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Contract

A457 Dudley Road Improvement Scheme Update

BIRMINGHAM CITY COUNCIL

F20: Modification notice

Notice identifier: 2023/S 000-033857

Procurement identifier (OCID): ocds-h6vhtk-041a3e

Published 15 November 2023, 10:40pm

Section I: Contracting authority/entity

I.1) Name and addresses

BIRMINGHAM CITY COUNCIL

BIRMINGHAM

B4 7WB

Email

cps@birmingham.gov.uk

Country

United Kingdom

Region code

UKG31 - Birmingham

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.birmingham.gov.uk

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

A457 Dudley Road Improvement Scheme Update

II.1.2) Main CPV code

- 45233120 - Road construction works

II.1.3) Type of contract

Works

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

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

The design and construction of a large capital improvement scheme to the A457 Dudley Road which is made up of; Heath Street, Dudley Road, Spring Hill and junctions/ side roads.

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

Duration in months

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2013/S 164-284988](#)

Section V. Award of contract/concession

Contract No

A457

Lot No

4

V.2) Award of contract/concession

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

21 October 2019

V.2.2) Information about tenders

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

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

McPhillips (Wellington) Ltd

Horton House, Hortonwood 50

Telford

TF1 7FG

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

Justification for not providing organisation identifier

Not on any register

The contractor/concessionaire is an SME

No

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: £37,102,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court of Justice

Royal Courts of Justice, Strand

London

WC2A 2LL

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 45233120 - Road construction works

VII.1.3) Place of performance

NUTS code

- UKG - West Midlands (England)

VII.1.4) Description of the procurement:

To deliver the A457 Dudley Road scheme.

The Council's aspirations and objectives for the scheme remain unchanged and focus on improving journey times, reducing congestion, and enhancing public transport and active modes along the corridor. Improved journeys for a variety of modes will also improve the attractiveness of the area, stimulating economic

growth through enabling access to key development sites which will help to bring forward approximately 3,000 new homes along with other local facilities and employment opportunities. This in turn will support and protect the city's growth objectives within the Greater Icknield area.

In addition, the A457 Scheme provides improvements for public transport, pedestrians and cyclists to align with the Emergency Transport Plan and Active Travel Plan introduced following Covid-19 and aspires towards the longer-term priorities of the Council in terms of sustainable transport and working towards net zero carbon by 2030.

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

Duration in months

36

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

Total value of the contract/lot/concession:

£32,135,000

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

McPhillips (Wellington) Ltd

Horton House, Hortonwood 50

Telford

TF1 7FG

Country

United Kingdom

NUTS code

- UKG - West Midlands (England)

Justification for not providing organisation identifier

Not on any register

The contractor/concessionaire is an SME

No

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):

The proposed contract modification for additional works have become necessary the design changes as a result of new government policies regarding sustainable transport; the latest LTN 1/20 design guidance which came into operation during the contract period; the imposed time constraints from the funding conditions. As a consequence, Phases 5 and

6 are required to be completed incorporating a modification to the existing contract.

The Council is seeking to undertake these in accordance with PCR 2015 Regulation 72(b)(ii) where a change of contractor 'would cause significant inconvenience or substantial

duplication of costs for the contracting authority' This increase would cause the contract

value to exceed the 50% tolerance. However, the Council will publish a notice in accordance with PCR 2015, Regulation 72(3) and as a further mitigation of additional cost increases will separately tender Phase 7.

VII.2.2) Reasons for modification

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

The proposed contract modification for additional works have become necessary the design changes as a result of new government policies regarding sustainable transport; the latest LTN 1/20 design guidance which came into operation during the contract period; the imposed time constraints from the funding conditions. As a consequence, Phases 5 and

6 are required to be completed incorporating a modification to the existing contract.

VII.2.3) Increase in price

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

Value excluding VAT: £32,135,000

Total contract value after the modifications

Value excluding VAT: £37,102,000