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**UK-London: business and management consultancy and related services**

**2010/S 60-089416**

**CONTRACT NOTICE**

**Services**

**SECTION I: CONTRACTING AUTHORITY**

**I.1) NAME, ADDRESSES AND CONTACT POINT(S)**

London Borough of Hammersmith and Fulham

Town Hall, King Street, Hammersmith

Contact: Building Schools for the Future Programme Team, C/c Town Hall, King Street, Hammersmith, London, W6 9JU. Contact telephone number +44 2073850606

Attn: Mr Andy Rennison

W6 9JU London

UNITED KINGDOM

Tel. +44 2087483020

E-mail: [BSF\\_Enquiries@lbhf.gov.uk](mailto:BSF_Enquiries@lbhf.gov.uk)

**Internet address(es)**

General address of the contracting authority <http://www.lbhf.gov.uk>

**Further information can be obtained at:** As in above-mentioned contact point(s)

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:** As in above-mentioned contact point(s)

**Tenders or requests to participate must be sent to:** As in above-mentioned contact point(s)

**I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES**

Regional or local authority

General public services

Housing and community amenities

Recreation, culture and religion

Education

The contracting authority is purchasing on behalf of other contracting authorities Yes

**SECTION II: OBJECT OF THE CONTRACT**

**II.1) DESCRIPTION**

**II.1.1) Title attributed to the contract by the contracting authority**

London Borough of Hammersmith and Fulham's Building Schools for the Future Programme.

**II.1.2) Type of contract and location of works, place of delivery or of performance**

Services

Service category: No 11

Main place of performance Within the borough boundaries of the London Borough of Hammersmith and Fulham.

NUTS code UKI11

**II.1.3) The notice involves**

A public contract

II.1.4) **Information on framework agreement**

II.1.5) **Short description of the contract or purchase(s)**

The contracting authority is seeking an innovative private sector partner or partners to participate and invest in a Local Education Partnership (LEP). The LEP will provide (or arrange the provision of) "Partnering Services" for the development of a strategic investment programme for some of the following in the contracting authority's area:

- (a) educational facilities (which will include secondary schools and may include primary, secondary and tertiary education);
- (b) other children's facilities (including but not limited to after school club facilities, youth clubs etc);
- (c) community facilities that support educational outcomes (including but not limited to co-location and integration of key services such as education, social services, children's services, health care services etc);
- (d) accommodation for adult education and Special Educational Needs (SEN) education;
- (e) leisure facilities (including but not limited to swimming pools, sports facilities, leisure centres, public libraries etc);
- (f) community facilities whether co-located with any of the above facilities or freestanding (including but not limited to halls, drop-in centres, crèches, sheltered workshops etc).

(Items listed in (a) to (f) above are hereinafter collectively referred to as the "Relevant Facilities").

These Partnering Services will also comprise of the following services for the Relevant Facilities:

- (a) strategy advisory services;
- (b) programme management services;
- (c) project development services;
- (d) procurement consultancy services; and
- (e) procurement and delivery of management of all services required to deliver the strategic investment programme for the Relevant Facilities (including through the provision, integration and management of supply chain arrangements).

Such Partnering Services for the Relevant Facilities may include:

- (i) architectural services;
- (ii) engineering services;
- (iii) construction services;
- (iv) technical services;
- (v) building services;
- (vi) hard facilities management services;
- (vii) soft facilities management services;
- (viii) information communication and technology ("ICT") services;
- (ix) educational support services; and
- (x) educational strategy services.

Non Exclusive additional services may include:

- catering,
- cleaning,
- buildings lifecycle planned maintenance,
- buildings reactive maintenance,
- asset management/lettings,
- security,
- capital investment associated with regeneration initiatives,

- youth services,
- childrens centres,
- voluntary services,
- careers services,
- regeneration,
- housing infrastructure.

