



Homes  
England

The Housing and Regeneration Agency

**Development Monitoring and Management Services  
Framework  
Further Competition Invitation to Tender (Stage 1 Under FTS  
Threshold)**

**Phase 2, Residential Land, The Avenue, Derby Road,  
Wingerworth, Chesterfield**

**Issue Date: 26/05/2023**

**ProContract Identification Number: DN672182**

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# Introduction

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](#) 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

Homes England seeks to challenge developers with accelerating the pace at which housing is developed on its sites.

Homes England usually disposes of its landholdings by way of a Residential Building Lease (typically 125 years) which contains provisions obliging the selected developer to deliver at an accelerated rate as well as to ensure that quality standards (including Building for a Healthy Life and Modern Methods of Construction) are adhered to.

With regards to The Avenue, Phase 2, Homes England has successfully procured and appointed [REDACTED] as its preferred development partner.

Following the Agreement for Lease and in advance of the signing of a Building Lease with the preferred bidder, an Independent Compliance Inspector is now required to monitor the progression of the development and the compliance, performance and progress of the developer against the Agreement for Lease and Building Lease to be granted by Homes England to the Developer.

In order to support Homes England in administering the delivery obligations placed on [REDACTED] in delivering this site, it is intended that a single Development Monitoring and Management Services Framework (2021 -2025) firm will be procured to act as the Agency's Compliance Inspector (CI).

### 2. Objectives

The following duties are required of the Developer by Homes England and were indicated during the competitive tendering process;

- Secure Reserved Matters approval for their scheme, the basis of which must be consistent with the scheme tendered to Homes England as part of this ITT.
- Implement, in full, the Reserved Matters approved scheme.
- Comply with and otherwise discharge all appropriate planning conditions associated with the scheme.
- Discharge payment of the scheme's agreed S106 cost.
- Pay all Stamp Duty Land Tax (SDLT) costs owed in accordance with HMRC requirements. It should be noted that the Site is Opted to Tax – meaning VAT is payable against the purchase price tendered.
- Raise the level of finance required to cover the scheme's peak funding requirement – and arrange any credit lines that may be needed to meet cost overruns / cash flow shortfalls.
- In respect of the affordable housing elements of the scheme, the developer must identify and work with a Registered Provider partner to take on responsibility for these tenures.

- Upon draw down of the Building Lease, coordinate effective management of the Site and discharge all statutory health and safety duties.
- Arrange the delivery and management of all construction activities across the Site in compliance with the terms of the planning approval.
- Commit to monthly contract monitoring meetings with the Compliance Inspector and Homes England's contract manager.
- Secure all appropriate accreditations and warranties for completed dwellings to ensure they are insurable / mortgageable.
- Manage all marketing and sales of dwellings across the Site.
- Carry out snagging activities and provide all appropriate maintenance and aftercare services to buyers.
- Agree and complete adoption agreements with the relevant Local Authority in respect of key roads within the development and with the local authority or a nominated management company in respect of the scheme's public open spaces.
- Comply with any duties / services required of the developer under the terms of the warranty agreements provided to buyers.
- Otherwise comply with any and all obligations set out within the Agreement to Lease and Building Lease.
- Work with Homes England's technical assessors / researchers to provide and share data if requested.

The Compliance Inspector will monitor the progression of the development and the compliance, performance and progress of the developer against the Building Lease granted by Homes England to the Developer.

### 3. The Services

The Compliance Inspector is required to monitor the progression of the development and the compliance, performance and progress of the developer in relation to the terms specified in the Building Lease to be granted by Homes England to the Developer. This includes the duties referenced in Section 2 of this ITT.

The Compliance Inspector is expected to support HE in ensuring that the relevant provisions within the Agreement For Lease (AFL) are captured within the Building Lease (BL) prior to it being drawn down.

It should be noted that the BL for The Avenue, Phase 2 will largely be in the form of our standard agreement, however the Agreement For Lease contains three bespoke conditions, 1) an Access Road Condition, 2) an Emergency Access Road Condition and 3) a Future Homes Standard Price Condition, which once satisfied, may mean that some bespoke provisions will be added to the BL.

