Introduction

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| **Development Panel Framework Monitoring and Management Services** |

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| Further Competition Invitation to Tender (Stage 1 Under FTS Threshold)Levelling Up Home Building Fund (LUHBF)

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| Issue Date: 14/05/2024Pro-Contract Identification Number: DN723868 |

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**The Housing and Regeneration Agency**

**The Housing and Regeneration Agency**

The purpose of this Further Competition Invitation to Tender (ITT) is to award the call-off contract for the above commission*.*

We ask you to respond to the questions detailed in Part 2, Section 6 (Evaluation Criteria) using the [Response Form](#_RESPONSE_FORM) and to return the Response Form and Resource and Pricing Schedule in Part 3 with your tender.

This Further Competition ITT is divided into 3 parts:

**Part 1 – Commission Requirement**

* Details the commission requirements.
* Details additional terms and conditions for the Further Competition. The successful Supplier will be subject to both the terms and conditions of this Further Competition and the Framework Contract. Unless otherwise defined in these instructions, terms used shall have the meaning given to them in the Framework Contract.

**Part 2 – Instructions for Submitting a Response**

* Contains important information and instructions on preparing and submitting a tender response. Please read these instructions carefully prior to submitting your tender response.
* Outlines the evaluation criteria which will be used for assessment. It is important that Suppliers familiarise themselves with the criteria and ensure they are considered when compiling their tender response.

**Part 3 – Standard Forms**

* Contains the standard forms required to be completed and returned by the Supplier when submitting a tender response.

Part 1 - Commission Requirements

1. **Commission Background**

The Levelling Up Homes Building Fund (LUHBF) is a £1.5bn Homes England investment programme created to accelerate and unlock housing developments of at least 5 homes in size that are unable to progress without support from Homes England. Its main objective is to address difficulties in accessing development finance faced by some housebuilders, particularly in the SME sector, and to help bring forward stalled but viable sites, including both Brownfield and Greenfield sites, but with an emphasis on regeneration. The fund is 100% recoverable with loan investments made on commercial terms to developers.

Further details of the LUHBF programme can be found at, [Levelling Up Home Building Fund - development finance - GOV.UK (www.gov.uk)](https://www.gov.uk/guidance/levelling-up-home-building-fund-development-finance)

The Homes England Transactions and Portfolio Management teams require the services of an independent Monitoring Surveying firm to provide project cost and monitoring services to support the successful delivery of the project. The scope of reporting requirements includes:

1. An initial report for each scheme pre-commencement of development.
2. Thereafter monthly monitoring reports until satisfactory scheme completion, or loan repayment (whichever is sooner).

The initial report will be instructed by the allocated Homes England Development Finance Manager or Executioner, with the results of this report, completed in accordance with the attached ‘MS Scope of Services – Initial Report’ document (See appendix 4), used to confirm that project proposals are acceptable as a condition precedent to funding. Once the facility agreement is executed and construction commences, MS services will be retained to provide monthly monitoring reports in line with the attached ‘Monitoring Surveyor Interim Report Scope’ (see appendix 5). Relations between the MS Firm and Homes England post the initial report will be managed by Homes England Portfolio Management who are responsible for housing output delivery and receipt recovery.

1. **Objectives**

Homes England is seeking to appoint a Monitoring Surveying (MS) Firm from its national Development Monitoring and Management Services panel. The appointed Surveyor’s role will include providing initial due diligence and ongoing monitoring of the development works in respect of the loan investment under the Levelling Up Home Building Fund (“LUHBF”) programme. All work will be instructed under the standard terms of the Homes England Framework agreement.

1. **The Services**

Please see attached to this tender the Project and Cost management Scope of Services (Appendix 3).

1. **Key Deliverables**

The main objective of the commission is for the Monitoring Surveyor to provide regular reports on progress of the scheme to ensure delivery of the site and repayment of the Homes England loan (see Initial and Interim report templates at Appendices 4 and 5). The Surveyor will work with both the Borrower and Homes England and will need to attend monthly site progress meetings for each scheme and quarterly meetings with Homes England (or as otherwise deemed appropriate). Individual Development Finance Managers will be identified on successful appointment that will be the initial point of contact against each Investment Transaction. Post completion of the initial report the key Homes England relationship will be handed over to an identified Homes England Portfolio Manager.

