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Contract

Building Safety Consultancy - Framework Agreement

Portsmouth City Council

F03: Contract award notice

Notice identifier: 2023/S 000-037150

Procurement identifier (OCID): ocds-h6vhtk-03c55f

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Section I: Contracting authority

I.1) Name and addresses

Portsmouth City Council

Civic Offices, Guildhall Square

PORTSMOUTH

PO12AL

Contact

Procurement Service

Email

procurement@portsmouthcc.gov.uk

Telephone

+44 2392688235

Country

United Kingdom

Region code

UKJ31 - Portsmouth

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

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

Building Safety Consultancy - Framework Agreement

II.1.2) Main CPV code

- 71000000 - Architectural, construction, engineering and inspection services

II.1.3) Type of contract

Services

II.1.4) Short description

Portsmouth City Council - the 'council' invited tenders from suitably qualified and experienced consultants for inclusion on a new multi-supplier fire & building safety services framework agreement.

The framework agreement will be used to source relevant services

required to fulfil the council's landlord duties in respect of its portfolio of 15,000 social housing properties and 900 corporate assets. The scope of relevant framework services is summarised within Section II.2.4. below.

The framework agreement may also be accessed by Gosport Borough Council and Southampton City Council, however the council can provide no guarantees in respect of usage by these additional named Contracting Authorities.

Three consultants have been appointed a place on the framework agreement on a ranked basis. Summary information on how the framework agreement will operate is set out within Section II.2.4. below.

The framework agreement has been established via, and concurrently with, the award of two significant council call off contracts, being

- 1) 18m+ Project Contract for 36 weeks and
- 2) Individual Surveys Contract for 2 years + optional ext. up to 5 years,

details of which are summarised within Section II.2.4. below.

Tenderers submitted bids for both contracts and the council awarded both contracts to the overall highest scoring tenderer, F R Consultants Ltd, who was also appointed as the number 1 ranked consultant on the framework agreement.

Bailey Partnership LLP and Vemco Consulting Ltd were awarded 2nd and 3rd place on the framework respectively.

The framework agreement will run for a duration of 4 years from 10th August 2023 to 10th August 2027.

Total spend let via the framework agreement over the 4-year term is estimated at between £2.2M - £8.3M based upon the breakdown set out below:

- Portsmouth City Council - Call Off Contract 1 '18m+ Project' = £1.2M - £2M
- Portsmouth City Council - Call Off Contract 2 'Individual Surveys' = £1M - £1.5M (over max 5

year term)

- *Portsmouth City Council - Call Off Contract 3 '11-18m Blocks' = £2.5M - £3M
- **Gosport Borough Council = £400,000 - £600,000
- **SCC Demand = £800,000 - £1.2M

*This call off contract will only be let in the event that the Building Safety Regulator reduces the height of "higher risk" buildings to 11m during the term of the framework agreement.

**These estimates are based upon values which were provided by each of the named Contracting Authorities. The council provides no guarantee in respect of the accuracy of these estimates or any guarantee that the Contracting Authorities will call off from the framework agreement.

The value of individual surveys commissioned via council (Call Off Contract 2) is expected to vary from between £500 to £15,000 per building. However, the council may also commission packages of surveys which may be of a higher value. These ranges are purely indicative and no minimum or maximum values for surveys or packages of surveys will apply.

The Council established the framework in accordance with the Open Procedure in accordance with Public Contracts Regulations 2015.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £8,300,000

II.2) Description

II.2.2) Additional CPV code(s)

- 71250000 - Architectural, engineering and surveying services
- 71300000 - Engineering services
- 71620000 - Analysis services
- 71631000 - Technical inspection services

II.2.3) Place of performance

NUTS codes

- UKJ31 - Portsmouth
- UKJ32 - Southampton
- UKJ35 - South Hampshire

Main site or place of performance

The council's property portfolio also encompass properties which are located within the boundaries of Havant Borough Council.

The framework agreement may also be accessed by Gosport Borough Council and Southampton City Council, however the council can provide no guarantees in respect of usage by these additional named Contracting Authorities.

II.2.4) Description of the procurement

At the same time as framework establishment the following two call off contracts were let and awarded to F R Consultants LLP from Portsmouth City Council:

1) 18M+ PROJECT CONTRACT

- Form of Contract: NEC 4 Professional Services Contract Option A

- Duration: August 2023 to April 2024
- Value: £2,166,557

2) INDIVIDUAL SURVEYS CONTRACT

- Form of Contract: NEC 4 Professional Services Contract Option E utilising Option X19 Task

Order draw down mechanism

- Duration: 2 years from award with the potential for extension up to a maximum of 5 years in increments to be agreed.