Site Visits and Reporting should be undertaken at Quarterly Intervals.

For the avoidance of doubt, Compliance Certificates are needed for ALL units (this includes affordable units) and there are no exceptions to this.

A comprehensive list of the full scope of services can be found in Annex 2.

#### 4. Key Deliverables

Compliance Inspector – Outputs	Requirements
Start on Site Monitoring Report	1 report (inclusive of Pre-Start on site Meeting)
Quarterly Monitoring Reports	20 (estimated) reports (i.e.the no. of quarters in the agreed build programme)
Final Completion Certificate	1 Final Completion Certificate

Based on the commission requirements (above), consultants are invited to complete the Fee Schedule provided at Annex 3 and return this completed schedule alongside their tender response.

For further details on the full scope of services to be provided by the appointed Compliance Inspector, please see annex 2.

#### 5. Site Information (if appropriate)

The Avenue, Hornbeam Drive, Wingerworth, S42 6GE, is the site of the Former Avenue Coking Works in North East Derbyshire. The 98ha site has undergone remediation and transformation after significant investment by Homes England and its predecessors over the last 20 years.

The 28ha development platform, created as part of the remediation and landscaping works, benefits from the outline planning permission ref: 13/00386/OL as varied by S73 planning permission ref: 16/00525/OL. A S106 Agreement accompanies the outline consent. The permitted development includes 489 newbuild dwellings, including 20% affordable homes, 2.8ha of commercial land for employment uses, and 1.8ha school/community use.

The newbuild dwellings are split over three phases. Phase 1 is currently under construction by Tilia Homes with a RM consent for 252 units. Phase 2 is the subject of this tender and has an Agreement for Lease in place with [REDACTED] for circa 217 units. An SME developer has been selected for Phase 3 consisting of 20 units.

The site plan below shows the Country Park in brown, Phase in grey, phase 2 in red, phase 3 in green, land for a school in blue and the Employment land in purple.

The Site is accessed from the north (Hornbeam Drive) through the Phase 1 residential parcel. Emergency and pedestrian access only is available from the south (Mill Lane). Tilia’s estate road to the northern boundary of the Phase 2 residential parcel has been constructed to base course and this road is the primary access into the Site.

