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Tender

Design & Build Industrial / Commercial Contractor Framework - Dunsbury Park

PORTSMOUTH CITY COUNCIL

F02: Contract notice

Notice identifier: 2021/S 000-023494

Procurement identifier (OCID): ocds-h6vhtk-02e339

Published 21 September 2021, 4:32pm

Section I: Contracting authority

I.1) Name and addresses

PORTSMOUTH CITY COUNCIL

City Council

Portsmouth

PO1 2AL

Contact

Procurement Service

Email

procurement@portsmouthcc.gov.uk

Telephone

+44 2392688235

Country

United Kingdom

NUTS code

UKJ31 - Portsmouth

Internet address(es)

Main address

www.portsmouth.gov.uk/services/business/procurement/contract-opportunitieswith-us/

I.3) Communication

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

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

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

Design & Build Industrial / Commercial Contractor Framework - Dunsbury Park

II.1.2) Main CPV code

- 45213000 - Construction work for commercial buildings, warehouses and industrial buildings, buildings relating to transport

II.1.3) Type of contract

Works

II.1.4) Short description

Portsmouth City Council - hereafter referred to as the 'Developer' - is seeking expressions of interest from suitably experienced contractors for inclusion on a commercial / industrial focused multi-contractor framework agreement.

The framework agreement will primarily be used by the Developer for the development of commercial / industrial space at Dunsbury Park, Havant but may also be used by the Developer for development works across the entirety of its nationwide property portfolio.

The Developer's target date for award of the framework agreement is 18th January 2022 with formal commencement of the framework agreement following on 31st January 2022.

The framework agreement will run for a term of 4 years during which individual call off contracts may be let for the delivery of construction works and associated pre-construction design services. However, the Developer is targeting to have completed the development of Dunsbury Park within approx. 3 years from the commencement of the framework agreement.

The Developer estimates that total spend via the agreement for services and works for the development of Dunsbury Park alone could equate to £50M, subject to tenant demand and wider economic conditions. Additional spend associated with the Developer's nationwide property portfolio over the term could equate to a further £20M, producing an upper total agreement estimated spend value of £70M.

A total of 3-4 contractors will be appointed a place on the framework agreement. The

framework agreement will be established via the invitation of tenders from 3-4 shortlisted contractors for the design and construction of Plots 500-502 (approx. 7,000 sqm) at Dunsbury Park. The estimated value of the design and construction works for Plots 500-502 is approx. £8M.

Tenders will be sought following a simplified 2 stage open book partner contracting model. The successful contractor for Plots 500-502 will be awarded the contract for these works plus a place on the framework agreement. The remaining tendering contractors shall be appointed onto the framework agreement and will have the opportunity to tender for future plots.

The Developer will enter into contract with the successful contractor for pre-construction services via the use of suitably amended JCT Pre-Construction Services Agreement (2016) terms. The target date for commencement of pre-construction services corresponds with the framework commencement date of 31st January 2022.

Subject to agreement of design, cost and programme the Developer will then enter into contract for the works via use of suitably amended JCT Design & Build Contract (2016) terms. The Developer is targeting commencement of works on site by the end of May 2022 with works completion targeted for December 2022.

The Developer will establish the framework agreement in broad accordance with the 'Restricted Procedure' as set out within the 'Public Contracts Regulations (2015)'. In the interests of managing bidding costs for all parties the Developer will only invite 3-4 shortlisted contractors to tender following evaluation of initial Supplier Selection Questionnaire (SSQ) applications.

The procurement process will be run in accordance with the following outline programme:

- Issue of FTS Contract Notice - 21.09.21
- Issue of SSQ documentation - 21.09.21
- SSQ submission deadline - 22.10.21, 12:00
- Issue of ITT documentation - 08.11.21
- Tender submission deadline - 06.12.21 12:00
- Notification of award decision - 07.01.22
- Framework commencement - 31.01.22
- Plots 500-502 PCSA commencement - 31.01.22

The SSQ and associated documentation can be accessed via the Developer's e-sourcing solution InTend which will be used to administrate the procurement process. The system is free to use and can be accessed via the link below:

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Application is via completion and submission of the SSQ and associated documentation via InTend by the deadline stated above.

