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Tender

Cultural Heart Programme, Zone 1 - Multi Storey Car Park and Venue, Huddersfield Town Centre

Kirklees Council

F02: Contract notice

Notice identifier: 2022/S 000-022499

Procurement identifier (OCID): ocids-h6vhtk-035e90

Published 15 August 2022, 5:16pm

The closing date and time has been changed to:

31 October 2022, 12:00pm

See the [change notice](#).

Section I: Contracting authority

I.1) Name and addresses

Kirklees Council

The Town Hall, Ramsden Street

HUDDERSFIELD

HD1 2TA

Contact

Robert Williams

Email

procurement@kirklees.gov.uk

Telephone

+44 1484221000

Country

United Kingdom

Region code

UKE44 - Calderdale and Kirklees

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

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

Buyer's address

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

I.3) Communication

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

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

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

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

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

Cultural Heart Programme, Zone 1 - Multi Storey Car Park and Venue, Huddersfield Town Centre

Reference number

KMCCD-019

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

Through a Restricted Procedure, Kirklees Council is looking to procure a contract with an economic operator to deliver the detailed design and construction of the Zone 1 works for the Cultural Heart Programme.

In order to conclude/finalise the design and construction contract (JCT 2016 Design and Build) the economic operator will enter into a Pre-Construction Services Agreement with Kirklees Council, followed by a separate contract in respect of the build phase on completion of the design stage.

II.1.5) Estimated total value

Value excluding VAT: £60,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45100000 - Site preparation work
- 45210000 - Building construction work
- 45300000 - Building installation work
- 45400000 - Building completion work
- 71000000 - Architectural, construction, engineering and inspection services

II.2.3) Place of performance

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Huddersfield Town Centre

II.2.4) Description of the procurement

Scope of Works for Zone 1:

This procurement relates to both the design stage in respect of works to be undertaken as part of the Council's Cultural Heart programme as well as the delivery of those works.

Zone 1 is to the southern end of the Cultural Heart site and comprises a venue with a multi-storey car park constructed beneath it. Venue capacity is up to 1,600 (seated and standing). A removable acoustic wall will enable the large hall to be divided into two spaces with a seating capacity of 1200 and 400 standing depending on event requirements. The car park will have approx. 350 spaces with 20% (circa) provision for electric charging. As the car park is below the venue additional security measures will be required such as increased floor slab and column strengths.

Remaining demolition, site clearance and decontamination are required in Zone 1 following the recent demolition, to ground slab, of the former MSCP. Adaptation and replacement of existing retaining walls to adjacent highways will form part of the works. Utilities diversions and revisions to existing highways will also be required as part of the development.

The above scope of works and services is a broad categorisation rather than exhaustive. Bidders should assume that the works and services actually required will broadly be within the scope listed above but will also include extensions to related or ancillary works and

services. The actual scope of works and services required may also be narrower than that set out above.

The procurement is intended to cover the scope of the arrangement as set out in this notice and the accompanying procurement documents, available as set out in Section 1.3.

Please also note that the estimated contract value is based on the value of the works. The final value of the works and services will depend on the scope of the final services required and bidders should presume that this value will cover the works and services listed and those ancillary to the principal works and services required on a project of a comparable scale (including any extensions of scope set out in this notice).

To help to ensure that sufficient interest in the contract will be generated, the services being procured will not be divided into separate lots.

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: £60,000,000

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

Duration in months

33

This contract is subject to renewal

No

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

Envisaged minimum number: 5

Objective criteria for choosing the limited number of candidates:

Criteria for choosing the limited number of candidates are provided in the Procurement

Documents

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.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

In accordance with (i) Article 57 and 59 to 61 of Directive 2014/24/EU and (ii) Regulations 57 to 61 of the Public Contract Regulations 2015 (SI 2015/102), and as set out in the selection questionnaire ("SQ") available from the address as set out in Section (I.1) of this notice above, the Council of the Borough of Kirklees acting as the principal contracting authority reserves the right to refuse any economic operator's application and to exclude its tender from the evaluation in any of the circumstances as follows:-

(i) in the event the completed SQ, supporting information and/or any other tender submissions are incomplete, inaccurate or misleading or otherwise not submitted in accordance with the requirements set out in the SQ or any of the other Tender Documents; and/or; (ii) for any reason specified in Regulation 57 (Exclusion Grounds) of the Public Contracts Regulations 2015 (SI 2015/102), which requires or permits the principal contracting authority not to select or to treat any economic operator as an ineligible economic operator; and/or (iii) economic operators scoring "Fail" in the SQ will not be selected for consideration of their tender submission.

III.1.2) Economic and financial standing

List and brief description of selection criteria

Information and formalities necessary for evaluating if requirements are met in accordance with Regulations 57-58 of the Public Contracts Regulations 2015 is set out in the Selection Questionnaire which is available at: <https://yortender.eu-supply.com>

III.1.3) Technical and professional ability

List and brief description of selection criteria

Information and formalities necessary for evaluating if requirements are met in accordance with Regulations 57-58 of the Public Contracts Regulations 2015 is set out in the Selection Questionnaire which is available at: <https://yortender.eu-supply.com>

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

As stated in the Procurement Documents

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

Originally published as:

Date

30 September 2022

Local time

12:00pm

Changed to:

Date

31 October 2022

Local time

12:00pm

See the [change notice](#).

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

4 November 2022

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

Duration in months: 6 (from the date stated for receipt of tender)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

i) To express an interest in this procurement please register at: -

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

ii) Expressions of interest must be submitted from the candidates' registered office address by

the deadline set out in IV2.2. above and in accordance with the instructions set out in the Selection Questionnaire.

iii) The procurement timetable set out in the Procurement Documents is indicative only and

Kirklees Council reserves the right to change and/or amend it at their sole discretion.

iv) The estimates given in Section II.1.5 and II.2.5 of this Notice are strictly estimated values

only.

v) Furthermore, please note that estimates given in Section II.1.5 and II.2.5 of this Notice are based on third party estimates and the principal contracting authority gives no warranty as to the accuracy to said data.

vi) Right to Cancel - Kirklees Council reserves the right to discontinue the procurement process at any time, which shall include the right not to award a contract and does not

bind itself to accept the lowest tender, or any tender received, and reserve the right to award the contract in part, or to call for new tenders should it consider this necessary.

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

The Strand, Westminster

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures in accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework agreement), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contract Regulations 2015 (SI 2015/102), the contracting authority will incorporate a minimum ten (10) calendar day standstill period at the point that information on the award of the contract is communicated to economic operators.

This period allows any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award (or non-award) of the contract. Such additional information can be requested from the address at Sections I.1 and I.3 of this Notice above.

If an appeal regarding the award (or non-award) of the contract is not successfully resolved, then the Regulations 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.