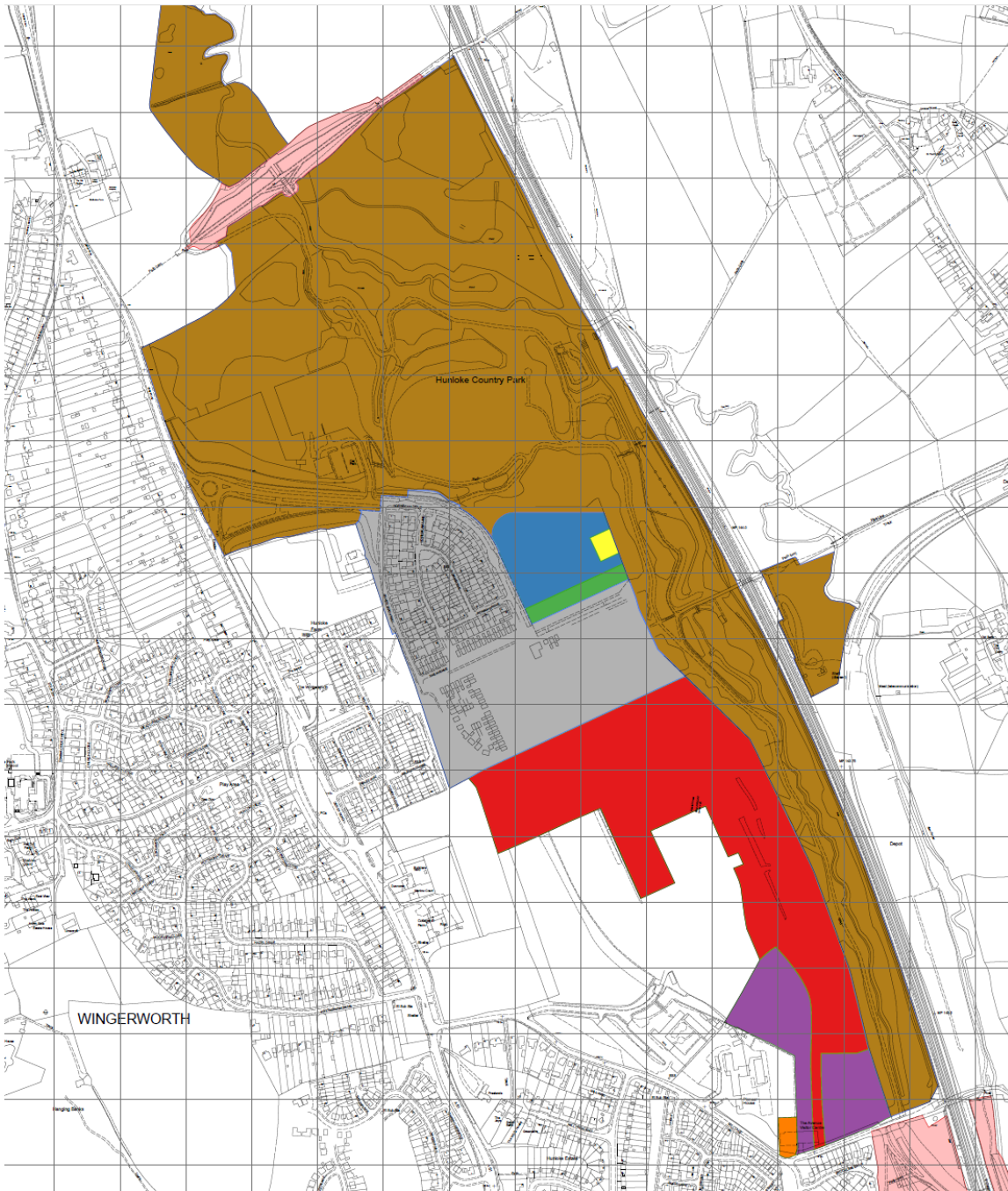
Bespoke Conditions

[REDACTED]

[REDACTED]

[REDACTED]

## The Avenue Site Plan



### 6. Indicative Programme

Suppliers should note the indicative programme dates when preparing their Programme information in the Response Form.

Key Delivery Milestones	Anticipated Date
Compliance Inspector commission Commencement Date	November 2023



Target Building Lease Completion	January 2024
Indicative start on site date	January 2024
Indicative Completion Date	January 2029

## 7. Management

The Compliance Inspector will report to a Manager in the Contracts team who will oversee the development of The Avenue, Phase 2. The Start on Site Monitoring Report, Quarterly Monitoring Reports and Final Compliance Certificate must be supplied to the aforementioned Contract Manager and any other colleagues in the Agency specified by the Contract Manager.

On occasion, where necessary, the Compliance Inspector will be expected to engage with other colleagues in the Agency. This may include but is not limited to the Head of Disposals, Senior Planning and Enabling Manager, Senior Development Manager, Contracts Managers, Legal Officers and Development Analysts.

### Meeting Requirements:

- **Start-up meeting**

In advance of the satisfaction of all the conditions necessary to draw down the Agreement for, an inception meeting will take place. It is expected that any and all key staff will attend.

At this meeting, Homes England's Senior Development Manager, who will be leading the disposal of the site, will provide an update on the status of the project. Additional colleagues from the Agency may also attend.

- **Review meetings**

Review meetings will be held quarterly for the duration of the project. On occasion, the Contract Manager may request more frequent or less frequent meetings and may need further meetings at short notice.

It is expected that the project manager and the supplier will attend all these meetings, except where there are mitigating circumstances or where either party is on leave.

- **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.

## 8. Key staff (optional)

Bidders are asked to provide a short summary of their experience of carrying out similar commissions citing specific examples which include details of the type of work carried out, details of the value of the commission and the client.

Homes England would also like to understand what lessons you might have learned from these past commissions which might add value to this commission.

Bidders are also asked to provide CVs (not included in word limit) for the personnel in your organisation who will work on this commission, details of how the commission will be managed and details of the lead contact in your organisation that Homes England and the Developer will liaise with (including contact details).