II.1.5) Estimated total value

Value excluding VAT: £70,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45111100 - Demolition work
- 45111200 - Site preparation and clearance work
- 45111213 - Site-clearance work
- 45111220 - Scrub-removal work
- 45111230 - Ground-stabilisation work
- 45111240 - Ground-drainage work
- 45111250 - Ground investigation work
- 45111291 - Site-development work
- 45112100 - Trench-digging work
- 45112200 - Soil-stripping work
- 45112210 - Topsoil-stripping work

- 45112310 - Infill work
- 45112340 - Soil-decontamination work
- 45112400 - Excavating work
- 45112500 - Earthmoving work
- 45112600 - Cut and fill
- 45112700 - Landscaping work
- 45112710 - Landscaping work for green areas
- 45113000 - Siteworks
- 45120000 - Test drilling and boring work
- 45213100 - Construction work for commercial buildings
- 45213150 - Office block construction work
- 45213200 - Construction work for warehouses and industrial buildings
- 45213210 - Cold-storage installations
- 45213251 - Industrial units construction work
- 45213252 - Workshops construction work
- 45213260 - Stores depot construction work
- 45213312 - Car park building construction work
- 45213351 - Maintenance hangar construction work
- 45213352 - Service depot construction work
- 45213400 - Installation of staff rooms
- 45214600 - Construction work for research buildings
- 45214610 - Laboratory building construction work

- 45214620 - Research and testing facilities construction work
- 45214630 - Scientific installations
- 45233123 - Secondary road construction work
- 45233128 - Roundabout construction work
- 45233129 - Crossroad construction work
- 45233140 - Roadworks
- 45233161 - Footpath construction work
- 45262410 - Structural steel erection work for buildings
- 45262800 - Building extension work
- 45311000 - Electrical wiring and fitting work
- 45312100 - Fire-alarm system installation work
- 45312200 - Burglar-alarm system installation work
- 45314200 - Installation of telephone lines
- 45314300 - Installation of cable infrastructure
- 45314310 - Installation of cable laying
- 45314320 - Installation of computer cabling
- 45316100 - Installation of outdoor illumination equipment
- 45321000 - Thermal insulation work
- 45331100 - Central-heating installation work
- 45331110 - Boiler installation work
- 45331200 - Ventilation and air-conditioning installation work
- 45331230 - Installation work of cooling equipment

- 45331231 - Installation work of refrigeration equipment
- 45332000 - Plumbing and drain-laying work
- 45341000 - Erection of railings
- 45342000 - Erection of fencing
- 45343000 - Fire-prevention installation works
- 45350000 - Mechanical installations
- 45421000 - Joinery work
- 45431000 - Tiling work
- 45432100 - Floor laying and covering work
- 45432130 - Floor-covering work
- 45432210 - Wall-covering work
- 45440000 - Painting and glazing work
- 71221000 - Architectural services for buildings
- 71222000 - Architectural services for outdoor areas
- 71223000 - Architectural services for building extensions
- 71241000 - Feasibility study, advisory service, analysis
- 71242000 - Project and design preparation, estimation of costs
- 71245000 - Approval plans, working drawings and specifications
- 71246000 - Determining and listing of quantities in construction
- 71248000 - Supervision of project and documentation
- 71311220 - Highways engineering services
- 71312000 - Structural engineering consultancy services

- 71313100 - Noise-control consultancy services
- 71313200 - Sound insulation and room acoustics consultancy services
- 71313410 - Risk or hazard assessment for construction
- 71313420 - Environmental standards for construction
- 71313440 - Environmental Impact Assessment (EIA) services for construction
- 71313450 - Environmental monitoring for construction
- 71315100 - Building-fabric consultancy services
- 71315200 - Building consultancy services
- 71321000 - Engineering design services for mechanical and electrical installations for buildings
- 71322500 - Engineering-design services for traffic installations
- 71325000 - Foundation-design services
- 71332000 - Geotechnical engineering services
- 71334000 - Mechanical and electrical engineering services
- 71410000 - Urban planning services
- 71420000 - Landscape architectural services
- 71510000 - Site-investigation services
- 71610000 - Composition and purity testing and analysis services
- 71621000 - Technical analysis or consultancy services
- 77314000 - Grounds maintenance services
- 79314000 - Feasibility study
- 90610000 - Street-cleaning and sweeping services
- 90911000 - Accommodation, building and window cleaning services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

The framework agreement will primarily be used by the Council for the development of commercial / industrial space at Dunsbury Park, Havant but may be used by the Council for development works across the entirety of its nationwide property portfolio including for any further acquisitions made during the term of the framework agreement.

