

**EUROPEAN UNION**

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CONTRACT NOTICE**SECTION I: CONTRACTING AUTHORITY****I.1) NAME, ADDRESSES AND CONTACT POINTS**

Official Name: Kilmarnock College (or successor organisations) (here in known as 'The Authority')			
Postal Address: Kilmarnock College, Holehouse Road, Kilmarnock.			
Town: Kilmarnock		Post Code: KA3 7AT	Country: GB
Contact Point(s): Procurement Michael Breen (Project Sponsor)		Telephone 01563 495021	
Email: breenm@kilmarnock.ac.uk		Fax: 01563 495025	
Internet Address(es) (if applicable) General address of the contracting authority (URL): http://www.kilmarnock.ac.uk Address of the buyer profile (URL): http://www.publiccontractsscotland.gov.uk			
Further information can be obtained at:		<input checked="" type="checkbox"/> As in abovementioned contact point(s) <input type="checkbox"/> Other: <i>please complete Annex A.I</i>	
Specifications and additional documents can be obtained at:		<input checked="" type="checkbox"/> As in abovementioned contact point(s) <input type="checkbox"/> Other: <i>please complete Annex A.II</i>	
Tenders or requests to participate must be sent to:		<input checked="" type="checkbox"/> As in abovementioned contact point(s) <input type="checkbox"/> Other: <i>please complete Annex A.II</i>	

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

<input type="checkbox"/> Ministry or any other national or federal authority, including their regional or local level <input type="checkbox"/> National or federal agency/office <input type="checkbox"/> Regional or local authority <input type="checkbox"/> Regional or local agency/office <input checked="" type="checkbox"/> Body governed by public law <input type="checkbox"/> European institution/agency or international organisation <input type="checkbox"/> Other (<i>please specify</i>)	<input type="checkbox"/> General public services <input type="checkbox"/> Defence <input type="checkbox"/> Public order and safety <input type="checkbox"/> Environment <input type="checkbox"/> Economic and financial affairs <input type="checkbox"/> Health <input type="checkbox"/> Housing and community amenities <input type="checkbox"/> Social Protection <input type="checkbox"/> Recreation, culture and religion <input checked="" type="checkbox"/> Education <input type="checkbox"/> Other (<i>please specify</i>)
The contracting authority is purchasing on behalf of other contracting authorities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting authority		Kilmarnock College: New Campus Development	
II.1.2) Type of contract and location of works, place of performance			
Design, Build, Finance and Maintain at a Site in Hill Street, Kilmarnock.			
(a) Works	<input checked="" type="checkbox"/>	(b) Supplies	<input type="checkbox"/>
(c) Services	<input type="checkbox"/>		
Execution	<input checked="" type="checkbox"/>	Purchase	<input type="checkbox"/>
Design and execution	<input checked="" type="checkbox"/>	Lease	<input type="checkbox"/>
Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities	<input checked="" type="checkbox"/>	Rental	<input type="checkbox"/>
		Hire Purchase	<input type="checkbox"/>
		A combination of these	<input type="checkbox"/>
Main site or location of works		Main place of delivery	
NUTS code UK		NUTS code	
Main place of performance		NUTS code	
II.1.3) The notice involves			
A public contract		<input checked="" type="checkbox"/> The setting up of a dynamic purchasing system (DPS)	
II.1.4) Information on framework agreement (if applicable)			
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
<input type="checkbox"/> Framework agreement with several operators		<input type="checkbox"/> Framework agreement with a single operators	
Number or, if applicable, maximum number of participants to the framework agreement envisaged			
Duration of the framework agreement: Duration in year(s) in month(s)			
Justification for a framework agreement the duration of which exceeds four years:			
Estimated total value of purchases for the entire duration of the framework agreement (If applicable, give figures only)			
Estimated cost excluding VAT:		Currency:	
or range: between and		Currency:	
Frequency and value of the contracts to be awarded (if known):			
II.1.5) Short description of the contract or purchase(s)			
<ol style="list-style-type: none"> 1. In November 2010, the Scottish Government Draft Budget set out proposals to take forward a number of capital infrastructure developments across Scotland using a revenue funded model. Kilmarnock College was highlighted for procurement under the revised funding model; the Non-Profit Distributing (NPD) model (the form of public-private partnership preferred by the Scottish Government). The Authority is seeking a Private Sector Partner to participate and invest in the Kilmarnock College: New campus Development NPD Project (The Project) for which an Outline Business Case has been approved by the Scottish Government. 2. The Project will involve the design, build, finance and maintenance of a facility with an estimated capital 			

value of c. £50 million (including VAT) under the NPD model. The facility is to be delivered at the site of the old Johnny Walker Factory operated by Diageo in Hill Street, Kilmarnock. Planning Permission in Principle has been received.

