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PROCUREMENT  
ALLIANCE

# HOUSING CONSTRUCTION NORTH & MID WALES

**FRAMEWORK AGREEMENT:**  
ref H1NW

**FRAMEWORK TERM:**

20 April 2020 - 19 April 2024

**CN:** 2019/S 210-512289

**CAN:** 2020/S 070-167787



# WELSH PROCUREMENT ALLIANCE (WPA) – WORKING FOR WALES

WPA provides OJEU compliant frameworks which can be used by local authorities, social landlords and other public sector bodies to procure works, products and services for the construction, refurbishment and maintenance of social housing, schools and public buildings. Our vision is to be recognised throughout Wales as a centre of excellence for public sector procurement.

We operate in Wales connecting construction companies, manufacturers and service providers with the needs of our clients. We bring buyers and suppliers together, to build and maintain public property more efficiently and cost effectively, and to benefit local communities.

Our activity is guided by our Executive Committee which is made up of Local Authorities and Housing Associations from across Wales.

WPA is backed by LHC, a not-for-profit organisation, governed by public law and a central purchasing body providing procurement services in the U.K. since 1966. All Contract Notices are issued on behalf of the WPA by LHC, who have an in-house team of technical procurement experts that produce and manage the frameworks.

WPA aims to deliver solutions for compliance, quality and best value and provides procurement and technical support and advice throughout the duration of our clients' projects.

Any organisation that is publicly or partially publicly funded is eligible to utilise our frameworks.



## THE FRAMEWORK

During the summer of 2019 WPA were asked by a group of social-housing providers across North Wales if we could help to make the procurement of new-build housing developments more efficient. They were also keen to ensure that new-build developments were procured in compliance with public sector procurement rules.

We were mindful that we wanted to encourage as many local contractors to bid to be on the framework as possible.

The 'H1NW' framework is the outcome of our endeavours.

### PRE-TENDER ENGAGEMENT

The WPA team researched the construction market in North Wales, with the assistance of our clients, and we were able to engage with over 50 firms to signpost the framework opportunity and encourage them to bid.

#### The framework needed to:

- ensure compliance with public sector procurement rules
- provide a quick and easy procurement process
- allow for early engagement with local contractors
- deliver value for money
- offer measurable community benefits
- maintain the quality of the developments

#### At the same time the solutions offered by the framework needed to:

- be mindful of energy efficiency and the decarbonisation agenda
- take into account the Wellbeing of Future Generations Act 2015
- provide a collaborative approach with shared expertise and resources

## FRAMEWORK SCOPE and SPECIFICATION

The framework will be used for the building of all types of housing, including bungalows, flats and apartments, care homes and sheltered and shared accommodation. The framework will cover all forms of tenure.

The framework also provides for the delivery of associated community buildings to residential developments (such as hubs and sporting facilities e.g. meeting places, health and care centres, recreational

facilities and libraries) plus, any associated commercial facilities such as car parks and retail units. However, whilst scope for this associated development is included, bidders were not substantively evaluated on this aspect of development, and clients seeking to commission such developments (permissible only as incidental to a residential scheme) will be advised to carry out a mini competition. Capability to complete such developments was also not criteria for selection.



### SCOPE OF WPA REQUIREMENTS

The provision of main contracting services to provide fully finished residential and accommodation schemes. The framework is split into four workstreams across different geographical areas.

- Projects of up to 5 units on single or multiple sites
- Projects of 6 to 15 units on single or multiple sites
- Projects of 16 to 49 units on single or multiple sites
- Projects of 50+ units on single or multiple sites

To encourage SMEs, projects up to 15 units may be delivered under Intermediate contract RIBA stage 5. For projects of 16 units or more tenders must be capable of delivering design and build contracts under D&B RIBA stage 3/4.

### DEVELOPMENT AGREEMENTS

Contracting Authorities may award development agreements through the framework. As the framework includes the option for a Direct Award to an Appointed Company, a Contracting Authority can award a Developer Agreement directly to an Appointed Company where they are able to offer land in a suitable area and are able to carry out the works on the site.

In line with the Public Procurement Regulations 2015 (Regulation 2(1) PCR 2015 and Art. 2(1)(6)(c) 2014 Directive) Public Works contracts means public contracts which have as their object any of the following:

- the execution, or both the design and execution, of a work;
- the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work.