II.2.4) Description of the procurement

Portsmouth City Council - hereafter referred to as the 'Developer' - is seeking expressions of interest from suitably experienced contractors for inclusion on a commercial / industrial focused multi-contractor framework agreement.

The framework agreement will primarily be used by the Developer for the development of commercial / industrial space at Dunsbury Park, Havant but may also be used by the Developer for development works across the entirety of its nationwide property portfolio. For further information regarding Dunsbury Park and current development status please refer to 'Section II.2.14. Additional information' below.

The Developer's target date for award of the framework agreement is 18th January 2022 with formal commencement of the framework agreement following on 31st January 2022.

The framework agreement will run for a term of 4 years during which individual call off contracts may be let for the delivery of construction works and associated pre-construction design services. However, the Developer is targeting to have completed the development of Dunsbury Park within approx. 3 years from the commencement of the framework agreement.

The framework agreement will be established for the sole use of the Developer and will not be available for other UK Contracting Authorities to access.

The Developer estimates that total spend via the agreement for services and works for the development of Dunsbury Park alone could equate to £50M, subject to tenant demand and wider economic conditions. Additional spend associated with the Developer's nationwide property portfolio over the term could equate to a further £20M, producing an upper total agreement estimated spend value of £70M.

The scope of services, works and supplies that may be procured via the framework

agreement may cover the entirety of the work types included for within Common Procurement Vocabulary (CPV) codes selected within this Contract Notice, but can be summarised generally as:

- Early Contractor Involvement including but not limited to for reviewing current market conditions and delays being experienced with lead in period on key materials, such as cladding, pre-cast concrete, steel, dock levellers etc.
- Pro-active support in identifying micro and macro environment threats and opportunities
- Site wide Master Planning support
- Site wide Design Code development
- Plot specific Feasibility & Options Appraisal support
- Effective focused management of plot specific sub-contract / supply chain across both stage 1 design and stage 2 constructions activities
- Development of outline design
- Surveys, Modelling & Enabling Works
- Environmental assessments, engagement with approving bodies, gaining of required approvals
- Delivery of significant site preparation, infrastructure and landscaping works as required / appropriate
- Preparation, submission and discharge of planning application and conditions
- Development of detailed design
- Development of costings, programme, work methodologies on 2 stage open book partnership basis
- Construction works on principal contractor basis
- Handover, snagging and defects management
- *Hard FM and other associated services

*The Developer may also utilise the framework agreement to deliver hard facilities management activities such as grounds maintenance, building maintenance, infrastructure

maintenance, etc. if required and subject to the interest of framework contractors.

A total of 3-4 contractors will be appointed a place on the framework agreement. The framework agreement will be established via the invitation of tenders from 3-4 shortlisted contractors for the design and construction of Plots 500-502 (approx. 7,000 sqm) at Dunsbury Park. The estimated value of the design and construction works for Plots 500-502 is approx. £8M.

Tenders will be sought following a simplified 2 stage open book partner contracting model. The successful contractor for Plots 500-502 will be awarded the contract for these works plus a place on the framework agreement. The remaining tendering contractors shall be appointed onto the framework agreement and will have the opportunity to tender for future plots.

The Developer will enter into contract with the successful contractor for pre-construction services via the use of suitably amended JCT Pre-Construction Services Agreement (2016) terms. The target date for commencement of pre-construction services corresponds with the framework commencement date of 31st January 2022.

Subject to agreement of design, cost and programme the Developer will then enter into contract for the works via use of suitably amended JCT Design & Build Contract (2016) terms. The Developer is targeting commencement of works on site by the end of May 2022 with works completion targeted for December 2022.

