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Award

ENHT - New Main Entrance and Retail Development

East and North Hertfordshire NHS Trust

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-041147

Procurement identifier (OCID): ocds-h6vhtk-04ca04

Published 20 December 2024, 11:12am

Section I: Contracting authority/entity

I.1) Name and addresses

East and North Hertfordshire NHS Trust

Lister Hospital, Coreys Mill Lane

Stevenage

SG1 4AB

Contact

Alex Trollope

Email

alex.trollope@nhs.net

Telephone

+44 7766160105

Country

United Kingdom

Region code

UKH - East of England

Internet address(es)

Main address

<https://www.enherts-tr.nhs.uk/>

Buyer's address

<https://www.health-family.force.com/s/Welcome>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

ENHT - New Main Entrance and Retail Development

Reference number

C323806

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

East and North Hertfordshire NHS Trust ("ENHT") intends to enter into an option agreement with Noviniti Dev Co 11 Limited ("Noviniti") giving Noviniti the right to call for a ground lease in respect of land at Lister Hospital, Coreys Mill Lane, Stevenage ("the Hospital") as the site of a proposed building comprising a new main entrance with ground floor retail and circulation space with two upper floors of office and admin space ("the Potential Development"). The contractual arrangements are structured as a land transaction exempt from the Public Contracts Regulations 2015 ("PCR") and the Concession Contracts Regulations 2016 ("CCR").

II.1.6) Information about lots

This contract is divided into lots: No

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

Lowest offer: £20,000 / Highest offer: £50,000 taken into consideration

II.2) Description

II.2.2) Additional CPV code(s)

- 45213100 - Construction work for commercial buildings

II.2.3) Place of performance

NUTS codes

- UKH23 - Hertfordshire

II.2.4) Description of the procurement

ENHT intends to enter into an option agreement with Noviniti providing for the grant of a ground lease in respect of land at the Hospital which is intended to be the site of the Potential Development. The arrangements are a land deal and do not amount to a public works contract or a works concession contract for the purposes of the Public Contracts Regulations 2015 and the Concession Contracts Regulations 2016.

II.2.5) Award criteria

Price

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

II.2.14) Additional information

As a land deal the procurement falls outside the scope of application of the regulations.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The subject of this notice is an agreement to be entered into between ENHT and Noviniti for the grant of an option entitling Noviniti to call for the grant of a 45 year Ground Lease of part of ENHT's freehold land at the Hospital ("the Property").

The Property is identified in the Option Agreement. The option period will run for an initial period of 39 weeks (subject to extension). ENHT has had valuation advice and will grant the Ground Lease of the Property at a premium which reflects market value.

If the Option is exercised and the Ground Lease is granted, the Ground Lease will contain provision for Noviniti to undertake a Permitted Alteration at the Property, being the construction of the Potential Development.

The Ground Lease will not permit Noviniti to undertake the Potential Development without the consent of ENHT in the form of a Licence for Alterations (which ENHT is free to grant or withhold at its discretion).

The Ground Lease is subject to a break clause in favour of ENHT which is exercisable in the event that the ENHT Licence for Alterations has not been issued and Noviniti has not commenced the Building Works comprising the Potential Development by the date which is the second anniversary of the date of grant of the Ground Lease.

The Ground Lease is subject to a further break clause in favour of ENHT on the 40th anniversary of practical completion of the Potential Development.

The details of the Potential Development have been agreed between ENHT and Noviniti prior to the grant of the Option Agreement. Noviniti has a right to terminate the Ground Lease if Noviniti has not commenced the works comprising the Potential Development by the date 52 weeks after the date of the Ground Lease.

The exercise of the option by Noviniti to call for the Ground Lease does not trigger any obligation on Noviniti to undertake or on ENHT to procure the Potential Development. If Noviniti decides to undertake the Potential Development (and if ENHT subsequently so decides) Noviniti and ENHT may enter into an agreement for lease providing for the grant by Noviniti of underleases of all or part of the completed development to ENHT and/or a third party. If that agreement is reached ENHT anticipates that ENHT, Noviniti and the third party (if applicable) will enter into further documents including a deed of variation of the Ground Lease, a Licence for Alterations authorising the Permitted Alteration and underleases of the completed development.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

18 December 2024

V.2.2) Information about tenders

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

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

Noviniti Dev Co 11 Ltd

Unit 2, Newby Stables, Newby Hall

Ripton

HG4 5AE

Country

United Kingdom

NUTS code

- UKE - Yorkshire and the Humber

National registration number

13907165

The contractor/concessionaire is an SME

No

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

Lowest offer: £20,000 / Highest offer: £50,000 taken into consideration

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court

The Strand

London

WC2A 2LL

Country

United Kingdom