The LEP may also be required to provide for, or arrange for the provision (through supply chain arrangements) of, the management and/or integration of the partnering services, design and build construction contracts, facilities management services, support services and ICT services (this list is not exhaustive) where the contracting authority's existing arrangements are either transferred or expire. The contracting authority and its partners (refer to II.7 below) may require the provision of ICT services and equipment to non-Building Schools for the Future (BSF) secondary schools, and the provision of an interim ICT managed service for secondary schools within the boundaries of the London Borough of Hammersmith and Fulham from the beginning of the contract. It is expected that the LEP will have exclusivity (on terms set out in the contract documentation) for the contracting authority's secondary school estate.

Potentially, the Private Finance Initiative (PFI) or Public/Private Partnership approach may be used for future projects. The latter may include the delivery of the Relevant Facilities through separate Special Purpose Vehicle (SPV) established by the LEP. Where an SPV is established, the shareholders in such SPV may include the LEP, third party equity providers and supply chain members. The contracting authority may contract directly with the LEP or where an SPV is established, with the SPV. The Contracting Authority may request the LEP to carry out regeneration and housing works and services through the New Project Approval Process but this will be on a non exclusive basis.

Further details are contained in the descriptive document and pre-qualification questionnaire (see section VI.3 for details of how to obtain these). Further details can also be found on the contracting authority's BSF website at [www.lbhf.gov.uk](http://www.lbhf.gov.uk).

II.1.6) **Common procurement vocabulary (CPV)**

79400000, 51610000, 79411000, 79418000, 79420000, 71315000, 71541000, 79710000, 90911200, 80200000, 80340000, 80410000, 80100000, 80400000, 79993000, 71240000, 98341140, 45000000, 45110000, 45210000, 45214200, 45314000, 72500000, 45453100, 50700000, 72222300, 55524000, 70000000, 72514300, 77314000, 39162000, 77320000, 92610000, 45214000, 45214500, 80000000, 75200000, 80210000, 80211000, 80212000, 80310000, 80590000, 85312300, 55500000, 45111291, 45211360, 45300000, 70112000, 71220000, 71221000, 71222000, 71223000, 71251000, 71410000, 71500000, 45212000, 45212300, 71000000, 79634000, 80520000, 45211300, 45211000, 70332100, 70330000

II.1.7) **Contract covered by the Government Procurement Agreement (GPA)**

Yes

II.1.8) **Division into lots**

No

II.1.9) **Variants will be accepted**

Yes

II.2) **QUANTITY OR SCOPE OF THE CONTRACT**

II.2.1) **Total quantity or scope**

The Contracting Authority is a one wave BSF investment programme with a capital investment of approximately 207 000 000 GBP (£). The estimated cost of revenue for FM and ICT services over the contractual period of the strategic partnering agreement is estimated at approximately 130 000 000 GBP (£). This figure may be subject

to increase if additional funding is secured by the contracting authorities set out in VI.3. The LEP will also be requested to deliver educational additional services up to an estimated value of 140 000 000 GBP (£) subject to additional funding.

There may be additional capital investment of between 56 000 000 GBP (£) to 300 000 000 GBP (£) by the London Borough of Sutton, of which 56 000 000 GBP (£) will be invested by Sutton should it decide to use the LEP to deliver the first wave of its BSF programme. Subject to future government decisions in relation to the funding of education, the value of Sutton's entire BSF programme could be up to 300 000 000 GBP (£).

The total estimated value for all the non-exclusive additional services incorporating regeneration opportunities will range from 0 GBP (£) up to potentially 2 000 000 000 GBP (£).

Excluding VAT

Range between 207 000 000,00 and 2 777 000 000,00 GBP

## II.2.2) **Options**

Yes

description of these options: It is currently envisaged that the partnering contract between the private sector partner and the Contracting Authorities will be for a period of 10 years, with an option to extend this period by a maximum of 15 years over and above the initial 10 year period (ie. up to a 25 year duration in total). The optional extension will be divided into 3 periods each of 5 years duration and each extension will be agreed between the parties no later than 6 months prior to their expiry . The project may also include additional services or works which are a repetition of the services or works provided under the original contract in accordance with Regulation 14(1)(d)(ii) of the Public Contracts Regulations 2006.