1. **Site Information**

Examples of potential future transactions which may form part of this commission are attached at Appendix 2 below. Appointments will be phased in line with Credit Approvals and conclusion of Legal Documentation.

1. **Indicative Programme**

We are seeking tenders for one batch of 6-8 appointments, with typical appointments requiring an Initial report and 12 to 24 interim monthly reports. The programme is expected to commence with instructions from June 2024 running for up to 24 months from tender award.

1. **Management**

Following successful award of 6-8 appointments, individual Instructions will be made by Development Finance Managers in the NEYTH region when transactions are suitably progressed, following credit approval. The appointment will require an initial site visit in the company of the Development Finance Manager to meet the borrower and review the site as part of completing an Initial report. Following appointment the information requirements via a Compliance checklist will be provided to the borrower within 3 days of instruction to facilitate the timely completion of the Initial report.

**Meeting Requirements:**

* **Start-up meeting –** Initial site visit with Development Finance Manager and the Developer/Borrower. This site visit will inform the Initial report and follow on from the information gathering stage which includes the compliance checklist and review of planning, site investigations, section agreements etc.
* **Review meetings –** Monthly site meetings with the Development Finance Manager initially and then following legal completion and handover by the Development Finance Manager, the nominated Portfolio Manager for the scheme. These regular meetings will include the works valuation and cost review, as well as monitoring of progress on site and compliance with statutory requirements.
* **Poor Performance Meeting -** These meetings will hopefully not be required. However, if poor performance is repeated following escalation to the Supplier’s Key Personnel to resolve the issue, as required in the Framework Management Schedule of the Framework Contract, the Framework Manager must be notified, and Homes England may call for a Poor Performance Meeting. Beforehand, Homes England will present areas of concern so that the Supplier and Homes England can discuss what happened and why, what will be done to prevent it happening again and how matters will improve. The Supplier subject to such a meeting would be expected to outline in writing in a Rectification Plan afterwards what improvements/modifications they will be putting in place. There will be a maximum of two Poor Performance Meetings before termination of the commission.
1. **Risks**

Risks arising from the Credit Approval which specifically relate to the Monitoring Surveyors review will be shared by the Development Finance Manager as part of the appointment for each individual scheme and include any relevant information, including the credit approved LUHBF cashflow, project information sheet (see Appendix 6) relating to the transaction and any specified risks or monitoring requirements aligned to the credit approval.

The Monitoring Cost of Service template (see Appendix 7) will enable the costs for the scheme to be tracked as part of the ongoing review of progress on site and monitoring of project budget.

1. **Payment**

Fixed Fees for the batch of appointments should be specified in the tender pack (£excluding VAT) to reflect the value of the total scheme costs / value of works commensurate with each individual scheme, as follows:

**Initial Reports**

|  |  |
| --- | --- |
| Total Scheme Costs / Value of works | £ (Excluding VAT) |
| <£3m |  |
| >£3m - <£10m |  |
| >£10m+ |  |

**Interim Reports**

|  |  |
| --- | --- |
| Total Scheme Costs / Value of works | £ (Excluding VAT) |
| <£3m |  |
| >£3m - <£10m |  |
| >£10m+ |  |

See also the Pricing schedule (appendix 8) required as part of the tender pack.

1. **Termination**

Should performance during the period of this appointment prove unsatisfactory following the Poor Performance meeting provisions set out in the Management section above, Homes England will exercise its right under the Termination and Suspension of the Contract clause in the Framework Contract to give notice to terminate the arrangement with immediate effect.

If the services are no longer required, for whatever reason, then Homes England reserves the right to terminate the appointment and pay for services completed at that point

1. **Conflict of Interest**

Homes England will exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform Homes England, detailing the conflict in a separate Appendix.

