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Tender

Procurement of a development partner to deliver the Project at Tickford Fields Farm, Newport Pagnell

Milton Keynes Council

F02: Contract notice

Notice identifier: 2022/S 000-033020

Procurement identifier (OCID): ocds-h6vhtk-038724

Published 21 November 2022, 6:34pm

Section I: Contracting authority

I.1) Name and addresses

Milton Keynes Council

Civic Office, 1 Saxon Gate East

Milton Keynes

MK9 3EJ

Email

contracts@milton-keynes.gov.uk

Telephone

+44 1908691691

Country

United Kingdom

NUTS code

UKJ12 - Milton Keynes

Internet address(es)

Main address

<https://in-tendhost.co.uk/milton-keynes.aspx/Home>

Buyer's address

<https://www.milton-keynes.gov.uk>

I.3) Communication

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

<https://in-tendhost.co.uk/milton-keynes.aspx/Home>

Additional information can be obtained from the above-mentioned address

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

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/milton-keynes.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

Procurement of a development partner to deliver the Project at Tickford Fields Farm, Newport Pagnell

Reference number

2021-012A

II.1.2) Main CPV code

- 45111291 - Site-development work

II.1.3) Type of contract

Works

II.1.4) Short description

Milton Keynes City Council (the "Council") is bringing to the market a significant residential development opportunity and is seeking to procure a development partner to work with the Council to bring forward the Tickford Fields Farm Site, Newport Pagnell, (the "Site") in its entirety and deliver a high quality scheme. The Site benefits from a resolution to grant outline planning permission (all matters reserved except access) for the demolition of the existing farm buildings on the Site and the development of up to 930 dwellings (including affordable dwellings), primary school, local centre, open space, sports pitches, play areas, pavilion/wellbeing centre and other associated works. The Council is looking to appoint a development partner who is committed to working with the Council in a true partnership style to design and deliver a viable and attractive proposal.

II.1.5) Estimated total value

Value excluding VAT: £300,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45111291 - Site-development work

II.2.3) Place of performance

NUTS codes

- UKJ12 - Milton Keynes

II.2.4) Description of the procurement

Procurement of a development partner to deliver the Project at Tickford Fields Farm, Newport Pagnell. The Development Agreement will be for a term of 12 years, with an option for the Authority to extend the term for further period or period(s), the total of any such extensions not to exceed a maximum 3 years in total (i.e. making the maximum contract length 15 years). The Development Period itself may not exceed 10 years.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Duration in months

144

This contract is subject to renewal

Yes

Description of renewals

An option for the Authority to extend the term for further period or period(s), the total of any such extensions not to exceed a maximum 3 years in total

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

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

As stated in the procurement documents

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

As stated in the procurement documents

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted procedure

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

21 December 2022

Local time

5:00pm

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

16 January 2023

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: No

VI.3) Additional information

The Public Contracts Regulations 2015 apply to this procurement (the •Regulations•). The Council is using the Restricted procedure in accordance with Regulation 28 of the Regulations. The Council estimates that the gross development value of the opportunity is between £200,000,000 and £300,000,000 (GBP). This estimate is reflective of current values and does not allow for any inflation. Additional information on this procurement and in relation to this Contract Notice can be found in the Procurement Documents accompanying this Contract Notice which can be accessed via <https://intendhost.co.uk/milton-keynes/asp/Home>. The Council reserves the right to withdraw from or discontinue the procurement at any stage of the procurement process which shall include the right to not award the Development Agreement or award only part of the opportunity described in this Contract Notice. The Council shall not be liable for any costs incurred by those expressing an interest or tendering for this opportunity, including their associated entities or any other person. To access this procurement opportunity please visit <https://intendhost.co.uk/milton-keynes/asp/Home> and follow the on-screen guidance. If you wish to be considered as a tenderer you must complete and submit a selection questionnaire by the closing date and time. Selection questionnaires cannot be uploaded after the closing date/time. Any clarifications regarding this opportunity must be raised through the correspondence function on the In-Tend Portal. The Council undertakes to hold confidential any information provided in the tender submitted, subject to the Council's obligations under law, including the Freedom of Information Act 2000. If the tenderer considers that any of the information submitted in the tender should not be disclosed because of its commercial sensitivity or for reasons of confidentiality, then this should be stated with the reason for considering it sensitive. The Council will then endeavour to consult with the tenderer about such commercially sensitive or confidential information when considering any request received under the Freedom of Information Act 2000 before replying to such a request, but the decision of the Council in deciding whether an exemption applies is final. The Council reserve the right to carry out additional financial checks on all economic operators tendering for this opportunity at any time during the procurement process, to ensure that they continue to meet the Council's requirements and remain financially viable to perform the Development Agreement. The Council may require a group of economic operators to whom the Development Agreement is awarded to form a legal entity.

VI.4) Procedures for review

VI.4.1) Review body

The High Court

Royal Courts of Justice, Strand

London

WC24 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Council will incorporate a minimum 10 calendar day standstill period at the point information on the award of the Development Agreement is communicated to tenderers. Applicants who are unsuccessful shall be informed by the Council 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 Development Agreement has not been successfully resolved, The Public Contracts Regulations 2015 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 Council 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 Council 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 Development Agreement is entered into.