3. The project will include the provision of hard facilities management for a period of 25 years. The Project will also include: the installation and commissioning of Furniture, Fittings and Equipment (FF&E) and certain items of Information and Communications Technology (ICT). Further information will be provided in the ITPD and contract documents.
4. The Scottish Government, through the Scottish Funding Council, has confirmed the terms under which it is prepared to provide financial support to the Authority in relation to the Project and the Authority is confident and content that these terms can be satisfied. The Authority reserves the right to consider alternative financing, funding and/or contractual arrangements to support the delivery of this Project.

II.1.6) Common procurement vocabulary (CPV)		
	Main Vocabulary	Supplementary vocabulary (if applicable)
Main object	45000000-Construction Work	
Additional objects	45100000-Site Preparation 45300000-Building Installation 45400000-Building Completion 45214500-Construction work for buildings of further education 71300000-Engineering Works 71200000-Architectural and related services 75200000 – Provision of services to the community 80531000 – Industrial and technical training services	
II.1.7) Contract covered by the Government Procurement Agreement (GPA)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
II.1.8) Division into lots (for information about lots, use Annex B as many times as there are lots)		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, tenders should be submitted for (tick one box only)		
One lot only <input type="checkbox"/>	One or more lots <input type="checkbox"/>	All lots <input type="checkbox"/>
II.1.9) Variants will be accepted		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

II.2) QUANTITY OR SCOPE OF THE CONTRACT

II.2.1) Total quantity or scope (including all lots and options, if applicable)	
Estimated cost or	Currency:
Range: £40m to £60 m (including VAT)	Currency: Sterling (GBP)
Estimated capital value of c. £50 million (including VAT – Currency: Sterling (GBP))	
II.2.2) Options (if applicable) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, description of these options:	
If known, provisional timetable for recourse to these options	
In months: or days	(from the award of contract)
Number of possible renewals (if any): and	
If known, in the case of renewable supplies or service contracts, estimated time-frame for subsequent contracts:	
In months: or days	(from the award of contract)

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

Duration in months: c. 324 or n/a days	(from the award of contract)
Or starting	Completion

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS RELATING TO CONTRACT

III.1.1) Deposits and guarantees required <i>(if applicable)</i>	
Parent company or other guarantees may be required in certain circumstances. Full details to be set out in the Information Memorandum/Pre-Qualification Questionnaire and contract documents	
III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them	
Finance to be provided by the Private Sector Partner in accordance with the Scottish Government's NPD Initiative. Full details to be set out in the ITPD and contract documents	
III.1.3) Legal form to be taken by the grouping of economic operators to whom the contract is to be awarded <i>(if applicable)</i>	
An NPD company as per the Scottish Government's NPD Initiative. Full details to be set out in the ITPD and contract documents	
III.1.4) Other particular conditions to which the performance of the contract is subject <i>(if applicable)</i>	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes , description of particular conditions	
The successful Private Sector Partner may be required to actively participate in the achievement of social and/or environmental objectives in the delivery of the Project. Accordingly, contract performance conditions may relate in particular to social, environmental or other corporate social responsibility considerations. Further details of any conditions or specific requirements will be set out in the ITPD and contract documents.	

III.2) CONDITIONS FOR PARTICIPATION

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers	
Information and formalities necessary for evaluating if requirements are met:	
III.2.2) Economic and financial capacity	
Parties expressing an interest in the Project will be required to complete a Pre-Qualification Questionnaire to evaluate and verify financial standing and professional and technical capacity in accordance with Regulations 23 to 26 of the Public Contracts (Scotland) Regulations 2006. Full details to be set out in the Information Memorandum /Pre-Qualification Questionnaire.	Minimum level(s) of standards possibly required <i>(if applicable)</i> Certain minimum standards will apply. Full details set out in the Information Memorandum/Pre-Qualification Questionnaire.
III.2.3) Technical capacity	
Parties expressing an interest in the Project will be required to complete a Pre-Qualification Questionnaire to evaluate and verify financial standing and professional and technical capacity in accordance with Regulations 23 to 26 of the Public Contracts (Scotland) Regulations 2006. Full details to be set out in the Information Memorandum/ Pre-Qualification Questionnaire	Minimum level(s) of standards possibly required <i>(if applicable)</i> Certain minimum standards will apply. Full details set out in the Information Memorandum/ Pre-Qualification Questionnaire.
III.2.4) Reserved contracts <i>(if applicable)</i>	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
The contract is restricted to sheltered workshops <input type="checkbox"/>	