Bidders are asked to review the scope of services provided at Annex 2 and set out a methodology for delivering the services required under this commission.

In particular, the methodology should include:

- A summary of your interpretation of the services and information you believe Homes England requires from this appointment
- Statement of how you would propose to manage the commission and engage with both Homes England and the Developer to assemble information required to fulfil your reporting requirements
- Indicate how you would approach the management of construction quality (for example, this is aimed at ensuring there is no dilution in quality between the specification of the scheme ('Approved Plans') and the scheme actually being delivered)
- Indicate how you would record and report on Construction Related Deadlines as they occur (example template reports can be appended to submissions)
- State how you would aim to manage the requirements to fulfil the Compliance Inspector Duties within the fixed reporting timescales.

## 9. Risks

Please list any project risks the Suppliers should be made aware of. For example, the risk that planning permission for 200 units on phase 2 is not granted leading to reduced outputs resulting in a negative impact on receipts and targets. You should provide a proportionate amount of information on project risks for the commission.

## 10. Payment

Bidders should provide a breakdown of costs associated with the key outputs for the commission – as summarised below:

Compliance Inspector Outputs	Requirements
1. Start on Site Monitoring Report	1 report (inclusive of Pre-Start on site Meeting)
2. Monthly Monitoring Reports	20 (estimated) reports (i.e. the no. of quarters in the estimated build programme)
3. Final Completion Certificate	1 Final Completion Certificate

Based on the commission requirements (above), consultants are invited to complete the Fee Schedule provided at Annex 3 and return this completed schedule alongside their tender response.

Payments will be made on a quarterly basis, for the duration of the project. For activities 1 (Start on Site Monitoring Report) and 3 (Final Completion Certificate) a one-off payment will be made following completion of each activity. For activity 2 (Monthly Monitoring Reports), fixed payments will be made on a quarterly basis.

In the event the project runs beyond the projected programme, or falls short of it, the sum paid to the consultant under Activity 2 will remain fixed per calendar month. For example, assuming a cost of £100 per Quarterly Monitoring Report for Activity 2 and the project runs for 20 quarters the consultant will be paid £2,000, and should the project run for 24 quarters the consultant will be paid a sum of £2,400.

Bidders should note that Homes England wishes to avoid a scenario where fixed price offers are tendered with a significant number of conditions/ caveats attached. Instead, bidders should seek to tender fixed price cost to Homes England that is reflective of the bidder's risk – and such that the need for conditions/ caveats can be removed.

## 11. 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.

## 12. 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.

### **13. 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.

### **14. Health and Safety (if applicable)**

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 **13:00** on **26/06/23** 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](mailto:ProContractSuppliers@proactis.com).
- 1.2 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.
- 1.3 **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.**
- 1.4 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.
- 1.5 All clarification requests must be sent using ProContract no later than 5 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.
- 1.6 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. If Suppliers consider that page limits set

out in Section 20 (Evaluation Criteria) are insufficient to provide the information required by the question then a clarification request should be raised. No guarantee can be given that the page limit will be increased.

1.7 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.

1.8 Tender responses must be written in English.

1.9 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.

1.10 Homes England reserves the right to cancel this Further Competition process at any time.

## 2. Quality

2.1 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.

2.2 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).

## 3. Pricing

3.1 A Resource and Pricing schedule has been provided with this Further Competition ITT which must be completed and returned as part of the tender response.

3.2 The pricing approach for this Further Competition is lump sum fixed fee.

3.3 The list of activities in the Resource and Pricing Schedule is not exhaustive and there may be additional duties/services required that will emerge as work is undertaken. This commission may be extended on

client instruction to cover such matters as arise, based on a time charged fee schedule completed in the tender response. The commission will only be extended if the services relate to the original objective of the overall call off contract.

3.4 Suppliers are reminded that day rates for all individuals must be the agreed Framework Contract rates unless discounted rates are offered and will be used for all of the services.

## 4 Evaluation

4.1 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.

4.2 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.

