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Contract

## **Contract for Phase 1 services/works for the Cultural Heart Programme**

Kirklees Council

F03: Contract award notice

Notice identifier: 2023/S 000-023194

Procurement identifier (OCID): ocids-h6vhtk-03983e

Published 9 August 2023, 10:46am

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

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

Kirklees Council

Town Hall, Ramsden Street

HUDDERSFIELD

HD1 2TA

#### **Contact**

Corporate Procurement

#### **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://uk.eu-supply.com/ctm/Company/CompanyInformation/Index/104104>

**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**

Contract for Phase 1 services/works for the Cultural Heart Programme

Reference number

KMCCD-021

**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 sought to enter into a contract with an economic operator to deliver the detailed design and construction of the Phase 1 works for the Cultural Heart Programme.

The successful economic operator has initially been appointed by Kirklees Council via the Pre-Construction Services Agreement (PCSA).

The design and price will develop concurrently during the delivery of the PCSA Services and will conclude with the finalisation and agreement of a JCT Design and Build Contract 2016 with amendments as set out in the Procurement Documents.

### **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: £40,900,000

## **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 Phase 1:

Phase 1 of the Cultural Heart programme comprises the part demolition and redevelopment of the former Queensgate Market Hall (Grade II Listed) and surrounding area to form a new library, commercial food hall, outdoor events space and improved University links. These works will also require localised adaptation of the existing services tunnels, located below the Queensgate market and Piazza Shopping Centre below and all associated service infrastructure. Public realm works will also be required between buildings and the event space.

Within the above works the Market Hall is proposed to be sensitively adapted, refurbished and extended in order to provide accommodation for a new library and commercial food hall. Proposed works to existing buildings include demolition, with exposure of the existing market column and roof structure, and an extension to form the new library. In addition sections of the existing Piazza shopping centre, considered of lesser quality, are to be demolished as part of the works in order to create the events square.

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**

Quality criterion - Name: Construction Method Statement / Weighting: 10

Quality criterion - Name: Risks / Weighting: 2.5

Quality criterion - Name: Opportunities / Weighting: 2.5

Quality criterion - Name: Delivery Team / Weighting: 10

Quality criterion - Name: Collaboration / Weighting: 5

Quality criterion - Name: Pre-Construction Services Agreement / Weighting: 15

Quality criterion - Name: Health, Safety and Wellbeing / Weighting: 10

Quality criterion - Name: Social Value (Social Value Delivery Statement & Cultural Heart Fund) / Weighting: 10

Price - Weighting: 35%

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

Options: No

#### **II.2.14) Additional information**

Duration in months: 26 months (PCSA 6 months, construction contract 20 months).

This is the estimated duration for the contract. The actual duration of the contract will be the length of time needed to deliver the scope as outlined at II.2.4, which may exceed 26 months.

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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 000-001440](#)

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## **Section V. Award of contract**

A contract/lot is awarded: Yes

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

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

5 July 2023

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

Number of tenders received: 3

The contract has been awarded to a group of economic operators: No

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

BAM Construction Limited

Breakspear Park, Breakspear Way

Hemel Hempstead

HP2 4FL

Country

United Kingdom

NUTS code

- UKH23 - Hertfordshire

Companies House

02379469

The contractor is an SME

No

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

Total value of the contract/lot: £40,900,000

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## **Section VI. Complementary information**

### **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

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 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 (or non-award) of the contract. Such additional information was available for request from the address at Sections I.1 and I.3 of the Contract Notice.

If an appeal regarding the award (or non-award) of the contract was 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.