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Contract

## **YORbuild2 North Area Contractors Framework Agreement**

Scarborough Borough Council

F20: Modification notice

Notice identifier: 2021/S 000-026346

Procurement identifier (OCID): ocids-h6vhtk-02ee57

Published 21 October 2021, 10:16am

### **Section I: Contracting authority/entity**

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

Scarborough Borough Council

Town Hall, St. Nicholas Street

SCARBOROUGH

YO112HG

#### **Email**

[info@yorhub.com](mailto:info@yorhub.com)

#### **Country**

United Kingdom

#### **NUTS code**

UKE22 - North Yorkshire CC

#### **Internet address(es)**

Main address

[www.scarborough.gov.uk](http://www.scarborough.gov.uk)

Buyer's address

[www.yortender.co.uk](http://www.yortender.co.uk)

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## **Section II: Object**

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

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

YORbuild2 North Area Contractors Framework Agreement

Reference number

Reference number: CM109

#### **II.1.2) Main CPV code**

- 45000000 - Construction work

#### **II.1.3) Type of contract**

Works

### **II.2) Description**

#### **II.2.1) Title**

Lots 1a-d £0 - £250,000, Lots 2a-d over £250,000 - £1m, Lots 3a-d over £1m - £4m, Lots 6a-d new housing 1 to 10 units

Lot No

Lot No: 1a-d, 2a-d, 3a-d, 6a-d

#### **II.2.2) Additional CPV code(s)**

- 45000000 - Construction work
- 71000000 - Architectural, construction, engineering and inspection services

#### **II.2.3) Place of performance**

NUTS codes

- UKE - Yorkshire and the Humber

Main site or place of performance

UKE, but mainly North Yorkshire

#### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

A framework agreement for Construction works, including Contractors design when required. The works involved are principally building work and new housing but some civil engineering works may also be included. This framework replaces the original YORbuild North Area Contractors Framework and builds upon its legacy of partnership and collaborative working. It is envisaged that the main users of the framework will be Local Authorities, Emergency Services (Police, Fire and Health services), Educational establishments (Schools, Academies, Universities and Colleges) and Housing Organisations (Housing Associations and Social Landlords) as detailed within VI.3.

Each of the North Area Contractors Framework lots is divided into 4 sub-regions:

- Ryedale and Scarborough;
- Richmondshire and Hambleton;
- Craven and Harrogate;
- York and Selby.

The total number of lots is 16.

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

Duration in days

72

In the case of framework agreements, provide justification for any duration exceeding 4 years

The framework included an option to extend for 2 years to allow the appointed contractors adequate time to recoup their significant investment in establishing processes and procedures that will deliver improvement that clients are seeking through this framework. These include Economic Regeneration, Carbon and Waste Reduction, Employment Initiatives, BIM and New Models of Construction Procurement.

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2016/S 069-119321](#)

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

### **Contract No**

CM109

### **Lot No**

1a-d, 2a-d, 3a-d, 6a-d

### **Title**

Lots 1a-d £0 - £250,000, Lots 2a-d over £250,000 - £1m, Lots 3a-d over £1m - £4m, Lots 6a-d new housing 1 to 10 units

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

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

19 February 2016

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

The contract/concession has been awarded to a group of economic operators: Yes

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

F Parkinson Ltd

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Geo Houlton & Sons Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Hobson & Porter Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

J P Developers Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Pacy & Wheatley

Doncaster

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

S Voase Builders Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Simpson (York) Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Tom Willoughby Limited

Northallerton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

William Birch & Sons Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Esh Construction Limited

Leeds

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Walter Thompson (Contractors) Limited

Northallerton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber



The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Engie Places & Communities

Wath Upon Dearne

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Tilbury Douglas Construction Ltd (formerly Interserve Construction Ltd)

Castleford

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Wildgoose Construction Limited

Afreton

Country

United Kingdom

NUTS code

- UKF - East Midlands (England)

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Transcore Limited

Malton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Evora Construction Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Wharton Construction

Darlington

Country

United Kingdom

NUTS code

- UKC - North East (England)

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Bermar Building Co. Limited

Bradford

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

R H Fullwood & Co Limited

Pontefract

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Walter Carefoot & Sons (Construction) Limited

Longridge

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Henry Boot Construction Limited

Dronfield

Country

United Kingdom

NUTS code

- UKF - East Midlands (England)

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Morgan Sindall

Leeds

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

No

**V.2.3) Name and address of the contractor/concessionaire**

Terim Construction

Huddersfield

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.3) Name and address of the contractor/concessionaire**

Sanderson Building Services Limited

Rotherham

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £108,000,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

High Court of Justice of England and Wales

London

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

The Public Contracts Regulations provide for an economic operator who suffers or risks suffering loss or damage by a breach of the rules to take action in the High Court (England and Wales).