1. **Confidentiality**

This Further Competition ITT and associated information is confidential and shall not be disclosed to any third party without the prior written consent of Homes England. Copyright in this Further Competition ITT is vested in Homes England and may not be reproduced, copied or stored on any medium without Homes England's prior written consent.

Suppliers shall not undertake, cause or permit to be undertaken at any time any publicity in respect of this Further Competition process in any media without the prior written consent of Homes England.

1. **Health and Safety**

Homes England takes health and safety very seriously and expects all Suppliers to do the same. All Suppliers must adhere to the Health and Safety obligations in the Framework Contract and the following Homes England policies where applicable:

* Homes England Safety, Health and Environment Policy
* Homes England Asbestos Policy
* Homes England CDM Policy

Part 2 - Instructions for Submitting a Response

1. **General**

1.1 The Further Competition deadline is 12:00 (Midday) on 11/06/2024 and tender responses must be submitted on ProContract. Please regularly check ProContract for any amendments to the Further Competition deadline. For all ProContract portal issues please contact ProContractSuppliers@proactis.com.

* 1. Suppliers must ensure that suitable provision is made to ensure that the submission is made on time. Any tender responses received after the Further Competition deadline shall not be opened or considered unless Homes England, exercising its absolute discretion, considers it reasonable to do so. Homes England, may, however, at its own absolute discretion extend the Further Competition deadline and shall notify all Suppliers of any change via ProContract.
	2. Please note all communications during the tender period will be via the ProContract website. All Suppliers that have registered their interest for the Procurement will receive a direct email notification from ProContract on any updates via the Suppliers registered email address. No approach of any kind should be made to any other person within, or associated with, Homes England. It is the Suppliers responsibility to check the ProContract website for any updates to the Procurement process. No claim on the grounds of lack of knowledge of the above mentioned item will be entertained.
	3. The Supplier should check the Further Competition ITT for obvious errors and missing information. Should any such errors or omissions be discovered the Supplier must send a message via the messaging function on ProContract. No alteration may be made to any of the documents attached thereto without the written authorisation of Homes England. If any alterations are made, or if these instructions are not fully complied with, the tender response may be rejected.
	4. All clarification requests must be sent using ProContract no later than 10 working days before the Further Competition deadline shown on ProContract. Any queries submitted after this may not be answered. Homes England will respond to clarifications as soon as practicable.
	5. Suppliers should specify in their clarification questions if they wish the clarification to be considered as confidential between themselves and Homes England. Homes England will consider any such request and will either respond on a confidential basis or give the Supplier the right to withdraw the clarification question. If the Supplier does not elect to withdraw the question and Homes England considers any clarification question to be of material significance, both the question and the answer will be communicated, in a suitably anonymous form, to all prospective Suppliers who have responded.
	6. Tender responses must not be accompanied by statements that could be construed as rendering the tender response equivocal and/or placing it on a different footing from other Suppliers. Only tender responses submitted without qualification strictly in accordance with the Further Competition ITT (or subsequently amended by Homes England) will be accepted for consideration. Homes England’s decision on whether or not a tender response is acceptable will be final.
	7. Tender responses must be written in English.
	8. By submitting a Tender, each Supplier undertakes that, in the event of its Tender being accepted by Homes England, it will deliver the services and each individual instruction in accordance with the Framework Agreement Terms and Conditions without variation. The Framework Agreement Terms and Conditions shall not be amended in any way and any document submitted as part of the Tender which purports to do so shall have no effect and shall be disqualified. Homes England shall not engage in any negotiations over the terms of the contract either before or after Tender close nor in relation to each individual instruction. By submitting a Tender, a supplier is accepting the terms of the Framework Agreement without variation other than to put into effect details relating to the supplier and Tender specific information and in respect of each individual instruction made under the Framework Agreement. Suppliers shall be aware that persistent failure to accept the Framework Terms and Conditions in respect of individual instruction may cause the supplier to be suspended or removed from the Framework.
	9. Under no circumstances shall Homes England incur any liability in respect of this Further Competition or any supporting documentation. Homes England will not reimburse the costs incurred by Suppliers in connection with the preparation and submission of their tender response to this Further Competition.
	10. Homes England reserves the right to cancel this Further Competition process at any time.
1. **Quality**
	1. A Response Form template has been provided in Part 2 to respond to the Quality questions detailed in Section 20 (Evaluation Criteria). The Response Form must be completed and returned as part of the tender response.
	2. Suppliers must provide information on proposed staff in the Response Form and Resource and Pricing Schedule provided in Part 2. If the Supplier is a consortium or intends to sub-contract the Services, in whole or in part, then it should specify precisely in the Resource and Pricing Schedule which economic operator shall perform the Services (or parts thereof).
2. **Pricing**
	1. A Pricing schedule (see Appendix 8) has been provided with this Further Competition ITT which must be completed and returned as part of the tender response.
	2. The pricing approach for this Further Competition is:

