Highway Services Dynamic Purchasing System (DPS)

Request to Participate

# Introduction to the North Yorkshire Highways Dynamic Purchasing System (DPS)

In partnership with North Yorkshire Council, NY Highways Limited (NYH) operates as a commercial business to provide highway services to both the public and private sectors across the region by combining a commercial focus with public sector values.

NYH requires goods, works and services from a range of suppliers on an ongoing basis to enable it to deliver highway services to its customers within the geographic boundaries of North Yorkshire. NYH wishes to establish the Highway Services Dynamic Purchasing System (DPS) to enable it to access the required goods, works and services in accordance with Regulation 34 of the Public Contract Regulations 2015.

A DPS is essentially an approved supplier list for the procurement of commonly used goods, works and services. All suppliers that are appointed to the DPS are then invited to bid for specific contracts under the DPS as the need arises.

A DPS means suppliers don’t have to demonstrate their suitability and capability every time they wish to compete for a specific contract.

This document details the nature of the opportunity, the requirements for entry onto the DPS and how specific contracts will be procured under the DPS.

# Nature and estimated quantities of the purchases

The DPS is divided into a number of Lots and Categories as described below. The Lots cover the administrative boundary of North Yorkshire Council. Suppliers may apply to be appointed to any of the Lots and Categories. Suppliers may apply for multiple Lots and Categories.

The DPS is expected to be open until October 2028 when the new Procurement Act 2023 introduces this date as a limit on the period of validity and it is envisaged the total value of specific contract procured under the DPS will be in the region of £61M per annum (This is a DPS and unless specified in a further competition all volumes and values are not guaranteed).

A description of the Lots and Categories is given below to provide potential bidders with an indication of the type of work/product NYH will be looking to procure under this DPS:

## Lot 1 – Highway Works

* Civils works < £250k per work package (client maintains discretion to award contracts of a higher value based on individual circumstances) – estimated annual spend of £2m  
  *General civils type works associated with undertaking small improvement works on/or adjacent to the highway network. E.g. Footbridge works, bridge repairs, cattle grid repairs, street lighting column painting.*
* Surfacing < £250k per work package (client maintains discretion to award contracts of a higher value based on individual circumstances) – estimated annual spend of £3m  
  *Small surfacing scheme work and patching.*
* Surface dressing and specialist treatments – estimated annual spend of £4m  
  *Surface dressing and specialist treatments which may include anti-skid, preservation sprays, micro-asphalt and coloured surfacing.*
* Highways electrical works – estimated annual spend of £4.5m  
  *Maintenance and installation of street lighting, illuminated signs and traffic signals.*
* Fences and barriers – estimated annual spend of £220k  
  *Maintenance and installation of fences and barriers on the highway network.*
* Road markings and studs – estimated annual spend of £2m  
  *Installation and renewal of road markings and studs on the highway network.*

## Lot 2 – Highway Services

* Traffic management contractors – estimated annual spend of £2m  
  *Top-up traffic management service covering all TM requirements.*
* Drainage services – estimated annual spend of £2.5m  
  *Jetting, cleaning and surveys.*
* Operated plant – estimated annual spend of £7.3m  
  *All plant hire types used in connection with highways maintenance.*
* Non-operated plant and other vehicle hire – estimated annual spend of £3.7m  
  *All plant and other vehicle hire types used in connection with highways maintenance. E.g. small plant and tool hire, welfare unit hire, static hot boxes hire.*
* Labour only – estimated annual spend of £5m  
  *Qualified highway operatives across all functions of highways maintenance.*
* Arboriculture and landscaping contractors – estimated annual spend of £4.8m  
  *All arboriculture and landscaping works carried out as part of highways maintenance.*
* Vehicle and plant repairs – estimated annual spend of £2m  
  *Top-up support to provide repairs to NY Highways vehicle fleet.*
* Bus shelter maintenance – estimated annual spend of £360k  
  *Bus shelter maintenance and cleaning.*
* Scaffolding – estimated annual spend of £310k  
  *Scaffolding provision and erection to support highways maintenance works.*
* Fabricators – estimated annual spend of £200k  
  *Metal fabrication for highways maintenance purposes.*
* Winter contractors – estimated annual spend of £400k  
  *Provision of gritter drivers for resilience purposes.*

## Lot 3 – Highway Materials

* Building materials – estimated annual spend of £2.2m  
  *All building materials and products required for highway maintenance purposes with the exception of coated materials, readymix, concrete and aggregate.*
* Street furniture and signs – estimated annual spend of £1.3m  
  *Provision of all street furniture and signs.*
* Coated materials, readymix, concrete and aggregate – estimated annual spend of £2.5m  
  *Provision of coated materials, readymix, concrete and aggregate required by NY Highways*
* PPE, tools and equipment – estimated annual spend of £1.2m  
  *Supply of PPE, tools and equipment used for highways maintenance purposes.*
* Electrical suppliers – estimated annual spend of £4.8m  
  *Provision of electrical equipment required for highways maintenance purposes*.
* Vehicle parts – estimated annual spend of £1.8m  
  *Vehicle parts required by NY Highways for vehicle maintenance purposes.*