### OFFSITE SOLUTIONS

The tenderer's contracting package may include an offsite system and works offered shall satisfy the performance requirements set out in the framework specification (Section DD3).

Where an Appointed Company proposes to use an offsite system for use in the construction of buildings under the framework, they shall provide full details of the proposed suppliers. The construction of the system shall be in accordance with the relevant manufacturer's instructions using an appropriately trained or qualified workforce.

### STANDARDS

All housing for Wales shall meet the Welsh Government's Development Quality Requirements (DQR). The requirements of the DQR shall take precedent over the general specification provided with the ITT where relevant and shall be considered when pricing works under the framework.

Any future call-offs must be in line with the DQR or subsequent requirements set by the Welsh Government. WPA understand that the DQR standards are to be reviewed and may be amended in 2020.

The products and services offered shall be capable of complying, as a minimum, with all relevant British, European and International standards, 'or equivalent'.

**The full framework specification (Section DD3) is available from WPA on request.**



## TENDER PROCESS

A Prior Information Notice ('PIN') and a Contract Notice were advertised on TED via Sell2Wales.

The PIN was published on 30 September 2019 with OJEU Reference Number: **2019-S191-463332**.

The Contract Notice was published on 30 October 2019 with OJEU Reference Number: **2019-S210-512289**.

All companies are pre-qualified through a fully compliant OJEU tender process, assessing each company's due diligence, and the mandatory/minimum requirements for the framework.

A rigorous evaluation process, comprising Quality and Price elements ensures all Appointed Companies are able to provide best value to our clients.

We encouraged SMEs to apply for our framework and we divided North and Mid Wales by county Lots to allow SMEs to participate in the areas suitable to them. We also used four project size Lots within each county to encourage large and small companies to apply for our framework.

## EVALUATION CRITERIA AND SUMMARY OF THE TENDER PROCESS:

### SELECTION QUESTIONNAIRE

ESPD Mandatory questions  
Minimum Insurance Cover  
Financial Due Diligence

#### QUALITY QUESTIONS:

- Previous relevant contracts
- Case studies
- Construction experience
- Service delivery
- Social Value and Community Benefits
- Supply chain diversity
- Quality assurance

### INVITATION TO TENDER (ITT)

The ITT evaluation process comprised two main elements, requiring bidders to respond to technical and quality questions, each with a weighting, and to complete a pricing schedule with the total price for a development scenario for each size band.



The ITT assessment weighting is **70% Quality / 30% Price** criteria with the sum of both scores establishing the Most Economically Advantageous Tenders (MEAT).

### TECHNICAL AND QUALITY QUESTIONS

Bidders provided written statements and evidence of their technical ability to provide the works and services as outlined in the descriptive documents and the pricing workbook. The ITT technical and quality questions were as follows and comprise a total weighting of 70%.

- Building code, design standards and energy efficiency
- Environmental management
- Social Value and Community Benefits
- Project Health & Safety and quality management
- Supply chain diversity
- Plus: questions relating to framework management and an understanding of the social housing market across North and Mid Wales

### PRICING

Prices were submitted on the basis of responses to pricing scenarios for 7 different house types. Prices were evaluated based on total development costs for these scenarios with no sub-weightings.

All prices offered represent the maximum rates that Appointed Companies' can charge under the framework agreement.

All prices on the Framework are subject to an annual uplift to allowable fluctuation adjustments taken from the Construction Output Price Index (COPI) as published by the Office of National Statistics.

Call-off contract terms may or may not allow this adjustment to be included in their specific contract and the client should make this clear as part of their contract negotiations with the Appointed Company.

### FINANCIAL DUE DILIGENCE

Credit Safe checks were also re-completed on bidders and where risks were identified, these bidders were conditionally qualified, pending frequent re-assessment of their financial standing. This decision reflected the economic uncertainties caused by the coronavirus pandemic and the need to be supportive of Appointed Companies during this difficult period.

The restricted tender process was exhaustive and rigorous, to ensure WPA can offer the best overall package of quality achieved at a competitive price, and to provide clients with a choice of locally based Appointed Companies.

The tender evaluation process was completed on the 16th March 2020 and 21 bidders were awarded a place on the Framework.

