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Tender

## **Framework Agreement for Highway Drainage Maintenance Yorkshire Highway Alliance Contract**

Kirklees Council  
York City Council  
City of Bradford Metropolitan District Council  
The Borough of Calderdale Council  
Leeds City Council  
City of Wakefield Metropolitan Council

F02: Contract notice

Notice identifier: 2022/S 000-034912

Procurement identifier (OCID): ocds-h6vhtk-038c32

Published 9 December 2022, 12:12pm

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

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

Kirklees Council

Town Hall, Ramsden Street

Huddersfield

HD1 2TA

#### **Contact**

Sam Mannion

#### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**Region code**

UKE44 - Calderdale and Kirklees

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.kirklees.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

York City Council

Hazel Court, James Street

York

YO10 3DS

**Contact**

Sam Mannion

**Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**Region code**

UKE21 - York

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.york.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

City of Bradford Metropolitan District Council

City Hall, Channing Way

Bradford

BD1 1HY

**Contact**

Sam Mannion

**Email**

[highways.contracts@kirkleees.gov.uk](mailto:highways.contracts@kirkleees.gov.uk)

**Country**

United Kingdom

**Region code**

UKE41 - Bradford

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.bradford.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

**I.1) Name and addresses**

The Borough of Calderdale Council

Town Hall, Crossley Street

Halifax

HX1 1UJ

**Contact**

Sam Mannion

**Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

**Country**

United Kingdom

**Region code**

UKE44 - Calderdale and Kirklees

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.calderdale.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

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

Leeds City Council

Civic Hall, Calverly Street

Leeds

LS1 1UR

### **Contact**

Sam Mannion

### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

### **Country**

United Kingdom

### **Region code**

UKE42 - Leeds

### **Justification for not providing organisation identifier**

Not on any register

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

Main address

<http://www.leeds.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

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

City of Wakefield Metropolitan Council

WF1 2HQ

Wakefield

WF1 2HQ

#### **Contact**

Sam Mannion

#### **Email**

[highways.contracts@kirklees.gov.uk](mailto:highways.contracts@kirklees.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UKE45 - Wakefield

#### **Justification for not providing organisation identifier**

Not on any register

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

Main address

<http://www.wakefield.gov.uk>

Buyer's address

<https://yortender.eu-supply.com>

### **I.2) Information about joint procurement**

The contract involves joint procurement

The contract is awarded by a central purchasing body

### **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>

### **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**

Framework Agreement for Highway Drainage Maintenance Yorkshire Highway Alliance Contract

Reference number

KMCHS-390

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

- 45232452 - Drainage works

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

## Works

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

The Council of the Borough of Kirklees (the "Council") is conducting this procurement process using the open procedure in accordance with the Public Contracts Regulations 2015 ("PCR"). The procurement documentation has been made available following the publication of the Contract Notice on the UK e-notification service.

This new framework is being procured to replace the current Framework (KMCHS-250) which expires on 31st January 2023.

Tenders are therefore invited by the Council and the Other Contracting Authorities:

City of Bradford Metropolitan Council - Lot 1,

The Borough of Calderdale Council - Lot 2,

Kirklees Council - Lot 3,

Leeds City Council - Lot 4,

City of Wakefield Metropolitan District Council - Lot 5,

City of York Council - Lot 6.

Suppliers (Contractors) with relevant experience and ability to demonstrate sufficient capacity for a range of Highway Drainage Maintenance activities are encouraged to apply.

This framework will be available across the region of Yorkshire and Humberside, and will be used by Contracting Authorities included on an 'ad hoc' basis. The 'Work' or 'The Works' will be under the "Highway Drainage Maintenance Yorkshire Alliance Contract" (the 'Framework Agreement').

The framework will be advertised on YORtender (tender platform) - <https://yortender.eu-supply.com>

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

Value excluding VAT: £9,620,000

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

City of Bradford Metropolitan Council - Lot 1, The Borough of Calderdale Council - Lot 2, Kirklees Council - Lot 3, Leeds City Council - Lot 4, City of Wakefield Metropolitan District Council - Lot 5, City of York Council - Lot 6.

