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Tender

## **P1228 - Highways and Infrastructure Works Framework Agreement**

Birmingham City Council

UK4: Tender notice - Procurement Act 2023 - [view information about notice types](#)

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### **Scope**

### **Reference**

P1228

### **Description**

Birmingham City Council is seeking to appoint organisations for the provision of Highways and Infrastructure Works via the Highways and Infrastructure Works Framework Agreement. These works will range from minor highway improvements, for examples new white lining, through various pedestrian and cycling improvements, to large scale infrastructure projects.

The framework agreement will cover all works required to deliver highway and infrastructure projects for the Council.

- Lot 1: works with an estimated value of up to £200,000.

- Lot 2: works with an estimated value of between £200,001 and £1,000,000.
- Lot 3: works with an estimated value of between £1,000,001 and £10,000,000.
- Lot 4: works with an estimated value greater than £10,000,000.
- Lot 5: contestable and non-contestable utility work related to capital infrastructure projects with no upper limit.

The maximum number of tenderers awarded to each lot is as follows:

- Lot 1: up to 10
- Lot 2: up to 6
- Lot 3: up to 3
- Lot 4: up to 2
- Lot 5: up to 3

Other local Public Bodies based within the East Midlands and West Midlands are entitled to use the Framework Agreement, subject to approval by the Council. This is affected by the completion of an access agreement between the Council and these other local Public Bodies.

The open framework scheme will remain in place for a maximum period of up to eight years, commencing on the date that the Contract is awarded pursuant to this procurement process. Further details in respect of how the open framework scheme will operate are set out within the Framework Opening Protocol, contained in the tender documents.

NEC4 terms and conditions will be used for this framework.

Suppliers will need to ensure they are on the Central Digital Platform.

Of the £980m framework spend (excl VAT), £640m of this is for Birmingham City Council

## **Commercial tool**

Establishes an open framework

A series of frameworks with substantially the same terms. Awarded suppliers are carried over and new suppliers can bid.

### **Total value (estimated)**

- £980,000,000 excluding VAT
- £1,176,000,000 including VAT

Above the relevant threshold

### **Contract dates (estimated)**

- 15 April 2026 to 14 April 2034
- 8 years

### **Main procurement category**

Works

### **CPV classifications**

- 45233000 - Construction, foundation and surface works for highways, roads
- 45233100 - Construction work for highways, roads
- 45233120 - Road construction works
- 45233121 - Main road construction works
- 45233122 - Ring road construction work
- 45233128 - Roundabout construction work
- 45233129 - Crossroad construction work

- 45233130 - Construction work for highways
- 45233139 - Highway maintenance work
- 45233161 - Footpath construction work
- 45233162 - Cycle path construction work
- 45233222 - Paving and asphaltting works
- 45233253 - Surface work for footpaths
- 45233300 - Foundation work for highways, roads, streets and footpaths
- 45233310 - Foundation work for highways
- 45316110 - Installation of road lighting equipment
- 45316211 - Installation of illuminated road signs
- 65000000 - Public utilities

## **Contract locations**

- UKG31 - Birmingham
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## **Lot LOT-0001. Works with an estimated value of up to £200,000.**

### **Description**

Lot 1 covers the below will be awarded up a maximum of 10 suppliers.

Buildability Advice – provision of construction advice during the development of the project for a supplier to act as a critical friend to the Council to challenge the feasibility and

practicality of the proposals. The objective is to improve the quality of the tender specifications that are issued. To ensure there is no conflict of interest, the buildability advisor will not have expressed an interest in the construction of the project.

Construct Only – delivery of works which have been designed by others.

Design and Construct – where the contractor has responsibility for the design of some or all of a project as well as delivery of the works.

Early Contractor Involvement – jointly, with the Council, designing and planning infrastructure projects in a cost effective and less adversarial structure.

Utility Diversion and Protection Works – delivery of contestable and non-contestable works in connection with capital improvements.

### **Lot value (estimated)**

- £0 excluding VAT
- £0 including VAT

Framework lot values may be shared with other lots

### **Same for all lots**

CPV classifications, contract locations and contract dates are shown in the Scope section, because they are the same for all lots.

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## **Lot LOT-0002. Works with an estimated value of between £200,001 and £1,000,000**

### **Description**

Lot 2 covers the below will be awarded up a maximum of 6 suppliers.

Buildability Advice – provision of construction advice during the development of the project

for a supplier to act as a critical friend to the Council to challenge the feasibility and practicality of the proposals. The objective is to improve the quality of the tender specifications that are issued. To ensure there is no conflict of interest, the buildability advisor will not have expressed an interest in the construction of the project.