**A copy of the full evaluation report is available on request.**



## THE APPOINTED SUPPLIERS

The appointed companies below all made it through the rigorous and exhaustive tender process.

The 'H1NW' framework provides access to a choice of mainly locally-based suppliers that we are confident will collectively meet and exceed the expectations of our clients.



## LOT STRUCTURE

The lot structure consists of nine lots across eight North and Mid-Wales counties: Ynys Môn (Anglesey), Gwynedd, Conwy, Sir Ddinbych (Denbighshire), Sir y Fflint (Flintshire), Wrexham (Wrexham), Ceredigion, North and South Powys, plus, an additional 'All Areas' Super Lot.

WPA anticipates a wide range of projects being delivered under the framework, from single smaller sites to complex multi-site projects. This is reflected in a value-banded lot structure within each Area (and the 'all Areas 1-9' Super-Lot), for delivery of developments of varying sizes: up to 5 units, 6-15 units, 16-49 units, and 50 units and above.



### Ynys Mon (Anglesey)

Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction	K & C Construction	Gareth Morris Construction	Castle Green (MacBryde)
WF Clayton & Co.	Gareth Morris Construction	Castle Green (MacBryde)	Williams Homes (Bala)
TIR Construction	NWPS Construction	K & C Construction	
AMP Construction	Brenig Construction	Brenig Construction	
BC Services	Atkins (Edaroth)	Williams Homes (Bala)	
	WF Clayton & Co.	Atkins (Edaroth)	
	DU Construction	DU Construction	
	TIR Construction		
	James Carroll		

### Gwynedd

Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction	K & C Construction	Gareth Morris Construction	Castle Green (MacBryde)
WF Clayton & Co.	Gareth Morris Construction	Castle Green (MacBryde)	Williams Homes (Bala)
TIR Construction	NWPS Construction	K & C Construction	
AMP Construction	Brenig Construction	Brenig Construction	
	Atkins (Edaroth)	Williams Homes (Bala)	
	WF Clayton & Co.	Atkins (Edaroth)	
	DU Construction	DU Construction	
	TIR Construction		
	James Carroll		

Conwy			
Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction WF Clayton & Co. TIR Construction AMP Construction	K & C Construction Gareth Morris Construction NWPS Construction Brenig Construction Atkins (Edaroth) WF Clayton & Co. DU Construction TIR Construction	Gareth Morris Construction Castle Green (MacBryde) K & C Construction Sovini (Carroll Build) Brenig Construction Williams Homes (Bala)	Castle Green (MacBryde) Sovini (Carroll Build) Williams Homes (Bala)

Sir y Fflint (Flintshire)			
Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction AMP Construction	K & C Construction Gareth Morris Construction NWPS Construction Brenig Construction Atkins (Edaroth) MPH Construction Castlemead Group DU Construction	Gareth Morris Construction Castle Green (MacBryde) K & C Construction Sovini (Carroll Build) Brenig Construction Williams Homes (Bala)	Castle Green (MacBryde) Wates Construction Sovini (Carroll Build) Williams Homes (Bala)

Sir Ddinbych (Denbighshire)			
Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction AMP Construction	K & C Construction Gareth Morris Construction NWPS Construction Brenig Construction Atkins (Edaroth) MPH Construction Castlemead Group DU Construction	Gareth Morris Construction Castle Green (MacBryde) K & C Construction Sovini (Carroll Build) Brenig Construction Williams Homes (Bala)	Castle Green (MacBryde) Wates Construction Sovini (Carroll Build) Williams Homes (Bala)

Wrecsam (Wrexham)			
Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction AMP Construction	K & C Construction Gareth Morris Construction NWPS Construction Brenig Construction Atkins (Edaroth) MPH Construction Castlemead Group James Carroll	Gareth Morris Construction Castle Green (MacBryde) K & C Construction Sovini (Carroll Build) Brenig Construction Williams Homes (Bala)	Castle Green (MacBryde) Wates Construction Sovini (Carroll Build) Williams Homes (Bala)



Ceredigion		
Small (6-15)	Medium (16-49)	Large (50+)
Atkins (Edaroth) ModularWise	Williams Homes (Bala) Atkins (Edaroth) ModularWise	Williams Homes (Bala)

