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Tender

## **Independent Certifier for Birmingham Highways PFI Project**

BIRMINGHAM HIGHWAYS LIMITED  
Birmingham City Council

F02: Contract notice

Notice identifier: 2023/S 000-021733

Procurement identifier (OCID): ocds-h6vhtk-039969

Published 26 July 2023, 11:21pm

The closing date and time has been changed to:

**25 August 2023, 5:00pm**

See the [change notice](#).

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

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

BIRMINGHAM HIGHWAYS LIMITED

Unit G1 Ash Tree Court, Nottingham Business Park

NOTTINGHAM

NG86PY

#### **Contact**

Michael Murray

**Email**

[mmurray@equitix.co.uk](mailto:mmurray@equitix.co.uk)

**Telephone**

+44 7710057497

**Country**

United Kingdom

**Region code**

UKG31 - Birmingham

**Companies House**

07064140

**Internet address(es)**

Main address

<https://www8.idealsvdr.com/v3/11677415>

Buyer's address

<https://www8.idealsvdr.com/v3/11677415>

**I.1) Name and addresses**

Birmingham City Council

10 Woodcock Street

Birmingham

B4 7WB

**Contact**

Stephen Walton

**Email**

[stephen.walton@birmingham.gov.uk](mailto:stephen.walton@birmingham.gov.uk)

**Country**

United Kingdom

**Region code**

UKG31 - Birmingham

**Birmingham City Council**

Birmingham City Council

**Internet address(es)**

Main address

<https://www8.idealsvdr.com/v3/11677415>

Buyer's address

<https://www8.idealsvdr.com/v3/11677415>

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

The contract involves joint procurement

**I.3) Communication**

Access to the procurement documents is restricted. Further information can be obtained at

<https://www8.idealsvdr.com/v3/11677415>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www8.idealsvdr.com/v3/11677415>

**I.4) Type of the contracting authority**

Other type

Private Limited Company

### **I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Independent Certifier for Birmingham Highways PFI Project

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

- 71311210 - Highways consultancy services

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

Services

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

Birmingham City Council and Birmingham Highways Limited intends to procure an independent certifier for the Birmingham Highways PFI Project to carry out (i) standardised works periodically including, for example, auditing street lighting schemes' designs and implementation and assessing the performance of Birmingham Highways Limited in respect of achieving the relevant condition targets in accordance with the Project Agreement (and related documents), and (ii) variable tasks and differing/additional services which may be requested on an ad hoc basis, which may include, for example, certifying the carriageway schemes, footway schemes, structural works and traffic signal installations, services relating to handback, and assistance with dispute resolution.

#### **II.1.5) Estimated total value**

Value excluding VAT: £1,680,000

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

This contract is divided into lots: No

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

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

- 45233139 - Highway maintenance work

- 71311210 - Highways consultancy services
- 71311220 - Highways engineering services

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

NUTS codes

- UKG31 - Birmingham

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

Birmingham City Council and Birmingham Highways Limited are running a joint procurement process using the restricted procedure under the Public Contracts Regulations 2015 in order to procure an independent certifier for the Birmingham Highways PFI Project.

The independent certifier will be required to perform all the functions and obligations attributed to the Independent Certifier in respect of the a project agreement entered into by Birmingham City Council and Birmingham Highways Limited in relation to the Birmingham Highways PFI Project ("Project Agreement") (and related documents).

It is envisaged that this procurement process will run in parallel with the procurement of a replacement operating subcontractor for the Birmingham Highway PFI Project for the rehabilitation, operation and maintenance of the highways network infrastructure in the City of Birmingham, which runs until June 2035 (previously advertised via a contract notice published on 14 February 2022, and with reference 2022/S 000-004207). The contract between the replacement operating sub-contractor and Birmingham Highways Limited will largely be a back-to-back flow down of the Project Agreement.

At a high level, the duties and obligations are anticipated to include:

- Initial Services: standardised works which will be carried out periodically including, for example (but not be limited to) assessing the performance of Birmingham Highways Limited in respect of achieving the relevant condition targets in accordance with the Project Agreement (and related documents); (ii) an auditing role in relation to the design and implementation of the street light schemes. The services undertaken for which the audits are required include but are not limited to: inspections of structures; replacement of street lighting, traffic signal controllers and other powered apparatus; and pavement interventions. The auditing role would be based on a review of a specified percentage of the works to be undertaken within each contract year.
- Variable Services: variable tasks and differing/additional services may also be requested on an ad hoc basis. This may include, by way of example, (i) the inspection and certification of the completion of carriageway schemes, footway schemes and traffic signal installations

including, based on a visual inspection of the completed scheme, the production of a list of any minor snagging issues; (ii) undertaking additional monitoring of design compliance (should, for example, the initial percentage based review find errors and for the review of special reports or events), (iii) certifying structural works; (iv) services relating to handback; and (v) assistance with dispute resolution.

### **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: £1,680,000

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

Duration in months

144

This contract is subject to renewal

No

### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

#### **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.2.1) Previous publication concerning this procedure**

Notice number: [2023/S 000-001893](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Originally published as:

Date

18 August 2023

Local time

5:00pm

Changed to:

Date

25 August 2023

Local time

5:00pm

See the [change notice](#).

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to**



## **selected candidates**

15 September 2023

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

English

### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Tender must be valid until: 1 February 2024

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

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

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

London Court of International Arbitration

70 Fleet Street

London

EC4Y 1EU

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

Any appeals should be promptly brought to the attention of the contacts specified in Section

l above, and will be dealt with in accordance with the requirements of the Public Contracts

Regulations 2015. Any appeals must be brought within the

timescales specified by the applicable law, including without limitation, the Public Contracts Regulations 2015. In accordance with the Public Contracts Regulations 2015, the procuring entities will also incorporate a minimum 10 calendar day standstill period from the date information on award of contract is

communicated to tenderers.

**VI.4.4) Service from which information about the review procedure may be obtained**

Birmingham Highways Limited

Unit G1 Ash Tree Court, Nottingham Business Park

Nottingham

NG8 6PY

Country

United Kingdom