The term of any design and build, PFI, facilities management services or ICT agreements or other agreements flowing from the partnership may extend beyond this point.

## II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION**

### **SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION**

#### III.1) **CONDITIONS RELATING TO THE CONTRACT**

##### III.1.1) **Deposits and guarantees required**

Any one of contracting authorities reserves the right to require deposits, guarantees, bonds or other forms of appropriate security.

##### III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them**

Some non-sample projects may potentially be delivered using the UK government's private finance initiative (PFI). Where the contracting authority is able to demonstrate eligibility for the provision of debt finance from HM Treasury Infrastructure Finance Unit (TIFU), it may use this for funding its PFI project(s) in addition to or in the absence of acceptable private sector funding.

##### III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

The contracting authorities are seeking a private sector partner or partners to participate and invest in the LEP which will take responsibility for and manage a supply chain of providers. The contracting authorities reserve the right to require groupings of contractors to take a particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability irrespective of the form of the LEP.

This may include the LEP establishing a special purpose vehicle (SPV) which will contract directly with the contracting authorities for the delivery of specific projects. Where an SPV is established the shareholders in such SPV may include the contracting authorities, the LEP, third part equity providers and supply chain.

Further information will be provided in the contract documents.

III.1.4) **Other particular conditions to which the performance of the contract is subject**

Yes

Under this project the LEP and its supply chain will be required to actively participate in the achievement of social and/or environmental policy objectives relating to recruitment and training and supply chain initiatives and other similar initiatives. Accordingly contract performance conditions may relate in particular to social and environmental considerations.

III.2) **CONDITIONS FOR PARTICIPATION**

III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers**

Information and formalities necessary for evaluating if requirements are met: In accordance with Articles 45 to 50 of Directive 2004/18/EC and Regulations 23 to 25 of the Public Contracts Regulations 2006 and as set out in the pre-qualification questionnaire which is available from the address in point I.1.

III.2.2) **Economic and financial capacity**

Information and formalities necessary for evaluating if requirements are met: In accordance with Article 47 of Directive 2004/18/EC and Regulation 24 of the Public Contracts Regulations 2006 and as set out in the pre-qualification questionnaire which is available from the address in point I.1.

Minimum level(s) of standards possibly required As set out in the pre-qualification questionnaire.

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if requirements are met:

In accordance with Article 48 to 50 of Directive 2004/18/EC and Regulation 25 of the Public Contracts Regulations 2006 and as set out in the pre-qualification questionnaire which is available from the address in point I.1.

Minimum level(s) of standards possibly required

As set out in the pre-qualification questionnaire.

III.2.4) **Reserved contracts**

No

III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

III.3.1) **Execution of the service is reserved to a particular profession**

No

III.3.2) **Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service**

Yes

**SECTION IV: PROCEDURE**

IV.1) **TYPE OF PROCEDURE**

IV.1.1) **Type of procedure**

Competitive dialogue

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**

Envisaged number of operators 3

Objective criteria for choosing the limited number of candidates: As set out in the pre-qualification questionnaire which is available from the address in point I.1.

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated Yes

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria**

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

IV.2.2) **An electronic auction will be used**

No

IV.3) **ADMINISTRATIVE INFORMATION**

IV.3.1) **File reference number attributed by the contracting authority**

IV.3.2) **Previous publication(s) concerning the same contract**

**Prior information notice**

Notice number in OJ: [2009/S 199-286457](#) of 15.10.2009

IV.3.3) **Conditions for obtaining specifications and additional documents**

Time limit for receipt of requests for documents or for accessing documents 30.4.2010 - 12:00

Payable documents No

IV.3.4) **Time-limit for receipt of tenders or requests to participate**

7.5.2010 - 12:00

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**

IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**

English.