4.3 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

## 5 Documents to be Returned

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

- Completed Response Form
- Completed Resource and Pricing Schedule
- Supporting CV's for staff proposed to undertake this commission (no more than 2 pages each)

## 6 EVALUATION CRITERIA

Quality will account for 20% 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.

Any text beyond the specified page limits below will be ignored and will not be evaluated.

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.

Number	Criteria	Demonstrated by	Weighting
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1	<p><b>Technical Merit of Proposal</b></p> <p>Provide a statement to explain how this commission will be undertaken with supporting evidence, in particular how you can add value to the process.</p> <p><b>PAGE LIMIT:</b> Maximum 2 A4 pages, 11-point Corbel font</p>	<p>Statement outlining method and approach explaining how the commission will be undertaken</p> <p>Schedule of services to be delivered</p> <p>Information on other Supplier input that may be required</p> <p>Identification of other information that may be required</p> <p>Where relevant identification of areas of innovation</p> <p>Where appropriate identify the potential impact of external influences and stakeholders</p> <p>Other commentary on the brief</p> <p>Supported by relevant examples, where applicable, demonstrating how they are relevant to the approach proposed</p>	7.5%
2	<p><b>Staff and other Resources</b></p> <p>Describe who will undertake this commission and the proportion of each team member's time that they will devote to it.</p> <p><b>PAGE LIMIT:</b> Maximum 1 A4 pages, 11-point Corbel font</p>	<p>Who will undertake the commission and why have they been chosen?</p> <p>How much time will they devote to it?</p> <p>Supported by resourcing information provided in Resource and Pricing Schedule</p> <p>Supported by CVs for key members of staff</p>	5%
3	<p><b>Management and Communication</b></p> <p><b>PAGE LIMIT:</b> Maximum 2 A4 pages, 11-point Corbel font</p>	<p>How will the commission be managed?</p> <p>Who will be responsible for reporting to the Client?</p> <p>Who will manage the team?</p> <p>Who will attend site visits / client meetings?</p> <p>What is the communication strategy?</p>	7.5%

		Supported by relevant examples, where applicable, demonstrating how they are relevant to the approach proposed	
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Price will account for 70% 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 Resource and Pricing Schedule	80%

## 7 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	3	7.5%	1.5	4.5	13
	2	4	5%	1	4	
	3	3	7.5%	1.5	4.5	
Supplier B	1	5	7.5%	1.5	7.5	17.5
	2	4	5%	1	4	
	3	4	7.5%	1.5	6	
Supplier C	1	2	7.5%	1.5	3	n/a (fail)*

	2	0	5%	1	n/a	
	3	2	7.5%	1.5	3	

\* in the example above Supplier C's pricing will not be scored

### Worked example of how your price will be used to calculate a score

Bidder	Form of Tender price	Lowest price/Supplier's price (as %)	Price Score (out of 80)
Supplier A	350	$350/350 = 100\%$	$100\% * 80 = 80$
Supplier B	700	$350/700 = 50\%$	$50\% * 80 = 40$
Supplier C	250	n/a	n/a

### Worked example of Overall Score and Ranking

Bidder	Total Quality Score	Price Score	Total Score	Ranked Position
Supplier A	13	80	93	1
Supplier B	17.5	40	57.5	2
Supplier C	n/a	n/a	n/a	n/a

## Part 3

### 3.1 RESPONSE FORM

<b>Framework:</b>	Development Monitoring and Management Services Framework 2021-2025
<b>Project Title:</b>	Phase 2, Residential Land, The Avenue, Derby Road, Wingerworth, Chesterfield
<b>ProContract Identification Number:</b>	DN
<b>Supplier:</b>	
<b>Date:</b>	

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.

Please refer to the evaluation section for page limits for each question. Any text beyond this will be ignored and will not be evaluated.

## **1. Technical Merit**

## **2. Staff and other Resources**

## **3. Management & Communication**

## 3.2 RESOURCE AND PRICING SCHEDULE

Please complete the excel spreadsheet available to download via precontract.

[enquiries@homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

0300 1234 500

[gov.uk/homes-england](https://www.gov.uk/homes-england)