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Tender

## **Cultural Heart Programme Zone 2 Library, Gallery & Museum, Food Hall, and Urban Park, Huddersfield Town Centre**

Kirklees Council

F02: Contract notice

Notice identifier: 2022/S 000-022500

Procurement identifier (OCID): ocds-h6vhtk-035e91

Published 15 August 2022, 5:17pm

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

Town Hall

HUDDERSFIELD

HD1 2TA

#### **Contact**

Robert Williams

#### **Email**

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

[www.kirklees.gov.uk](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

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## **Section II: Object**

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

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

Cultural Heart Programme Zone 2 Library, Gallery & Museum, Food Hall, and Urban Park, Huddersfield Town Centre

Reference number

KMCCD-020

#### **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 2 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: £105,000,000

#### **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
- 45200000 - Works for complete or part construction and civil engineering 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 2:

This procurement relates to 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 2 is the larger area of the site that currently comprises the Market Hall, Library, Piazza Shopping Centre and small park area. Both the Market Hall and Library are Grade II listed buildings and the site borders a conservation area.

The Piazza shopping centre is to be demolished to allow construction of a new gallery and urban park, including an occasional event space. The Market Hall will be refurbished and extended to provide accommodation for a new library and food hall. The existing Library building is to be refurbished and extended to house a new Huddersfield museum. Works to existing buildings include some demolition, subject to planning permission and listed building consent, to allow for new extensions and adaptation.

Extensive service tunnels run under the majority of the Zone 2 site area, these are to be mainly retained, with adaptation and remedial works carried out in order to secure their long-term use for the new 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: £105,000,000

#### **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

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### **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

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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.2.2) 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)

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## **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.