- Total Value: £1,828,046

FRAMEWORK - SCOPE OF SERVICES

Typically, services will be related to fire engineering consultancy and will include, but not be limited to the following:

- Gap Analysis
- Fire Door Surveys (Residential and Communal)
- Compartmentation Survey Type 4
- FRAEW to PAS9980
- EWS1 Form
- Structural Assessment / Inspection
- Building Condition Survey
- Fire Alarm and Systems Check Review
- Fire and Rescue Service Equipment Review
- Fire Strategies
- Fire Risk Assessments
- Building Safety Cases

- Resident Engagement Strategies
- Prioritisation of works and blocks
- Existing building plans
- H&S compliance items

FRAMEWORK OPERATION - RE-RANKING

Ranking will remain fixed for the duration of the Framework but may be altered over the course of the framework as a result of:

- Suspension, barring, insolvency
- Re-ranking mini competition process
- KPI performance
- Procurement compliance

Generally, the re-ranking mini-competition process will not be undertaken at intervals of no more than 12 months except in exceptional circumstances.

FRAMEWORK OPERATION - CALL OFF PROCESSES

The framework will allow for call off of contracts via either Direct Award or Mini-Competition as set out below.

FRAMEWORK OPERATION - DIRECT AWARD CALL OFF PROCESS

Call off contracts may be let via direct award in the following circumstances:

- On a Ranked Basis - call-off contracts will be awarded to the highest ranked consultant where the services required may be commissioned without any substantive alterations to terms and pricing established at point of framework award. Where the highest ranked Consultant is unable to undertake the services due to performance and / or capacity issues, the second ranked Consultant may be approached, and so on.
- On a Repeat Work Basis - where requirements are of a sufficiently similar nature to those being provided by a Consultant under a pre-existing contract let via the framework agreement and may be commissioned without any substantive alteration to terms and pricing established at point of framework or call off award.

Requirements may be considered sufficiently similar in nature where ALL of the factors below apply:

- o The value of the call off contract is within approximately 50% above or below in value of a previous similar call off contract
- o The scope of activities are materially similar in nature
- o Similar building types / infrastructure
- o The form of call of contract used includes for no changes to economic balance between the Client and the Consultant as the previous similar call off contract.

FRAMEWORK OPERATION - MINI-COMPETITION CALL OFF PROCESS

As the council ideally wishes to work with one partner consultant over term of the framework, mini-competitions will generally only be run in the following circumstances:

- Where not all the terms governing the provision of the services concerned are laid down in the framework agreement and associated template call-off contracts
- Where there is a need to formulate more precisely or significantly depart from the terms of the relevant template call-off contract
- Where there is a need to alter the pricing established at the point of framework award
- As an alternative to direct award on a ranked basis following suspension or termination from the framework agreement of the previous number 1 ranked supplier or supplier who had

undertaken similar services in the case of repeat work options

FRAMEWORK OPERATION - CALL OFF CONTRACT TERMS

Call off contracts via the framework agreement will be let using the NEC 4 Professional Services Contract or NEC 4 Professional Services Short Contract.

FRAMEWORK OPERATION - PRICING & TIMESCALES

The following cost and timescale elements submitted at tender by the successful consultants will be held at framework level. These cost elements must be honoured throughout the term of the framework agreement on a meet or beat basis in respect of future call offs.

- *Hourly rates
- NEC 4 Fee Percentages (For NEC4 PSC Option A, NEC4 PSC option E and NEC4 PSSC)
- *Rates held in price list for individual surveys which will be used to price the task orders
(NEC4 PSC Option E + X19)
- Lead in time for surveys and turnaround times for individual surveys

*These cost elements may be subject to yearly increase subject to request and approval by the council as set out within the procurement documents.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: Yes

Description of options

The contract for Individual surveys may be extended by another 3 years up to a maximum of 5 years in increments to be agreed.

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

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: [2023/S 000-012406](#)

Section V. Award of contract

Contract No

1

Title

Framework (1st ranked), 18m+ contract and Individual Surveys Contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

2 August 2023

V.2.2) Information about tenders

Number of tenders received: 5

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

V.2.3) Name and address of the contractor

FR Consultants Ltd

Romsey

SO51 9AQ

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

11354060

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: £8,300,000

Total value of the contract/lot: £8,300,000

Section V. Award of contract

Contract No

2

Title

Framework (2nd Ranked)

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

2 August 2023

V.2.2) Information about tenders

Number of tenders received: 5

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

V.2.3) Name and address of the contractor

Bailey Partnership (Consulting) LLP

Chichester

PO19 1LJ

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

OC420278

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: £8,300,000

Total value of the contract/lot: £8,300,000

Section V. Award of contract

Contract No

3

Title

Framework (3rd Ranked)

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

2 August 2023

V.2.2) Information about tenders

Number of tenders received: 5

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

V.2.3) Name and address of the contractor

Vemco Consulting Ltd

Cambridge

CB4 0WX

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

08276458

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: £8,300,000

Total value of the contract/lot: £8,300,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

The Strand

London

WCA 2LL

Telephone

+44 2079476000

Country

United Kingdom