## **II.2) Description**

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

City of Bradford Metropolitan District Council

Lot No

1

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works
- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE41 - Bradford

Main site or place of performance

Geographical area of Bradford, West Yorkshire.

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: The City of Bradford Metropolitan District Council - Lot 1

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

### **II.2.5) Award criteria**

Price

### **II.2.6) Estimated value**

Value excluding VAT: £200,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

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

The Borough of Calderdale Council

Lot No

2

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works
- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Geographical area of Calderdale, West Yorkshire.

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: The Borough of Calderdale Council - Lot 2

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the

Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

### **II.2.5) Award criteria**

Price

### **II.2.6) Estimated value**

Value excluding VAT: £1,320,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

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

The Council of the Borough of Kirklees

Lot No

3

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works
- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Geographical area of Kirklees, West Yorkshire

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: The Council of the Borough Kirklees - Lot 3

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

### **II.2.5) Award criteria**

Price

### **II.2.6) Estimated value**

Value excluding VAT: £3,300,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

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

Leeds City Council

Lot No

4

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works

- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE42 - Leeds

Main site or place of performance

Geographical area of Leeds, West Yorkshire

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: Leeds City Council - Lot 4

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

### **II.2.5) Award criteria**

Price

### **II.2.6) Estimated value**

Value excluding VAT: £2,000,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

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

City of Wakefield Metropolitan District Council

Lot No

5

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works
- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE45 - Wakefield

Main site or place of performance

Geographical area of Wakefield, West Yorkshire

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: City of Wakefield Metropolitan District Council - Lot 5

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

#### **II.2.5) Award criteria**

Price

#### **II.2.6) Estimated value**

Value excluding VAT: £2,400,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

### **II.2.11) Information about options**

Options: No

## **II.2) Description**

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

City of York Council

Lot No

6

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

- 45111240 - Ground-drainage work
- 45232450 - Drainage construction works
- 45232451 - Drainage and surface works
- 45232452 - Drainage works
- 45232453 - Drains construction work
- 45332000 - Plumbing and drain-laying work

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

NUTS codes

- UKE21 - York

Main site or place of performance

Geographical area of York, North Yorkshire

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

The "Works" under a proposed Framework Agreement will consist of Highway Drainage Maintenance, within the geographical boundary and administrative areas as described at II.1.4 of this notice.

This Lot relates to the administrative area of: The City of York Council - Lot 6

Economic Operators may price for one, or more, or all of the lots as detailed at Section II.1.4 of this notice. All of the other contracting authorities shall be hereafter defined as the "contracting authorities" for whom the principal contracting authority (i.e. the Council of the Borough of Kirklees) will act as the contract administrator in relation to the Framework Agreement (available to download at: <https://yortender.eu-supply.com>).

#### **II.2.5) Award criteria**

Price

#### **II.2.6) Estimated value**

Value excluding VAT: £400,000

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

Start date

1 March 2023

End date

28 February 2027

This contract is subject to renewal

Yes

Description of renewals

The anticipated commencement date for the Framework Agreement is 1st March 2023 - 28th February 2025 (With an option to extend for two (2) years up to 28th February 2027)

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

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: No

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## **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

In accordance with (i) Article 57 and 59 to 61 of Directive 2014/24/EU and (ii) Regulations 57 to 61 of the Public Contract Regulations 2015 (SI 2015/102), and as set out in the selection questionnaire ("SQ") available from the address as set out in Section (I.1) of this notice above, the Council of the Borough of Kirklees acting as the principal contracting authority reserves the right to refuse any Contractor's application and to exclude its tender from the evaluation in any of the circumstances as follows:

(i) in the event the completed SQ, supporting information and/or any other tender submissions are incomplete, inaccurate or misleading or otherwise not submitted in accordance with the requirements set out in the SQ or any of the other Tender Documents; and/or;

(ii) for any reason specified in Regulation 57 (Exclusion Grounds) of the Public Contracts Regulations 2015(SI2015/102), which requires or permits the principal contracting authority not to select or to treat any Contractor to as an ineligible Contractor; and / or

(iii) Contractors scoring "Fail" in the SQ will not be selected for consideration of their tender submission.