Please provide a fixed fee price schedule against the individual project value of works.

* **Initial Reports: £**
* **Monthly Monitoring: £**
1. **Evaluation**
	1. Tender responses will be evaluated on the basis of the overall most economically advantageous Tender (MEAT) submitted to Homes England. The evaluation criteria (and relative weightings) that Homes England will use to determine the most economically advantageous Tender are set out in Section 20 (Evaluation Criteria) below and the scoring approach is detailed in Section 25 (Worked Example). Scores will be rounded to two decimal places.
	2. Evaluators will initially work independently. Once they have completed their independent evaluation they will meet to discuss, understand and moderate any differences they have via a consensus meeting, where a single consensus score for each question will be agreed.
	3. Award decisions will be subject to the standstill period if over the FTS Services threshold. Unsuccessful Framework Suppliers will be provided with their scores and feedback to explain the award decision.
2. **Documents to be Returned**

Suppliers are expected to provide the following information in response to this Further Competition ITT:

* Confirmation that the Scope of Service documents are understood and accepted.
* Understanding of the transaction proposed and any bespoke requirements.
* Completed Response Form
* Completed Pricing Schedule
* Details of experience relevant to this commission (ideally evidencing building conversions as well as new-build residential).
* Supporting CV’s for staff proposed to undertake this commission (no more than 2 pages each)
* Conflicts of interest acknowledgements.
* Fixed fee proposals for completing,

– A) each Initial Report

– B) each Monthly Report.

1. EVALUATION CRITERIA

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| Quality will account for 40% of the Overall Score. The following scoring methodology will apply:**5 – Excellent** Satisfies the requirement and demonstrates exceptional understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response. **4 – Good** Satisfies the requirement with minor additional benefits. Above average demonstration by the Supplier of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response.**3 – Acceptable** Satisfies the requirement. Demonstration by the Supplier of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services.**2 - Minor Reservations** Some minor reservations of the Supplier’s understanding and proposed methodology, with limited evidence to support the response. **1 – Major Reservations/Non-compliant** Major reservations of the Supplier’s understanding and proposed methodology, with little or no evidence to support the response.**0 - Unacceptable/Non-compliant** Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Supplier has the understanding or suitable methodology, with little or no evidence to support the response.  **PLEASE NOTE:**If your response scores 0 or 1 for any one question your overall submission will be deemed as a fail. Homes England will not cross-reference to other answers when assessing quality responses. Evaluators will initially work independently. Once they have completed their independent evaluation they will meet to discuss, understand and moderate any differences they have via a consensus meeting, where a single consensus score for each question will be agreed. Question 1 will be assessed on a pass/fail basis.Yes = PassNo = Fail |
| **Number** | **Criteria** | **Demonstrated by** | **Weighting** |
| 1 | **Terms and Conditions Acceptance**Please confirm acceptance of the Framework Agreement Terms and Conditions for appointment to the framework and for each individual instruction. By submitting a Tender, each Supplier undertakes that, in the event of its Tender being accepted by Homes England, it will deliver the services and each individual instruction in accordance with the Framework Agreement Terms and Conditions without variation. The Framework Agreement Terms and Conditions shall not be amended in any way and any document submitted as part of the Tender which purports to do so shall have no effect and shall be disqualified. Homes England shall not engage in any negotiations over the terms of the contract either before or after Tender close nor in relation to each individual instruction. By submitting a Tender, a supplier is accepting the terms of the Framework Agreement without variation other than to put into effect details relating to the supplier and Tender specific information and in respect of each individual instruction made under the Framework Agreement. Suppliers shall be aware that persistent failure to accept the Framework Terms and Conditions in respect of individual instruction may cause the supplier to be suspended or removed from the Framework.Suppliers will pass this question by accepting the Framework Agreement Terms and Conditions for appointment to the framework and for each individual instruction. If a supplier does not pass this question the supplier will be disqualified. | Yes = PassNo = Fail | Pass/Fail |
| 2 | **Conflicts of Interest / Management and Communication**Conflict of Interest Procedures & Ongoing Management | What arrangements are in place to manage and monitor conflict of interests and report any conflict of interests?How will the commission be managed? Who will be responsible for reporting to the Client?Who will manage the team? Who will attend site visits / client meetings?Supported by relevant examples, where applicable, demonstrating how they are relevant to the approach proposed | 3% |
| 3 | **Understanding of Project Requirements / Technical Merit of the Proposal**Understanding of the Brief, Scope of Services & Homes England Investments | Demonstrate an understanding of the transaction proposed and any bespoke requirements.* What is your understanding and expectation of the brief and work required?
* What is your understanding of the Schedule of services to be delivered?
* What is your understanding of the role of Homes England and the Levelling Up Home Building Fund, and how your appointment will contribute towards the delivery of the fund objectives.
* How will you provide assurance that key risks to the development and our funding are mitigated?