## Section VII: Modifications to the contract/concession

### VII.1) Description of the procurement after the modifications

#### VII.1.1) Main CPV code

- 45000000 - Construction work

#### VII.1.2) Additional CPV code(s)

- 45000000 - Construction work
- 71000000 - Architectural, construction, engineering and inspection services

#### VII.1.3) Place of performance

NUTS code

- UKE - Yorkshire and the Humber

Main site or place of performance

Yorkshire and Humber region (NUTS code UKE), but mainly within North Yorkshire

#### VII.1.4) Description of the procurement:

A framework agreement for Construction works, including Contractors design when required. The works involved are principally building work and new housing but some civil engineering works may also be included. This framework replaces the original YORbuild North Area Contractors Framework and builds upon its legacy of partnership and collaborative working. It is envisaged that the main users of the framework will be Local Authorities, Emergency Services (Police, Fire and Health services), Educational establishments (Schools, Academies, Universities and Colleges) and Housing Organisations (Housing Associations and Social Landlords) as detailed within VI.3 of the Contract Notice issued on 30/10/2014.

#### VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

78

In the case of framework agreements, provide justification for any duration exceeding 4 years:

The framework included an option to extend for 2 years to allow the appointed contractors adequate time to recoup their significant investment in establishing processes and

procedures that will deliver improvement that clients are seeking through this framework. These include Economic Regeneration,

**VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£108,000,000

**VII.1.7) Name and address of the contractor/concessionaire**

F Parkinson Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Hobson & Porter Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**



Hobson & Porter Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Wharton Construction

Darlington

Country

United Kingdom

NUTS code

- UKC - North East (England)

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

J P Developers

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Pacy & Wheatley Limited

Doncaster

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

S Voase Builders Limited

Hull

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Simpson (York) Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Tom Willoghby Limited

Northallerton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

William Birch & Sons Ltd

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Esh Construction Limited

Leeds

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Walter Thompson (Contractors) Limited

Northallerton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Engie Places & Communities

Wath upon Dearne

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Tilbuty Douglas Construction Ltd (formerly Interserve Construction Ltd)

Castleford

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

No

**VII.1.7) Name and address of the contractor/concessionaire**

Wildgoose Construction Limited

Alfreton

Country

United Kingdom

NUTS code

- UKF - East Midlands (England)

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Transcore Limited

Malton

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Evora Construction Limited

York

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Bermar Building Co Limited

Bradford

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

R H Fullwood & Co Limited

Pontefract

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Walter Carefoot & Sons (Construction) Limited

Lancashire

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Henry Boot Construction Limited

Dronfield

Country

United Kingdom

NUTS code

- UKF - East Midlands (England)

The contractor/concessionaire is an SME

No

**VII.1.7) Name and address of the contractor/concessionaire**

Morgan Sindall

Leeds

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

No

**VII.1.7) Name and address of the contractor/concessionaire**

Terim Construction

Huddersfield

Country

United Kingdom



NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

#### **VII.1.7) Name and address of the contractor/concessionaire**

Sanderson Building Services Limited

Rotherham

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

The contractor/concessionaire is an SME

Yes

#### **VII.2) Information about modifications**

##### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

The framework will be extended by a further six months. The three conditions in the Directive permitting this modification have been met as follows:

(i) disruption caused by Covid-19 and unprecedented issues currently being experienced in the Construction sector could not have been foreseen.

(ii) the modification does not alter the overall nature of the contract. The scope of the framework will remain the same and it will continue to operate in exactly the same way during the six month extension period.

(ii) the value of the framework agreement remains the same

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

The Covid-19 pandemic has disrupted the operation of the framework and delayed its re-procurement and could not have been foreseen, nor could the unprecedented issues currently facing the construction sector. These include but are not limited to significant increases in market activity caused by pent up demand being released, stimulus spending to speed up recovery, spikes in material prices, material shortages, delayed or extended framework procurements all coming to the market at a similar time. These market pressures necessitate the need for the framework to operate longer to ensure the delivery of key public sector projects and to allow longer periods for the market to respond to the tender to secure a replacement framework.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £108,000,000

Total contract value after the modifications

Value excluding VAT: £108,000,000