Powys North		
Small (6-15)	Medium (16-49)	Large (50+)
K & C Construction Gareth Morris Construction Atkins (Edaroth) Castlemead Group James Carroll ModularWise	Gareth Morris Construction Castle Green (MacBryde) K & C Construction Williams Homes (Bala) Castlemead Group Atkins (Edaroth) James Carroll ModularWise	Castle Green (MacBryde) Williams Homes (Bala)

Powys South	
Small (6-15)	Medium (16-49)
Atkins (Edaroth) ModularWise	Atkins (Edaroth) ModularWise



## THE SUPER LOT

### WHAT IS IT FOR?

The function of the Super Lot is to enable mini-competitions to be carried out when projects straddle more than one geographical area, or when there is insufficient competition or capable suppliers ('Appointed Companies') in any area sub-lot.

### HOW DOES IT WORK?

The highest-ranking bidder in each area sub-lot was also appointed to the Super Lot. Ensuring that each bidder was only appointed once to the Super Lot and that at least one bidder was appointed in each area sub-lot (where available), to ensure coverage across the geographical area covered by the framework.

SUPER LOTS			
Micro (1-5)	Small (6-15)	Medium (16-49)	Large (50+)
NWPS Construction	K & C Construction	Gareth Morris Construction	Castle Green (MacBryde)
WF Clayton & Co.	Gareth Morris Construction	Williams Homes (Bala)	Wates Construction
TIR Construction	Atkins (Edaroth)	Castle Green (MacBryde)	Sovini (Carroll Build)
AMP Construction	NWPS Construction	K & C Construction	Williams Homes (Bala)
BC Services	Brenig Construction	Sovini (Carroll Build)	
	WF Clayton & Co.	Brenig Construction	
	MPH Construction		
	Modularwise		



## CALL OFF OPTIONS

### DIRECT AWARD

The Direct Award option allows our clients to select the company that scored best overall value for money, at framework award stage, without reopening competition. Where appropriate, clients may Direct Award to an alternative company on the framework Lot where they have justifiable reasoning to do so. This could include adjusting the weightings regarding the quality questions which could alter the rankings to justify making a Direct Award.

In relation to Direct Award, WPA offer the additional service of price validation to ensure the project specific rates are in line with the original terms of the framework.

### MINI COMPETITION

This option reopens competition between the Appointed Companies, on the particular Lot, ensuring best value is achieved based on the client's project specific requirements.

WPA run an Expression of Interest (EOI) on behalf of our clients to ensure that only the Appointed Companies that are eligible, interested and have the capacity to deliver the project specific requirements, are invited to progress through to the call-off procedure.

## PROCUREMENT AND PROJECT SUPPORT

WPA are able to provide procurement advice and technical support relating to your project requirements. We can assist you at various stages from inception to completion. Talk to our team if you would like help with any of the following:

- Aggregation of demand especially regarding offsite construction
- Project specifications, adhering to regulations and standards
- Planning and Building Regulations advice including self-certification schemes
- Independent evaluation of tenders as part of your client team
- Post-tender mathematical checks to ensure price validity
- Price validations, verifying prices against framework rates
- Attendance at prestart meetings and subsequent project monitoring
- Interventions should contractors not perform

## COMMUNITY BENEFITS

The tender process included evaluation of suppliers in relation to general corporate, social responsibilities, delivery of community benefit projects and social value initiatives. WPA also encourage our clients to include project-specific community benefits initiatives in their call-off contracts.

As a not for profit organisation, WPA intends to re-invest any surplus income generated through its procurement activity to support community benefits projects and social value initiatives in the local communities we serve.

## FRAMEWORK LEVY

Companies appointed to WPA frameworks are required to pay a small percentage ('the levy') of the total project value and to submit quotations to clients that are inclusive of the levy. A Levy of up to 1% (one percent) is to be applied to this framework agreement, as determined proportionate at the call-off stage.