## Lot 4 – Highway Surveys

* Surveys – estimated annual spend of £3m  
  *Geotechnical, pavement condition, asset data gathering surveys, coring and materials testing.*

## Lot 5 – Property

* Building (General) – Estimated annual spend of £300k  
  *Carrying out the construction of a building, including all elements from foundations, structure, int and ext finishes to M&E work. Also repair, improvement or refurbishment work.*
* Building Services Installation – Estimated annual spend of £470k  
  *Installation and maintenance of electrical and mechanical services including heating, lighting, and air conditioning, plumbing, and fire protection. Plumbing and sanitary works.*
* Damp Proofing (including Chemical Injection) – Estimated annual spend of £10k  
  *Damp proofing work*
* Demolition – Estimated annual spend of £10k  
  *Demolition and site clearance work*
* Electrical Services – Estimated annual spend of £400k  
  *General maintenance of electrical services and electrical installation work.*
* Fencing – Estimated annual spend of £30k  
  *Includes wood, metal and concrete fencing. Erection of fencing.*
* Glazing – Estimated annual spend of £60k  
  *Installation of glass, glazing work*
* Joinery – Estimated annual spend of £300k  
  *All general and installation joinery and carpentry works including installation, 1st fix, 2nd fix, assembly, and specialist works etc. Doors, Boarding up*
* Painting & Decorating (General) – Estimated annual spend of £25k  
  *Painting & Decorating of all internal surfaces, including wallpapering and wall coverings of all kinds. Painting and glazing work within buildings. Painting work of buildings. Decoration work*
* Plastering – Estimated annual spend of £20k  
  *Plastering work*
* Roofing – Estimated annual spend of £210k  
  *All roof works and other special trade construction works.*
* Security Service – Estimated annual spend of £200k  
  *Supply of personnel and equipment for the protection of occupied premises, including commercial, industrial, residential and public buildings, also including outside events, security service including manned guarding Security services.*

# How the DPS operates

The DPS is a two-stage process for the awarding of contracts for goods, works and services.

In the first stage, any economic operator (a supplier or contractor) can apply to join the DPS. An economic operator may apply to join, and be appointed to, multiple Categories. Provided that the economic operator meets the relevant selection criteria, it is admitted to the Categories to which it has applied. There is no limit on the number of suppliers that may be appointed to the DPS; and unlike framework agreements, economic operators can apply to join the DPS at any point during its lifetime.

In the second stage, the requirements for specific contracts are advertised through the DPS using further competitions. NYH will invite all suppliers from the relevant Category of the DPS to bid for a specific contract. Suppliers may bid for as many or as few specific contracts under the DPS as they wish. The supplier that submits the best tender in response to invitation will be awarded the specific contract.

This is further described below:

## Stage 1 – Admission to the DPS

1. NYH will issue a Contract Notice advertising the opportunity.
2. Any economic operator may apply to be admitted to the DPS by completing the Selection Questionnaire.
3. The initial application period remains open for 30 days from the date of the Contract Notice. NYH will evaluate each application within 10 days of receipt (this may be extended to 15 days under certain circumstances). Any economic operator that meets the selection criteria set out in the Selection Questionnaire will be awarded a place on the relevant Category of the DPS (and become a supplier).
4. Any economic operator may request to be admitted to the DPS at any time during the period of validity of the DPS. NYH will evaluate each application within 10 days of receipt (this may be extended to 15 days under certain circumstances) and admit any economic operator that meets the selection criteria for the relevant Category of the DPS.

## Stage 2 – Tendering and Award of Contracts

1. When NYH wishes to tender and award a specific contract under the DPS, it will:
   1. Identify the relevant Category for the goods, works or services to be procured.
   2. Produce the tender documents including the scope, specifications, pricing document and conditions of contract.
   3. Define the award criteria for the contract in an Invitation to Tender.
2. NYH will invite all suppliers that have been admitted to the relevant Category to submit a tender for the contract and make the tender documents and award criteria available via the electronic system.
3. Any supplier on the relevant Category may (but is not obliged to) submit a tender in response to the invitation.
4. NYH will evaluate the submitted tenders and award the contract to the best tender in accordance with the award criteria for the contract published in the Invitation to Tender.
5. NYH and the successful supplier will enter into a contract for the specific contract.

## The DPS Equipment

Constructionline, as a partner to NY Highways, are providing the host system for this DPS. The system, which is completely electronic, is accessible through a web-based landing page for NY Highways DPS.

