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Tender

Borough of Scarborough JV Partnership

Scarborough Borough Council

F02: Contract notice

Notice identifier: 2021/S 000-028195

Procurement identifier (OCID): ocds-h6vhtk-02f590

Published 10 November 2021, 10:55pm

Section I: Contracting authority

I.1) Name and addresses

Scarborough Borough Council

Town Hall, St Nicholas Street

Scarborough, North Yorkshire

YO11 2HG

Contact

David Gomersall

Email

david.gomersall@scarborough.gov.uk

Telephone

+44 1723232344

Country

United Kingdom

NUTS code

UKE2 - North Yorkshire

National registration number

GB 168 4442 44

Internet address(es)

Main address

https://www.scarborough.gov.uk/

Buyer's address

https://yortender.eu-supply.com/ctm/Company/CompanyInformation/Index/104120

I.3) Communication

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

https://yortender.eu-supply.com

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

https://yortender.eu-supply.com

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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Borough of Scarborough JV Partnership

Reference number

SBC/001

II.1.2) Main CPV code

• 70000000 - Real estate services

II.1.3) Type of contract

Services

II.1.4) Short description

Scarborough Borough Council (the "Council") is committed to increasing the quantum and quality of affordable homes across the Borough. It is therefore seeking a strategic development partner for 30 years to fund, enable, develop, and undertake sales activity across a programme of sites within the Borough, via a 50:50 corporate joint venture ("JV") arrangement. The JV's purpose will be to deliver good quality and environmentally sustainable homes, with a focus on accelerating the provision of affordable housing and generating social value. The Council is proposing 8 Initial Sites from its landholdings portfolio to be committed to the JV from the outset and it may deliver additional Council owned sites through the partnership over its lifetime. The JV could also purchase its own sites from a third party or the JV partner could offer sites to the JV.

II.1.5) Estimated total value

Value excluding VAT: £3,900,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45000000 Construction work
- 45211000 Construction work for multi-dwelling buildings and individual houses
- 70110000 Development services of real estate
- 70120000 Buying and selling of real estate
- 70331000 Residential property services
- 70332000 Non-residential property services
- 71500000 Construction-related services

II.2.3) Place of performance

NUTS codes

• UKE2 - North Yorkshire

II.2.4) Description of the procurement

The Council is committed to increasing the quantum and quality of affordable homes across the Borough. It is therefore seeking a strategic development partner for 30 years to fund, enable, develop, and undertake sales activity across a programme of sites within the Borough via a 50:50 corporate JV arrangement. The JV's purpose will be to deliver good quality and environmentally sustainable homes, with a focus on accelerating the provision of affordable housing and generating social value.

The Council is proposing 8 Initial Sites from its landholdings portfolio to be committed to the JV from the outset (the 'Category A' and Category B' sites) and it may deliver additional Council owned sites through the partnership over its lifetime (the 'Category C' sites). The JV could also purchase its own sites from a third party or the JV partner could offer sites to the JV (the 'Category D' sites). For further information on the initial and further sites, and the approach to their investment/acquisition please refer to the draft procurement documents being released at this stage (specifically the draft Invitation to Submit Detailed Solutions ("ISDS"), which includes Key Principles and draft Contracts, and the Descriptive Document).

The estimated contract value of this opportunity is between 130 000 000 GBP and 3.9bn GBP and is based on the estimated gross development value for the 8 Initial Sites ('Category A' and 'Category B' sites) and a reasonable forecast for any 'Category C' and 'Category D' sites that may be delivered by the JV during the term of the Contracts. The range is broken down as follows: the estimated gross development value for the 8 Initial Sites ('Category A' and 'Category B' sites) is between 130 000 000 GBP and 160 000 000 GBP; the estimated gross development value for 'Category C' sites within the existing geographical area of the Council and 'Category D' sites that the JV purchases

from a third party or where the JV partner offers sites to the JV is between is between 575 000 000 GBP and 775 000 000 GBP; and the estimated gross development value for 'Category C' and 'Category D' sites within the geographical area of the Council's successor is between 2.8bn GBP and 3.9bn GBP.

On 22 July 2021 the Secretary of State for Housing, Communities & Local Government announced, subject to Parliamentary approval, a local government reorganisation for North Yorkshire which will create a single unitary for the whole of the administrative county of North Yorkshire. It is currently understood that the Secretary of State intends around the turn of the year to lay before Parliament the draft Orders which, if approved by Parliament, will give effect to the decision, leading to elections for the unitary council in May 2022 and for the council to be fully up and running from April 2023. It is therefore currently anticipated that, in the event the decision is approved, the relevant Contracts will be entered into by the Council and then they may be novated and/or partnership interest transferred to (as appropriate) the successor body to the Council. All references in this Contract Notice to the Council or its area include, where appropriate and unless the context requires otherwise, references to the Council's successor. All references to the Borough are to the geographical area of the Council or the geographical area of the Council's successor.

Further details of this opportunity are set out in the procurement documents. Please see Section V1.3 for details relating to the procurement documents being released at this stage.

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: £3,900,000,000

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

Duration in months

360

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

Objective criteria for choosing the limited number of candidates:

As set out within the Council's Selection Questionnaire ("SQ")

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

See Section II.2.4 for further information on sites.

II.2.13) Information about European Union Funds

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

II.2.14) Additional information

The procurement will be conducted in accordance with the Public Contracts Regulations 2015 as amended, and successor legislation which may follow, using the competitive dialogue procedure as set out in Regulation 30 of the Public Contract Regulations 2015.

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

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

Where bidders are bidding as part of a group of economic operators (e.g., a consortium), the Council reserves the right to require bidders to assume a specific legal form for the purpose of the award of the contracts (e.g., establishing a special purpose vehicle ("SPV") to act as the PSP member of the JV). Furthermore, where an economic operator relies upon the capacities of other entities with regard to criteria relating to economic and financial standing, the Council reserves the right to require that the economic operator and those entities to be jointly and severally liable.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Competitive dialogue

IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

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: <u>2020/S 182-440737</u>

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

13 December 2021

Local time

12:00pm

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

21 January 2022

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: 12 (from the date stated for receipt of tender)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

Royal Courts of Justice, Strand

London

WC2A 2LL

Telephone

+44 1723232323

Country

United Kingdom

Internet address

www.justice.gov.uk

VI.4.2) Body responsible for mediation procedures

High Court of England and Wales

Royal Courts of Justice, Strand

London

WC2A 2LL

Country

United Kingdom

Internet address

www.justice.gov.uk

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

The Council will incorporate a minimum 10 calendar days standstill period at the point information on the intention to award the contract is communicated to tenderers. This period allows unsuccessful tenderers to seek further debriefing from the Council before any contracts are entered into. If an appeal regarding the award of such contracts has not been successfully resolved, the Public Contracts Regulations 2015 provide for aggrieved parties who have been harmed or who are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

VI.4.4) Service from which information about the review procedure may be obtained

High Courst

Royal Courts of Justice

London

WC2A 2LL

Telephone

+44 20794760000

Country

United Kingdom