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Contract

Surface Dressing Framework (NY Highways)

NY Highways limited

F03: Contract award notice

Notice identifier: 2021/S 000-024763

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

Published 5 October 2021, 2:43pm

Section I: Contracting authority

I.1) Name and addresses

NY Highways limited

County Hall

Northallerton

DL7 8AD

Email

NYHighwaysProcurement@northyorks.gov.uk

Country

United Kingdom

NUTS code

UKE - Yorkshire and the Humber

Internet address(es)

Main address

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

I.4) Type of the contracting authority

Other type

Wholly owned subsidiary of a Local Authority (North Yorkshire County Council)

I.5) Main activity

Other activity

Highways Maintenance Activities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Surface Dressing Framework (NY Highways)

Reference number

DN538294

II.1.2) Main CPV code

- 45233000 - Construction, foundation and surface works for highways, roads

II.1.3) Type of contract

Works

II.1.4) Short description

This Framework Contract is for surface dressing works to be delivered on behalf of NY Highways, across the County of North Yorkshire (note this excludes York, which comes under the jurisdiction of the City of York Council) on both rural and urban roads. This will also include any third party works secured by NY Highways, which may be on private land and not necessarily the public highway.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Lowest offer: £1 / Highest offer: £32,000,000 taken into consideration

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKE - Yorkshire and the Humber

II.2.4) Description of the procurement

This Framework Contract is for surface dressing works to be delivered on behalf of NY Highways, across the County of North Yorkshire (note this excludes York, which comes under the jurisdiction of the City of York Council) on both rural and urban roads. This will also include any third party works secured by NY Highways, which may be on private land and not necessarily the public highway.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

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

The procurement involves the establishment of a framework agreement

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: [2021/S 000-017996](#)

Section V. Award of contract

Contract No

DN538294

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

28 September 2021

V.2.2) Information about tenders

Number of tenders received: 6

Number of tenders received from SMEs: 2

Number of tenders received by electronic means: 6

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

V.2.3) Name and address of the contractor

Kiely Bros Limited

135 Cherrywood Road

Birmingham

B9 4XE

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor is an SME

No

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

Lowest offer: £1 / Highest offer: £32,000,000 taken into consideration

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

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:

North Yorkshire County Council, on behalf of NY Highways Limited, shall in accordance with the Public Contracts (Amendment) Regulations 2015, incorporate a minimum 10 day standstill period commencing at the point that information on the intention to award the contract is sent to tenderers.

The Council shall, as soon as possible after the decision has been made, inform the tenderers and candidates of its decision, and shall do so by notice in writing by the most rapid means of communication practicable.

Should additional information be required, please contact the person cited in paragraph I.1) of this form. If an appeal regarding the award of a contract has not been successfully resolved, Public Contracts Regulations 2015 (SI 2015 No 6) 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 and Wales).

Any such action must be started within 30 days beginning with the date when the aggrieved party first knew or ought to have known that grounds for starting the proceedings had arisen. Where a contract has not been entered into the Court may order the setting aside of the award decision or order the authority to amend any document and may award damages. Following the 10 day standstill period, if no further debriefing has been requested, the Court may only award damages once the contract has been entered into.