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**

IV.3.8) **Conditions for opening tenders**

**SECTION VI: COMPLEMENTARY INFORMATION**

VI.1) **THIS IS A RECURRENT PROCUREMENT**

No

VI.2) **CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS**

No

VI.3) **ADDITIONAL INFORMATION**

Section I.1 – London Borough of Hammersmith and Fulham is acting as lead Contracting Authority on behalf of the following contracting authorities (and their statutory successors and organisations created as a result of re-organisation or organisational changes):

London Borough of Sutton.

BSF Investments LLP, 33 Greycoat Street, London, SW1P 2QF.

Other bodies with responsibility for education and/or educational facilities in London Borough of Hammersmith and Fulham and adjacent areas including but not limited to:

Voluntary aided schools (and their governing bodies);

Academies established or to be established within London Borough of Hammersmith & Fulham and adjacent areas;

City Technology Colleges;

Diocesan Authorities and Trustees appointed by them;

Voluntary controlled schools (and their governing bodies);

Foundation schools (and their governing bodies);

Governing bodies;

Foundation partnerships;

School Federations (and their governing bodies); and  
Further education and/or adult education providers.

Partnerships for Schools is the non-departmental public body established by the Department of Children, Schools and Families and Partnerships UK to implement the BSF initiative. BSF Investments LLP has been established by the Department for Children, Schools and Families and Partnerships UK as the body which will invest equity in the LEP. More information on the BSF initiative is set out at <http://www.partnershipsforschools.org.uk>.

Section II.3 The duration of the contract will initially be for 10 years (120 months) from the award of the contract, but may be extended upto 25 years (300) months (see the options set out in II.2.2.

Section IV.3.3 – An e-box portal will be used throughout the procurement process. For details on how to access the portal or for non-electronic copies of the PQQ please use the contact address in section I.1. Expressions of interest must be by way of completion and return of the prequalification questionnaire (PQQ) by the date and time specified in Section IV.3.4.

Requests to participate can be sent by email [BSF\\_Enquiries@lbhf.gov.uk](mailto:BSF_Enquiries@lbhf.gov.uk). The name, telephone number and email address of your lead contact(s) must also be provided to us.

It is anticipated that the invitation to participate in the dialogue be sent to short-listed bidders in (date to be inserted 2010).

Section IV.3.4 – Expressions of interest must be by way of completion and return of the pre-qualification questionnaire (PQQ) by the date and time specified in Section IV.3.4.

Following introduction of the Minimum Design Standard (MDS) within the BSF programme from 13.5.2009 the contracting authorities require that the final designs for sample school schemes (sample school schemes being the representative selection of the types of schools to be rebuilt or refurbished as part of the contracting authorities BSF project) meet the MDS. The MDS has been jointly developed by the DCSF, PfS and the Commission for Architecture and the Built Environment (CABE). Bidders' designs submitted during the procurement process will be assessed by the CABE Design Review Panel against the MDS grading criteria at the following intervals: (i) submission of initial bids; (ii) final bids; and (iii) at the planning application stage (when the selected bidder has been appointed but before the planning application has been determined).

Designs which do not meet the MDS will need to be amended or developed further until they meet the MDS "pass" or "very good" grading criteria. PfS will not approve the selected bidder's final business case until the MDS is achieved. Where appropriate, non-sample schemes will also be required to meet the MDS as part of the process for approving and developing new projects. Further information on the MDS grading criteria and MDS generally can be found at [www.cabe.org.uk](http://www.cabe.org.uk). Further information is also available within the descriptive document and invitation to participate in dialogue.

#### VI.4) **PROCEDURES FOR APPEAL**

##### VI.4.1) **Body responsible for appeal procedures**

##### VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: In accordance with the UK Public Contract Regulations 2006, Regulation 32 (information about contract award procedures and the application of standstill period prior to contract award) and Regulation 47 (enforcement of obligations).

##### VI.4.3) **Service from which information about the lodging of appeals may be obtained**

##### VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

24.3.2010