Section 7 - Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015.

Answering "Yes" to question 7.1 and "No" to Question 7.2 will result in exclusion unless the Contractor:

- (1) can demonstrate that you are legally exempt from the requirement to comply with the annual reporting requirements contained within section 54 of the Act; or
- (2) commit to comply with such reporting requirements within 6 months of the date of your submitted questionnaire.

#### **III.1.2) Economic and financial standing**

Selection criteria as stated in the procurement documents

#### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

Selection criteria as stated in the procurement documents.

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

The performance of the Works Orders by the Contractor during the Framework Period will be subject to review by the principal contracting authority and the other contracting authorities, carried out in accordance with the tender documents which are available to download at <https://yortender.eu-supply.com>

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## **Section IV. Procedure**

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

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

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

#### **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

24 January 2023

Local time

1:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

**IV.2.7) Conditions for opening of tenders**

Date

24 January 2023

Local time

1:05pm

Place

The above time and date for opening is estimated, subject to change.

Information about authorised persons and opening procedure

Representatives of Corporate Procurement, Audit and any other authorised officer of the Council

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: Yes

### VI.3) Additional information

The principal contracting authority (i.e. the Council of the Borough of Kirklees) is the only contracting authority that will enter into any framework agreement with the successful economic operators. The other contracting authorities listed in Section I.2 of this Notice above shall be permitted to use the Framework Agreement to call-off contracts in relation to the lot relevant to each individual contracting authority. In addition, the Framework Agreement may be used by any of the other "Local Authorities" (as defined under the Local Government Act 1972 (SI 1972/070)) within the Yorkshire and Humber Region. A map and list of the other Local Authorities permitted to use the Framework Agreement can be found in Appendix 2 of File 01 of the procurement documentation (available to download at <https://yortender.eu-supply.com>). The principal contracting authority considers that this Framework Agreement may be suitable for economic operators that are small or medium enterprises ("SMEs"). However, any selection of economic operators will be based solely on the criteria set out for the procurement, and the Framework Agreement will be awarded on the basis of the most economically advantageous tender based on lowest price only. The award criteria is set out in the procurement documentation (available to download at <https://yortender.eu-supply.com>). With regards to the estimated total value of services for the entire duration of the Framework Agreement, please note the values stipulated in Section II.1.5 of this Notice above covers the potential spend of all the participating contracting authorities, throughout the duration of the Framework Agreement. Notwithstanding the range of values stipulated in Section II.1.5, however, for the avoidance of doubt please note that:

- i) The estimates given in Section II.1.5 of this Notice are strictly estimated values only.
- ii) Any information supplied in the Tender Documents as to the likely volumes of services or the times when they are likely to be required are given purely as indication of past experiences of the contracting authorities.
- iii) Furthermore, please note that estimates given in Section II.1.5 of this Notice are based on third party estimates of anticipated future workloads during the Framework Period as at the date of this Notice, and the principal contracting authority gives no warranty as to the accuracy to said data.
- iv) The anticipated usage of this Framework Agreement is unknown at present. Tenderers should note that it is not possible to establish an exact future workload and it is therefore

not possible to guarantee that all or any of the successful economic operators with whom the principal contracting authority enters into the Framework Agreement will in fact be called upon to execute Services on behalf of the principal contracting authority or any of the other contracting authorities. Unless otherwise specifically stated elsewhere in the Tender Documents, there is no minimum or maximum value/quantity of Services that may be ordered on any one occasion and the rates tendered must therefore reflect the likelihood of varying magnitude of Orders and types of Services

v) No contracting authority is bound to enter into any Order or other contract following discussions or other representations and no contracting authority shall incur any liability in respect of any failure to enter into any Service Contract or in connection with the total volume, type of Services or value of Services anticipated by any of the economic operators or which any economic operator is asked to carry out.

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

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

High Court of England and Wales

United Kingdom

Country

United Kingdom