Identification of other information that may be required.Other commentary on the briefSupported by relevant examples, where applicable, demonstrating how they are relevant to the approach proposed.Statement outlining method and approach explaining how the commission will be undertaken.Include questions to assess understanding of project applicable to the specific commission | 15% |
| 4 | **Staff and other Resources**Quality of Staff, Relevant Experience and Capacity against the commission | Who will undertake the commission and why have they been chosen? Identify key members of staff and allocation to the required services.How much time will they devote to it?Supported by CVs for key members of staff | 12% |
| 5  | **Geographical Spread**Geographic coverage across the North-East, Yorkshire and Humber region | How would you ensure an ability to provide capacity to meet our Geographic coverage of funded developments across the Northeast, Yorkshire and Humber region? | 6% |
| 6 | **Value Added Services**Added value beyond the scope of commission | What added value is proposed beyond the remit of the appointments?Where relevant identification of areas of innovationWhere appropriate identify the potential impact of external influences and stakeholdersAreas where value engineering could be considered to achieve best value. | 4% |

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| Price will account for 60% of the Overall Score. The lowest price will gain the maximum marks with other prices expressed as a proportion of the best score using the maths explained in the worked example below. |
| **Criteria** | **Demonstrated by** | **Weighting** |
| Price | Completed Pricing Schedule | 60% |

1. **Worked Example**

**How your quality scoring will be used to give a weighted score**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Bidder | Question | Score out of 5 | Weighting | Weighting Multiplier | Weighted Score | Total Weighted Score |
| Supplier A | 1 | PASS | N/A | N/A | PASS | 28.2 |
| 2 | 4 | 3% | 0.6 | 2.4 |
| 3 | 3 | 15% | 3 | 9 |
| 4 | 4 | 12% | 2.4 | 9.6 |
| 5 | 4 | 6% | 1.2 | 4.8 |
| 6 | 3 | 4% | 0.8 | 2.4 |
| Supplier B | 1 | PASS | N/A | N/A | PASS | 25.2 |
| 2 | 3 | 3% | 0.6 | 1.8 |
| 3 | 3 | 15% | 3 | 9 |
| 4 | 3 | 12% | 2.4 | 7.2 |
| 6 | 4 | 6% | 1.2 | 4.8 |
| 6 | 3 | 4% | 0.8 | 2.4 |
| Supplier C | 1 | PASS | N/A | N/A | PASS | n/a (fail)\* |
| 2 | 3 | 3% | 0.6 | 1.8 |
| 3 | 1 | 15% | 3 | N/A |
| 4 | 3 | 12% | 2.4 | 7.2 |
| 5 | 4 | 6% | 1.2 | 4.8 |
| 6 | 2 | 4% | 0.8 | 1.6 |