Future call off contracts will generally be let via mini-competition tender but on occasion may also be let via negotiated direct award. The call off procedures will be detailed within the framework agreement terms issued to the shortlisted contractors at subsequent invitation to tender, but in summary are as follows:

MINI-COMPETITION TENDER

- All framework contractors will be invited to submit mini-competition tenders
- The time limit for returns will be reflective of the relative complexity of the technical scope of scheme being procured and the nature of the bidding requirements
- Returns will be subject to detailed assessment by the Developer, its appointed technical project manager and cost consultant
- The award decision will be made via application of the scoring criteria stated within the mini-competition tender documents

NEGOTIATED DIRECT AWARD (via application of any or all of the following)

- Award via application of framework contractor bidding and delivery performance
- Award via application of framework contractor repeat work / extension of existing call off contract considerations
- Award via evidenced consideration of framework contractor capacity, commercial performance, delivery performance and particular experience skill sets at point of call off

The Developer envisages that the majority of call off contracts will be let via 2 stage open book partner contracting models using a suitably amended JCT PCSA (2016) terms for the first stage pre-construction services appointment and a suitably amended JCT Design & Build (2016) terms for the second stage works appointment.

However, the Developer may opt to use single stage lump sum contracting models on a design & build or fully designed basis in the future as appropriate for the particular phase / plot development works package in question.

Similarly the Developer may opt to use any suitably amended set of contractual terms from the entirety of the JCT and NEC4 suite of contracts in the future as appropriate.

Alongside scheme specific commercial bidding requirements for Plots 500-502, shortlisted contractors will be required to submit rates for directly employed key personnel grades and OH/P%. These rates will form the agreed commercial element of the framework agreement in broad accordance with the requirements set out within Regulation 33 of the Public Contracts Regulations (2015).

Contractors will have the ability to apply varying OH/P%s against a range of representative plot sizes set by the Developer at framework agreement tender submission. The Developer will allow contractors to alter their OH/P% and key personnel rates over the term of the framework agreement either via mini-competition tender submission or upon request, subject to providing reasonable notice to the Developer.

In the event of significant prevailing performance and / or capacity issues with the framework agreement the Developer may invite the next ranked contractors who submitted SSQ applications in response to the original call for competition to bid for call off contracts and a subsequent place on the overarching framework agreement, either on a permanent or temporary basis. This may be either via mini-competition tender or negotiated direct award process.

The Developer will establish the framework agreement in broad accordance with the 'Restricted Procedure' as set out within the 'Public Contracts Regulations (2015)'. In the interests of managing bidding costs for all parties the Developer will only invite 3-4 shortlisted contractors to tender following evaluation of initial Supplier Selection Questionnaire (SSQ) applications.

The procurement process will be run in accordance with the following outline programme:

- Issue of FTS Contract Notice - 21.09.21
- Issue of SSQ documentation - 21.09.21
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- Notification of award decision - 07.01.22
- Framework commencement - 31.01.22
- Plots 500-502 PCSA commencement - 31.01.22

The SSQ and associated documentation can be accessed via the Developer's e-sourcing solution InTend which will be used to administrate the procurement process. The system is free to use and can be accessed via the link below:

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

Application is via completion and submission of the SSQ and associated documentation via InTend by the deadline stated above.

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: £70,000,000

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

Duration in months

48

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: 3

Maximum number: 4

Objective criteria for choosing the limited number of candidates:

Application is via completion and submission of a project specific Supplier Status Questionnaire (SSQ). Applications will be assessed via application of the criteria set out within the SSQ documentation.

In the interests of managing bidding costs for all parties the Developer will only invite 3-4 highest scoring shortlisted contractors to tender.

The SSQ documentation is accessible via the Developer's e-sourcing solution which will be used to administrate the procurement process and is accessible free of charge via the link below:

<https://in-tendhost.co.uk/portsmouthcc.aspx/home/>

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

The framework agreement will primarily be used by the Developer for the development of commercial / industrial space at Dunsbury Park, Havant but may also be used by the Developer for development works across the entirety of its nationwide property portfolio.

