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Tender

## **EHC 1021 Hertford Theatre Growth and Legacy Project**

East Hertfordshire District Council

F02: Contract notice

Notice identifier: 2021/S 000-026458

Procurement identifier (OCID): ocids-h6vhtk-02eec7

Published 21 October 2021, 5:35pm

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

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

East Hertfordshire District Council

Wallfields, Pegs Lane,

Hertford

SG13 8EQ

#### **Contact**

Lisa Baldock

#### **Email**

[procurement@eastherts.gov.uk](mailto:procurement@eastherts.gov.uk)

#### **Telephone**

+44 1438242083

**Country**

United Kingdom

**NUTS code**

UKH23 - Hertfordshire

**Internet address(es)**

Main address

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

Buyer's address

[www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk)

**I.3) Communication**

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

[www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk)

Tenders or requests to participate must be submitted to the above-mentioned address

**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**

EHC 1021 Hertford Theatre Growth and Legacy Project

Reference number

EHC344/1243/2021

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

- 45210000 - Building construction work

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

Works

#### **II.1.4) Short description**

East Hertfordshire District Council are currently seeking tenders for the Hertford Theatre Growth and Legacy Project. The tender documents can be accessed from the My Tenders area of the Supply Hertfordshire website and selecting the View Details button of this project. Please note the deadline for returns and allow sufficient time to make your return as late returns will not be permitted. Any questions relating to this tender should be made via correspondence on the website and can be addressed to the main contact as shown in the details above.

#### **II.1.5) Estimated total value**

Value excluding VAT: £16,500,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

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

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

- 45212170 - Entertainment building construction work
- 45212320 - Construction work for buildings relating to artistic performances
- 45212322 - Theatre construction work
- 45210000 - Building construction work
- 45212000 - Construction work for buildings relating to leisure, sports, culture, lodging and restaurants
- 45212300 - Construction work for art and cultural buildings

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

NUTS codes

- UKH23 - Hertfordshire

Main site or place of performance

Hertford, Hertfordshire

### **II.2.4) Description of the procurement**

The Council has a vision for Hertford Theatre to become a cultural hub for the District and to maximise its location alongside the River Lea. To facilitate this vision a physical redevelopment of the building and the creation of new cultural and event space is proposed. In July 2018, the Council approved a capital investment of £13.5m for the Growth and Legacy option to develop and expand the Theatre. Following the development of a more detailed Feasibility Report and costs, the Council approved a further budgetary uplift to £20m in November 2019. The detailed scope of development comprises the following: Redevelopment and extension of front of house spaces to include 3 cinema screens with a minimum total capacity of 200 seats. Enhanced Main Auditorium with a capacity of 550 seats with an additional high-level balcony and new fixed seating layout to improve customer theatre experience and ensure consistency across all auditoria. The auditorium will continue to also show film. A flexible studio theatre space with around 150 seats. Film will also be shown in this space. Two hireable spaces, with one as a dance studio. Reconfigured entrance foyer. Relocated and enhanced food and beverage offer alongside and over-looking the River Lea. Acoustic improvements to the main Auditorium. Reconfigured office and backstage spaces. Improved accessibility in-line with the Equality Act including new back-stage door with accessible ramps leading to accessible changing and rehearsal spaces enabling disabled performers and participants to engage fully with the theatre and its output. Improved access and sightlines of Castle Gates by addressing access and parking concerns

creating a greatly improved public realm around the entire theatre site. The project will provide an opportunity to improve the connectivity between the town, Theatre and park, opening up sightlines along the River Lea and encouraging more people to engage with these currently under-utilised areas. The project will develop a scope for partnering with the Town Council, schools and other centres of education to release the heritage story of the Motte, Castle Gardens and Hertford.

#### **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: £16,500,000

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

Start date

8 March 2022

End date

30 March 2023

This contract is subject to renewal

No

#### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **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

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## **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

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

Accelerated procedure

Justification:

There is a state of urgency for this procurement following two previous PCR 2015 compliant procurement processes through which the contracting authority was unable to award a contract.

#### **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

5 November 2021

Local time

12:00pm

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

18 November 2021

**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.3) Additional information**

To access this procurement opportunity please visit [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk) and follow the on-screen guidance. In accordance with Regulation 53 of the Public Contracts Regulations 2015, the Council's procurement documents are available within the e-Tendering system. This procurement process is a two stage process and you will only be invited to tender if you have been successful and shortlisted from the first stage, i.e. pre-qualification. If you wish to be considered you must complete and submit a completed selection questionnaire by the specified closing date and time. Submissions cannot be uploaded after this return deadline. If you are experiencing problems In-Tend they offer a help section which includes a dedicated UK support desk which can be contacted via email: [support@in-tend.com](mailto:support@in-tend.com) or telephone: +44 1144070065 for any website/technical questions, Monday to Friday, 8.30-17.30. The Council reserves the right at any time to cease the procurement process and not award a contract or to award only part of the opportunity described in this notice. If the Council takes up this right, then they will not be responsible for or pay the expenses or losses, which may be incurred by any organisation or tenderer as a result. The Council undertakes to hold confidential any information provided in the proposal submitted, subject to the Council's obligations under the law including the Freedom of Information Act 2000. If the organisation considers that any of the information submitted in the proposal should not be disclosed because of its sensitivity then this should be stated with the reason for considering it sensitive. The Council will then endeavour to consult with the applicant about such sensitive information when considering any request received under the Freedom of Information Act 2000 before replying to such a request.

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

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

High Court England and Wales

The Strand

London

WC2A 2LL

Country



United Kingdom

#### **VI.4.2) Body responsible for mediation procedures**

The High Court England and Wales

The Strand

London

WC2A 2LL

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The authority will incorporate a minimum 10 calendar days standstill period at the point information on the award of the contract is communicated to tenderers. Applicants who are unsuccessful shall be informed by the authority as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If any clarification regarding the award of the contract has not been successfully resolved, the Public Contracts Regulations 2015 (SI 2015 No 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. 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. If a contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the authority to pay a fine, and/or order that the duration of the contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.