**Worked example of how your price will be used to calculate a score (pricing example below for illustration purposes only)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Bidder | Initial Reports Average | Interim Reports Average | Total Report Average | Lowest price/Supplier’s price (as %) | Price Score (out of 60) |
| Supplier A | 350 | 300 | 650 | 650/650 = 100% | 100%\*60 = 60 |
| Supplier B | 700 | 600 | 1300 | 650/1450 =50% | 50%\*60 = 30 |
| Supplier C | 250 | 300 | 550 | n/a | n/a |

**Worked example of Overall Score and Ranking**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bidder | Total Quality Score | Price Score | Total Score | Ranked Position |
| Supplier A | 28.2 | 60 | 88.2 | 1 |
| Supplier B | 25.2 | 30 | 55.2 | 2 |
| Supplier C | n/a | n/a | n/a | n/a |

Part 3

3.1 RESPONSE FORM

|  |  |
| --- | --- |
| **Framework:** | [insert] |
| **Project Title:** | [insert] |
| **ProContract Identification Number:** | DN [insert] |
| **Supplier:** | [insert] |
| **Date:** | [insert] |

To enable Homes England to evaluate your tender, we require Suppliers to respond to the questions below whilst making reference to the evaluation section above.

1. Terms and Conditions Acceptance

|  |  |
| --- | --- |
| Please confirm acceptance of the Framework Agreement Terms and Conditions for appointment to the framework and for each individual instruction. | Yes/No |

1. Conflict of Interest Procedures & Ongoing Management
2. Quality of Staff, Relevant Experience and Capacity against the commission
3. Understanding of the Brief, Scope of Services & Homes England Investments
4. Geographic coverage across the Northeast, Yorkshire and Humber region
5. Added value beyond the scope of commission

Pricing Schedule

Excel spreadsheet to be embedded by Supplier in response.

**Appendix 1 – List of Tender Pack documentation**

|  |  |
| --- | --- |
| **Appendix** | **External Documents** |
| 1 | List of Tender Attachments |
| 2 | Example of potential transactions (see below) |
| 3 | Project and Cost Management Scope of Services (See attached) |
| 4 | Initial report templates (See attached) |
| 5 | Interim report templates (See attached) |
| 6 | Project Information Sheet template (See attached) |
| 7 | Monitoring Cost of Service template (See attached). |
| 8 | Pricing Schedule |

Appendix 2 – **Examples of Potential transactions**

|  |  |
| --- | --- |
| **Scheme 1** | **Details** |
| Site Location: | Beverley, East Yorkshire  |
| No. of Units: | 5 new-build houses |
| Development Type: | New-build housing scheme on Brownfield site |
| Monitoring Method: | Initial Report & Monthly Progress Reports until Homes England repayment say 12 months |

|  |  |
| --- | --- |
| **Scheme 2** | **Details** |
| Site Location: | Craven, North Yorkshire  |
| No. of Units: | 23 new build houses |
| Development Type: | New-build housing scheme on Greenfield site |
| Monitoring Method: | Initial Report & Monthly Progress Reports until Homes England repayment e.g. 20 months |

|  |  |
| --- | --- |
| **Scheme 3** | **Details** |
| Site Location: | Sedgefield, County Durham |
| No. of Units: | 31 new-build houses  |
| Development Type: | New-build housing scheme on Brownfield site |
| Monitoring Method: | Initial Report & Monthly Progress Reports until Homes England repayment e.g. 24 months |

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| --- | --- |
| **Scheme 4** | **Details** |
| Site Location: | Bolsover, North Derbyshire |
| No. of Units: | 58 new-build houses  |
| Development Type: | New-build housing scheme on Brownfield site |
| Monitoring Method: | Initial Report & Monthly Progress Reports until Homes England repayment e.g. 28 months |