Via the portal interested parties can review the Categories of work which are the subject of this DPS, see the details of the contracts that will be applied to each of the works Categories and familiarise themselves with this Request to Participate document.

Within the Constructionline system interested parties will be able to register their interest in joining the NY Highways DPS following the simple instructions and guidance provided.

Once registered, interested parties will be presented with the compliance requirements that all participants of the NH Highways DPS are required to complete.

# How to participate in the DPS

NYH invites any economic operators that wishes to participate in the DPS to complete the Selection Questionnaire available at <https://www.constructionline.co.uk/products-services/dps-for-suppliers/ny-highways/>. The details of the how to complete the Selection Questionnaire and the selection criteria can be found at that link.

NYH will assess each application against the selection criteria set out in the Selection Questionnaire.

An economic operator that achieves a “pass” against each of the selection criteria will be admitted to the DPS.

An economic operator that achieves a “fail” against any of the selection criteria will not be admitted to the DPS. This does not prevent an economic operator from applying to be admitted to the DPS at a future date.

NYH will notify each economic operator whether or not they have admitted to the DPS.

# The tendering and award of contracts for specific procurements under the DPS

## Approach:

NYH will invite all suppliers that have been admitted to the relevant Category to submit a tender for each specific contract to be awarded under the DPS. The tender submission requirements will be further defined in the Invitation to Tender for the specific contract.

Any supplier on the relevant Category may submit a tender in response to the Invitation to Tender.

## Conditions of Contract:

### Highway Works Categories – Lot 1

Where the specific contract is for the provision of Highways Works the Authority intends to use the NEC4 Engineering and Construction Short Contract (ECSC).

NYH will prepare and make available to each supplier on the relevant Category the following information:

* The additional Contract Data
* The completed Scope
* The Price List

### Highway Services, Highway Materials or Highway Surveys – Lots 2, 3 and 4

Where the specific contract is for Highway Services, Highway Materials or Highway Surveys, NYH intends to use the NY Highways Standard Conditions of Contract.

NYH will prepare and make available to each supplier on the relevant Category the following information:

* Completed Schedule 1 (Service Specification)
* Schedule 4 (Reference Charges and Payment Terms)

However, NYH reserves the right to use the NEC4 Engineering and Construction Short Contract (ECSC) as per Lot 1 where deemed appropriate.

### Property Categories – Lot 5

Where the specific contract is for the provision of Property the Authority intends to use either of the above mentioned NEC4 Engineering and Construction Short Contract (ECSC) or NY Highways Standard Conditions of Contract as per lots 1 to 5.

NYH will prepare and make available to each supplier on the relevant Category the following information:

* The additional Contract Data
* The completed Scope
* The Price List

## Contract Award Criteria:

The contract award criteria for each specific procurement under the DPS will be within with the following ranges:

|  |  |  |
| --- | --- | --- |
| **Criteria** | **Lower Range** | **Upper Range** |
| Quality | 0% | 60% |
| Price | 40% | 100% |

The contract award criteria for each specific procurement will be further formulated and included in the relevant Invitation to Tender.

## Award of Contracts

NYH will evaluate each tender received and award the contract to the supplier that submits the best tender on the basis of the award criteria published in the Invitation to Tender.

## Programme

|  |  |  |
| --- | --- | --- |
| **DPS: Stage or Activity** | | **Target duration** |
|  | Contract Notice Issued by NYH | Day 1 |
|  | Deadline for receipt of clarification questions from applicants | Day 20 |
|  | Responses to clarification questions by NYH | Day 28 |
|  | Closing date for Request to Participate in DPS for applicants | Day 30 |
|  | Evaluation of Requests to Participate completed by NYH[[1]](#footnote-1) | Day 40 |
|  | DPS starts – NYH issues ITT for specific procurements[[2]](#footnote-2) | Day 41 |

## Acceptance of DPS application and further competitions

NYH does not bind itself to accept any supplier application or bid resulting from this request to participate.

Upon conclusion of the DPS application and further competition/s evaluation/s, the successful supplier’s signed “acceptance of award” will be deemed commencement of a binding contract between NYH and the successful supplier.

## Removal of Suppliers from the DPS

A supplier will be deselected from the DPS if during the period of validity DPS if it fails to continue to meet the original exclusion or selection criteria. NYH will require annual updates from all supplier to confirm continued compliance but may carry out compliance checks at any time during the DPS.

A supplier may be excluded from the DPS for poor performance on a previous contract awarded under the DPS in accordance with Regulation 57 (8) (g). NYH may carry out a post-completion review of a supplier’s performance to identify significant or persistent deficiencies in performance.

1. Requests to Participate will be evaluated when received rather than at the end of the 30 day period. [↑](#footnote-ref-1)
2. The Client reserves the right to issue ITTs for specific procurements prior to this date [↑](#footnote-ref-2)