Construct Only – delivery of works which have been designed by others.

Design and Construct – where the contractor has responsibility for the design of some or all of a project as well as delivery of the works.

Early Contractor Involvement – jointly, with the Council, designing and planning infrastructure projects in a cost effective and less adversarial structure.

Utility Diversion and Protection Works – delivery of contestable and non-contestable works in connection with capital improvements.

### **Lot value (estimated)**

- £0 excluding VAT
- £0 including VAT

Framework lot values may be shared with other lots

### **Same for all lots**

CPV classifications, contract locations and contract dates are shown in the Scope section, because they are the same for all lots.

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## **Lot LOT-0003. Works with an estimated value of between £1,000,001 and £10,000,000**

### **Description**

Lot 3 covers the below will be awarded up a maximum of 3 suppliers.

**Buildability Advice** – provision of construction advice during the development of the project for a supplier to act as a critical friend to the Council to challenge the feasibility and practicality of the proposals. The objective is to improve the quality of the tender specifications that are issued. To ensure there is no conflict of interest, the buildability advisor will not have expressed an interest in the construction of the project.

**Construct Only** – delivery of works which have been designed by others.

**Design and Construct** – where the contractor has responsibility for the design of some or all of a project as well as delivery of the works.

**Early Contractor Involvement** – jointly, with the Council, designing and planning infrastructure projects in a cost effective and less adversarial structure.

**Utility Diversion and Protection Works** – delivery of contestable and non-contestable works in connection with capital improvements.

### **Lot value (estimated)**

- £0 excluding VAT
- £0 including VAT

Framework lot values may be shared with other lots

### **Same for all lots**

CPV classifications, contract locations and contract dates are shown in the Scope section, because they are the same for all lots.

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## **Lot LOT-0004. Works with an estimated value greater than £10,000,000**

### **Description**

Lot 4 covers the below will be awarded up a maximum of 2 suppliers.

Buildability Advice – provision of construction advice during the development of the project for a supplier to act as a critical friend to the Council to challenge the feasibility and practicality of the proposals. The objective is to improve the quality of the tender specifications that are issued. To ensure there is no conflict of interest, the buildability advisor will not have expressed an interest in the construction of the project.

Construct Only – delivery of works which have been designed by others.

Design and Construct – where the contractor has responsibility for the design of some or all of a project as well as delivery of the works.

Early Contractor Involvement – jointly, with the Council, designing and planning infrastructure projects in a cost effective and less adversarial structure.

Utility Diversion and Protection Works – delivery of contestable and non-contestable works in connection with capital improvements.

### **Lot value (estimated)**

- £0 excluding VAT
- £0 including VAT

Framework lot values may be shared with other lots

### **Same for all lots**

CPV classifications, contract locations and contract dates are shown in the Scope section, because they are the same for all lots.

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## **Lot LOT-0005. Contestable and non-contestable utility work related to capital infrastructure projects with no upper limit**

### **Description**

Lot 5 is solely for contestable and non-contestable utility work related to capital



infrastructure projects with no upper limit. With a maximum of up to 3 suppliers awarded to this lot.

### **Lot value (estimated)**

- £0 excluding VAT
- £0 including VAT

Framework lot values may be shared with other lots

### **Same for all lots**

CPV classifications, contract locations and contract dates are shown in the Scope section, because they are the same for all lots.

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## **Framework**

### **Open framework scheme end date (estimated)**

15 April 2034

### **Maximum number of suppliers**

Unlimited

### **Maximum percentage fee charged to suppliers**

0%

## Framework operation description

1. This Open Framework Invitation to tender is for Highways and Infrastructure Works Framework Agreement.

2. The framework agreement will cover all works required to deliver highway and infrastructure projects for the Council including (but not limited to) the following:

: Buildability Advice – provision of construction advice during the development of the project for a supplier to act as a critical friend to the Council to challenge the feasibility and practicality of the proposals. The objective is to improve the quality of the tender specifications that are issued. To ensure there is no conflict of interest, the buildability advisor will not have expressed an interest in the construction of the project.

: Construct Only – delivery of works which have been designed by others.

: Design and Construct – where the contractor has responsibility for the design of some or all of a project as well as delivery of the works.

: Early Contractor Involvement – jointly, with the Council, designing and planning infrastructure projects in a cost effective and less adversarial structure.

: Utility Diversion and Protection Works – delivery of contestable and non-contestable works in connection with capital improvements.

