surfacing Treatment Works Yorkshire Highway Alliance  
Contract - KMCHS-346

Lot No

4

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE42 - Leeds

Main site or place of performance

Geographical region of Leeds Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

Wakefield Metropolitan District Council - Specialist Surfacing Treatment Works Yorkshire Highway Alliance Contract - KMCHS-346

Lot No

5

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE45 - Wakefield

Main site or place of performance

Geographical region of Wakefield Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

City of York Council - Specialist Surfacing Treatment Works Yorkshire Highway Alliance  
Contract - KMCHS-346

Lot No

6

**II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

**II.2.3) Place of performance**

NUTS codes

- UKE21 - York

Main site or place of performance

Geographical region of York Council

**II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

**II.2.5) Award criteria**

Price

**II.2.11) Information about options**

Options: No

**II.2) Description**

**II.2.1) Title**

Barnsley Metropolitan Borough Council - Specialist Surfacing Treatment Works Yorkshire  
Highway Alliance Contract - KMCHS-346

Lot No

7

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE31 - Barnsley, Doncaster and Rotherham

Main site or place of performance

Geographical region of Barnsley Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

Doncaster Metropolitan Borough Council - Specialist Surfacing Treatment Works  
Yorkshire Highway Alliance Contract - KMCHS-346

Lot No

8

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work

### **II.2.3) Place of performance**

NUTS codes

- UKE31 - Barnsley, Doncaster and Rotherham

Main site or place of performance

Geographical region of Doncaster Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

### **II.2.1) Title**

Rotherham Metropolitan Borough Council - Specialist Surfacing Treatment Works  
Yorkshire Highway Alliance Contract - KMCHS-346

Lot No

9

### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work



### **II.2.3) Place of performance**

NUTS codes

- UKE31 - Barnsley, Doncaster and Rotherham

Main site or place of performance

Geographical region of Rotherham Council

### **II.2.4) Description of the procurement**

The works will consist of the provision of labour, plant, materials and traffic management to carry out specialist surface treatment works. These works may include, carriageway and footway proprietary surfacing works, high friction surfacing works together with other associated works on both highway and non-highway sites at unspecified locations and ancillary installation of the road marking and road studs at various locations within the geographical boundary of the principal contracting authority (i.e. the Council of the Borough of Kirklees) and the other contracting authorities listed in Section 11.1.4 above.

### **II.2.5) Award criteria**

Price

### **II.2.11) Information about options**

Options: No

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## 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:

The Contract Notice for this Framework Agreement was originally published via Proactis (e-tendering portal) on Find a Tender Service - reference 2021/S-000-019946. This portal is no longer utilised by Kirklees Council. As such, the award notice could not be directly linked to this notice from the Buyer Profile and therefore this award notice has been published based on the notice template 'Award of a contract without prior publication of a call for competition'.

For clarity, the Framework Agreement dates are: 18th October 2021 - 17th October 2023 with an option to extend for up to two (2) further twelve (12) month periods.

#### IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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## Section V. Award of contract

### Contract No

Previous Publication Reference: 2021/S 000-019946

### Title

Framework Agreement for the Specialist Surface Treatment Works Yorkshire Highway Alliance Contract KMCHS-346

A contract/lot is awarded: Yes

## **V.2) Award of contract**

### **V.2.1) Date of conclusion of the contract**

14 February 2022

### **V.2.2) Information about tenders**

Number of tenders received: 9

Number of tenders received by electronic means: 9

The contract has been awarded to a group of economic operators: Yes

### **V.2.3) Name and address of the contractor**

Colas Limited

Solihull

Country

United Kingdom

NUTS code

- UKG32 - Solihull

The contractor is an SME

No

### **V.2.3) Name and address of the contractor**

Eurovia Infrastructure Limited

Horsham

Country

United Kingdom

NUTS code

- UKJ27 - West Sussex (South West)

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Jointline Limited

Bradford

Country

United Kingdom

NUTS code

- UKE41 - Bradford

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

JPCS Limited

Malpas

Country

United Kingdom

NUTS code

- UKD6 - Cheshire

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Kiely Bros Limited

Birmingham

Country

United Kingdom

NUTS code

- UKG31 - Birmingham

The contractor is an SME

No

**V.2.3) Name and address of the contractor**

Miles Macadam Limited

Cheshire

Country

United Kingdom

NUTS code

- UKD6 - Cheshire

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Premier Road Markings Limited

Sedgefield

Country

United Kingdom

NUTS code

- UKC1 - Tees Valley and Durham

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Pronin Limited

Whitchurch

Country

United Kingdom

NUTS code

- UKG22 - Shropshire CC

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

WJ North Limited

Elland

Country

United Kingdom

NUTS code

- UKE44 - Calderdale and Kirklees

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: £30,080,000

Total value of the contract/lot: £30,080,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

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For clarity, the Framework Agreement dates are: 18th October 2021 - 17th October 2023 with an option to extend for up to two (2) further twelve (12) month periods.

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

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

High Court of England and Wales

London

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contracts Regulations 2015 (SI 2015/102), the contracting authority incorporated a minimum ten (10) calendar day standstill period at the point that information on the award of

the Contract was communicated to economic operators. This period allowed any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the Contract to the successful economic operators. Such additional information should be requested from the address at Sections 1.1 and 1.3 of this Notice above. If an appeal regarding the award of the Contract has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be started within thirty

(30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date. Where the Contract has not been awarded, the Court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If however the Contract has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the Contract to be ineffective.