## ELIGIBILITY - WHO CAN USE THE FRAMEWORK?

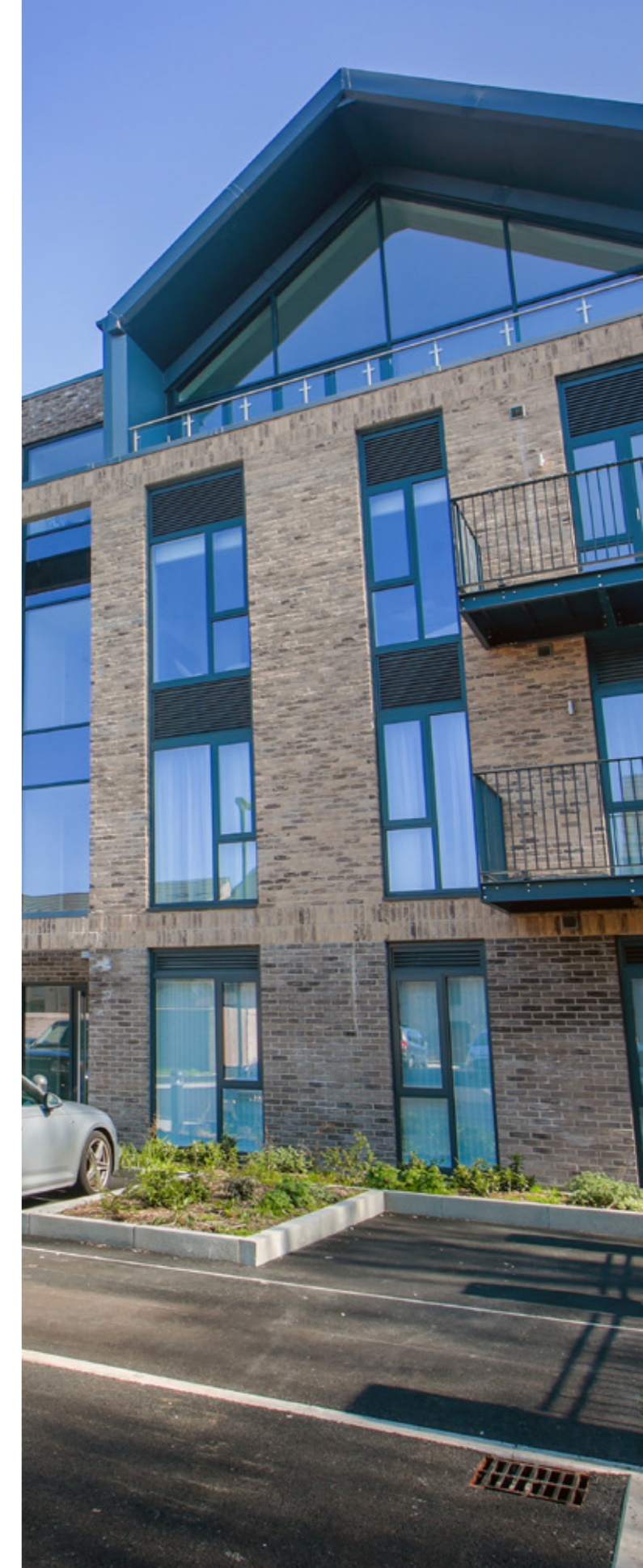
WPA is part of LHC, a not-for-profit organisation, governed by public law, and a central purchasing body providing procurement services. Over 200 publicly funded organisations throughout the UK currently use LHC frameworks to procure works, goods and services to construct, refurbish and maintain social housing, schools and public buildings. The specific classes of public sector

- Local Authorities and any subsidiaries and joint venture vehicles of those Local Authorities
- Housing Associations and other Registered Social Landlords (RSLs)
- Health Authorities, Councils, Boards and Trusts
- Publicly funded schools
- Universities, colleges and other further education establishments
- Police authorities and Fire and Rescue services
- Registered charities
- Government departments

## GENERAL TERMS & CONDITIONS

LHC uses the FAC1 standard form of contract to manage our frameworks. The LHC pro forma, which should be read in conjunction with the FAC1 in published form, details the terms and conditions that govern the operation of the framework, including the procedures to call off projects under the framework. A free copy of the LHC proforma is available upon request. The FAC1 in standard published form can be purchased at a negotiated rate from ACA, by emailing [office@acarchitects.co.uk](mailto:office@acarchitects.co.uk) and quoting discount code reference: LHCFAC2516102017.

When calling off projects, clients can use any one of a range of standard forms of building contract including: JCT/SBCC, NEC3/NEC4, ACE, PPC, TPC, FAC1, or their own in-house agreement.







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