3. The Framework period is anticipated shall be 15th April 2026 to 14th April 2034.

4. NEC4 Contract terms and conditions will be used.

5. Suppliers need to ensure that they are registered with their details on the Central Digital Platform.

7. The estimated value of this Open Framework is £980,000,000 excluding VAT. (Note: £640,000,000 of this is for Birmingham City Council).

8. The Framework will be open to other local public bodies based in the East and West Midlands to use if they so wish.

9. Opening and operation of the Framework:

The Authority intends to re-open the Framework at the following points:

- Once during the period of 3 years from award of the first Framework under this scheme, and

- Within a period of 2 years beginning on the award of the second Framework scheme.

9.1 The Council reserves the right to adjust the indicative reopening schedule in response to operational requirements. Any changes will be communicated with sufficient notice via Find a Tender Service and to existing suppliers.

9.2 The final Framework will expire at the end of the period of 8 years beginning with the Framework Commencement Date.

9.3 There will be a limit to the number of Suppliers on each lot that can be party to each of the Frameworks in the scheme.

9.4 There are 5 Lots on this framework.

9.5 Whenever the Framework is re-opened, the award of that new Framework will effectively close the existing agreement and create a new Framework. Any processes for the award of a Call-Off contract under the expired Framework that have already commenced can continue following the expiry of that Framework.

9.6 At the point of re-opening the Framework, supplier be notified of the re-opening by publication on Find a Tender Service. Existing framework suppliers may also be directly contacted and invited to apply to join the new Framework.

9.7 During the re-opening, suppliers who are party to the Framework in existence immediately prior to the next Framework to be awarded (Existing Suppliers) will be required to confirm whether they wish to be considered to join the new Framework in the scheme of frameworks, and, if they do specify whether they wish to be considered by reference to either:

9.7.1 A tender relating to an earlier award under the scheme. If an Existing Supplier chooses this option the earlier tender will be re-assessed. There is no guarantee of re-appointment to the Framework; or

9.7.2 A new tender submitted in relation to the current award. If an Existing Supplier chooses this option the new tender will be assessed. There is no guarantee of re-appointment to the Framework.

9.8 Existing Suppliers can choose not to join the new Framework.

9.9 All suppliers, whether new or existing, will be subject to the same exclusion checks and compliance requirement, and all Existing Suppliers will be re-assessed against mandatory and discretionary exclusion grounds at each re-opening.

9.10 Full instructions will be provided at the point of re-opening the Framework.

## 10. Selection process for award of contracts:

The Framework Suppliers will be selected based on the assessment using the criteria set out in the Invitation to Tender. For this framework, the following ranges will be used

Quality 50%

Social Value 10% (and element of the social value is pass/fail).

Price 40%

## 11. Selection criteria for Further Competitions:

Assessment criteria for Further Competitions for call-off contracts will be set by the Contracting Authority, with the criteria weightings set out in the tender documents. The Contracting Authority user will be able to decide what percentage of marks it wants to allocate to each of the assessment criteria, within the maximum and minimum amounts set out:

The documents will include details of how the opportunity will be evaluated. This differs based on the lot and call-off contract value.

Award method when using the framework (call-offs)

Under the framework, the Client can choose whether to use the Direct Award rather than Further Competition is so desired on lot 1 only where:

Projects with a value of less than £50,000

Direct Award - the work will be offered to the first ranked company in terms of price. If this company does not have capacity or declines the opportunity, the work will be passed to the second highest ranked company and so forth.

Projects with a value of £50,000 - £200,000

Projects with more than 60% of standard items against works value

Direct Award - the work will be offered to the first ranked company in terms of price. If this company does not have capacity or declines the opportunity, the work will be passed to the second highest ranked company and so forth

## **Award method when using the framework**

Either with or without competition

## **Contracting authorities that may use the framework**

The framework is open to local public sector bodies based in the East and West Midlands (but not limited to) to utilise if they wish. The following list is provided as a high-level overview:

- Local Authorities and/or Councils.
- Unitary Authorities
- District (or Borough/City) Councils
- Housing Associations
- NHS Bodies

Birmingham City Council (or any of its subsidiaries), Solihull Council, Coventry City Council, Dudley Council, Sandwell Council, Solihull Council, Walsall Council, Wolverhampton Council, Derbyshire County Council, Leicestershire County Council, Lincolnshire County Council, Northamptonshire County Council, Nottinghamshire County Council. Derby City Council, Leicester City Council, Nottingham City Council, Rutland County Council. Broxtowe Borough Council, High Peak Borough Council, Chesterfield Borough Council, Lincoln City Council, Northamptonshire Council. Warwick Council.