The scope of services, works and supplies that may be procured via the framework agreement may cover the entirety of the work types included for within Common Procurement Vocabulary (CPV) codes selected within this Contract Notice, but can be summarised generally as:

- Early Contractor Involvement including but not limited to for reviewing current market conditions and delays being experienced with lead in period on key materials, such as cladding, pre-cast concrete, steel, dock levellers etc.
- Pro-active support in identifying micro and macro environment threats and opportunities
- Site wide Master Planning support
- Site wide Design Code development
- Plot specific Feasibility & Options Appraisal support
- Effective focused management of plot specific sub-contract / supply chain across both stage 1 design and stage 2 constructions activities
- Development of outline design
- Surveys, Modelling & Enabling Works
- Environmental assessments, engagement with approving bodies, gaining of required approvals
- Delivery of significant site preparation, infrastructure and landscaping works as required / appropriate
- Preparation, submission and discharge of planning application and conditions
- Development of detailed design
- Development of costings, programme, work methodologies on 2 stage open book partnership basis
- Construction works on principal contractor basis

- Handover, snagging and defects management
- *Hard FM and other associated services

*The Developer may also utilise the framework agreement to deliver hard facilities management activities such as grounds maintenance, building maintenance, infrastructure maintenance, etc. if required and subject to the interest of framework contractors.

Call off contracts will generally be let via mini-competition tender but on occasion may also be let via negotiated direct award. The call off procedures will be detailed within the framework agreement terms issued to the shortlisted contractors at subsequent invitation to tender, but in summary are as follows:

MINI-COMPETITION TENDER

- All framework contractors will be invited to submit mini-competition tenders
- The time limit for returns will be reflective of the relative complexity of the technical scope of scheme being procured and the nature of the bidding requirements
- Returns will be subject to detailed assessment by the Developer, its appointed technical project manager and cost consultant
- The award decision will be made via application of the scoring criteria stated within the mini-competition tender documents

NEGOTIATED DIRECT AWARD (via application of any or all of the following)

- Award via application of framework contractor bidding and delivery performance
- Award via application of framework contractor repeat work / extension of existing call off contract considerations
- Award via evidenced consideration of framework contractor capacity, commercial performance, delivery performance and particular experience skill sets at point of call off

The Developer envisages that the majority of call off contracts will be let via 2 stage open book partner contracting models using a suitably amended JCT PCSA (2016) terms for the first stage pre-construction services appointment and a suitably amended JCT Design & Build (2016) terms for the second stage works appointment.

However, the Developer may opt to use single stage lump sum contracting models on a design & build or fully designed basis in the future as appropriate for the particular phase / plot development works package in question.

Similarly the Developer may opt to use any suitably amended set of contractual terms from the entirety of the JCT and NEC4 suite of contracts in the future as appropriate.

Alongside scheme specific commercial bidding requirements for Plots 500-502, shortlisted contractors will be required to submit rates for directly employed key personnel grades and OH/P%. These rates will form the agreed commercial element of the framework agreement in broad accordance with the requirements set out within Regulation 33 of the Public Contracts Regulations (2015).

Contractors will have the ability to apply varying OH/P%s against a range of representative plot sizes set by the Developer at framework agreement tender submission. The Developer will allow contractors to alter their OH/P% and key personnel rates over the term of the framework agreement either via mini-competition tender submission or upon request, subject to providing reasonable notice to the Developer.

In the event of significant prevailing performance and / or capacity issues with the framework agreement the Developer may invite the next ranked contractors who submitted SSQ applications in response to the original call for competition to bid for call off contracts and a subsequent place on the overarching framework agreement, either on a permanent or temporary basis. This may be either via mini-competition tender or negotiated direct award process.

II.2.14) Additional information

The Developer is the freehold owner of some 20.8 hectares (49.41 acres) of land adjoining J3 of A3M junction at Waterloooville. The site is marketed under the title of 'Dunsbury Park' and is located at Fitzwygram Way, Hampshire, PO9 4EE.

The Developer commenced direct development of the site in 2014 which to date has encompassed the delivery of road infrastructure, site levelling, utility connections and approx. 35,000 sqm of commercial buildings. The remaining development is currently based on UMC Masterplan 'Option 7'. This comprises 8 no. units with a combined area of approximately 50,000 sqm.

The current occupational position, planning strategy and remaining land for development is included for within the SSQ documentation pack accessible via InTend.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted procedure

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 4

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

Date

22 October 2021

Local time

12:00pm

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

8 November 2021

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

English

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Autumn 2025

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

Strand

London

WC2A 2LL

Telephone

+44 2079476000

Country

United Kingdom

Internet address

<https://www.justice.gov.uk/>