West Midlands Combined Authority.

Midland Heart Housing Association, Orbit Housing Association

## **Contracting authority location restrictions**

- UKG32 - Solihull
- UKG33 - Coventry
- UKG36 - Dudley

- UKG38 - Walsall
- UKG39 - Wolverhampton
- UKF1 - Derbyshire and Nottinghamshire
- UKF22 - Leicestershire CC and Rutland
- UKF3 - Lincolnshire
- UKF30 - Lincolnshire
- UKF25 - North Northamptonshire
- UKF14 - Nottingham
- UKF11 - Derby
- UKG13 - Warwickshire

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## **Participation**

### **Legal and financial capacity conditions of participation**

**Lot LOT-0001. Works with an estimated value of up to £200,000.**

**Lot LOT-0002. Works with an estimated value of between £200,001 and £1,000,000**

**Lot LOT-0003. Works with an estimated value of between £1,000,001 and £10,000,000**

**Lot LOT-0004. Works with an estimated value greater than £10,000,000**

**Lot LOT-0005. Contestable and non-contestable utility work related to capital infrastructure projects with no upper limit**

Further details will be in the tender documentation.

### **Technical ability conditions of participation**

**Lot LOT-0001. Works with an estimated value of up to £200,000.**

**Lot LOT-0002. Works with an estimated value of between £200,001 and £1,000,000**

**Lot LOT-0003. Works with an estimated value of between £1,000,001 and £10,000,000**

**Lot LOT-0004. Works with an estimated value greater than £10,000,000**

**Lot LOT-0005. Contestable and non-contestable utility work related to capital infrastructure projects with no upper limit**

Further details will be in the tender documentation.

### **Particular suitability**

**Lot LOT-0001. Works with an estimated value of up to £200,000.**

**Lot LOT-0002. Works with an estimated value of between £200,001 and £1,000,000**

**Lot LOT-0003. Works with an estimated value of between £1,000,001 and £10,000,000**

**Lot LOT-0004. Works with an estimated value greater than £10,000,000**

**Lot LOT-0005. Contestable and non-contestable utility work related to capital infrastructure projects with no upper limit**

Small and medium-sized enterprises (SME)

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## **Submission**

### **Enquiry deadline**

8 January 2026, 12:00pm

### **Tender submission deadline**

23 January 2026, 12:00pm

## Submission address and any special instructions

This framework agreement is being issued using the Council's e-tendering system 'In-tend' and organisations must ensure that they are registered users. The procurement process will be managed using this system and therefore all bids must be submitted by Tenderers via the 'in-tend' system. <https://in-tendhost.co.uk/birminghamcc> Registration and use of in-tend is free. All correspondence for this procurement process must be via the in-tend correspondence function and you should not contact any individual directly either by email or by telephone. If you are already a registered user, you do not have to re-register. If you are unable to register with in-tend or are experiencing difficulties, please email the [etendering@birmingham.gov.uk](mailto:etendering@birmingham.gov.uk).

Tender deadline submission is noon on 23rd January 2026.

## Tenders may be submitted electronically

Yes

## Languages that may be used for submission

English

## Award decision date (estimated)

27 March 2026

## Recurring procurement

Publication date of next tender notice (estimated): 15 November 2028

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## Award criteria



<b>Name</b>	<b>Description</b>	<b>Type</b>
Simple description	The Framework Suppliers will be selected based on the assessment using the criteria set out in the Invitation to Tender. For this framework, the following ranges will be used Quality 50% Social Value 10% (and element of the social value is pass/fail). Price 40%	Price

## **Weighting description**

The Framework Suppliers will be selected based on the assessment using the criteria set out in the Invitation to Tender. For this framework, the following ranges will be used

Quality 50%

Social Value 10% (and element of the social value is pass/fail).

Price 40%

## **Other information**

### **Conflicts assessment prepared/revised**

Yes

## **Procedure**

### **Procedure type**

Open procedure

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## Contracting authority

### Birmingham City Council

- Public Procurement Organisation Number: PCJJ-4826-QMLZ

Council House, 1 Victoria Square

Birmingham

B1 1BB

United Kingdom

Contact name: Commercial and Procurement Services

Email: [etendering@birmingham.gov.uk](mailto:etendering@birmingham.gov.uk)

Website: <http://www.in-tendhost.co.uk/birminghamcc>

Region: UKG31 - Birmingham

Organisation type: Public authority - sub-central government