The execution of the contract is restricted to the framework of sheltered employment programmes

☐

III.3) CONDITIONS SPECIFIC TO SERVICE CONTRACTS

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

Yes ☐ No ☒

If **yes**, reference to the relevant law, regulation or administrative provisions

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

Yes ☐ No ☐

SECTION IV: PROCEDURE

IV.1) TYPE OF PROCEDURE

IV.1.1) Type of Procedure

Open ☐

Restricted ☐

Accelerated Restricted ☐ Justification for the choice of accelerated procedure:

Negotiated ☐ Candidates have already been selected Yes ☐ No ☐

If **yes**, provide names and addresses of economic operators already selected under Section VI.3 Additional Information

Accelerated Negotiated ☐ Justification for the choice of accelerated procedure:

Competitive Dialogue ☒

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate (*restricted and negotiated procedures, competitive dialogue*)

Envisaged number of operators

Or envisaged minimum number 3 and, if applicable, maximum number

Objective criteria for choosing the limited number of candidates: Full details to be set out in the Information Memorandum/Pre-qualification Questionnaire

IV.1.3) Reduction of the number of operators during the negotiation or dialogue (*negotiated procedure, competitive dialogue*)

Recourse to stated procedure to gradually reduce the number of solutions Yes ☒ No ☐

To be discussed or tenders to be negotiated

The process is detailed in the Information Memorandum /Pre-Qualification Questionnaire. This will be updated in the ITPD and contract documents.

IV.2) TYPE OF PROCEDURE**IV.2.1) Award Criteria** *(please tick the relevant boxes)*☐**Lowest Price***Or****The most economically advantageous in terms of***☐the criteria stated below *(the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)*☒

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		1.	
2.		2.	
3.		3.	
4.		4.	
5.		5.	

IV.2.2) An electronic auction will be usedYes ☐ No ☒**If yes**, additional information about electronic auction *(if appropriate)***IV.3) ADMINISTRATIVE INFORMATION****IV.3.1) File reference number attributed to the contracting authority** *(if applicable)***IV.3.2) Previous publication(s) concerning the same contract**Yes ☐ No ☒**If yes**,

Prior information notice

☐

Notice on buyer profile

☐

Notice number in OJ:

/S

-

of

/

/

*(dd/mm/yyyy)*Other previous publications *(if applicable)*

Notice number in OJ:

/S

-

of

/

/

(dd/mm/yyyy)

Notice number in OJ:

/S

-

of

/

/

*(dd/mm/yyyy)***IV.3.3) Conditions for obtaining specifications and additional documents** *(except for a DPS) or descriptive document* *(in the case of a competitive dialogue)***NOTE:** The Information Memorandum / Pre Qualification Qualification available from the Authority describes the processes for obtaining specifications and additional documents.

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Time limit for receipt of requests for documents or for accessing documents

Date: 14th May 2012 Time: 12 pm																					
Payable documents. If yes, price (give figures only):	Yes <input type="checkbox"/> No <input type="checkbox"/>																				
Currency:																					
IV.3.4 Time limit for receipt of tenders or requests to participate																					
Date: 14th May 2012 Time: 1pm																					
IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates <i>(if known)</i> <i>(in the case of restricted and negotiated procedures, and competitive dialogue)</i> Date:																					
IV.3.6) Languages in which tenders or requests to participate may be drawn up																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-right: 1px solid black; padding: 2px;">ES <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">CS <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">DA <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">DE <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">ET <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">EL <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">EN <input checked="" type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">FR <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">IT <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">LV <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">LT <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">HU <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">MT <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">NL <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">PL <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">PT <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">SK <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">SL <input type="checkbox"/></td> <td style="border-right: 1px solid black; padding: 2px;">FI <input type="checkbox"/></td> <td style="padding: 2px;">SV <input type="checkbox"/></td> </tr> </table>	ES <input type="checkbox"/>	CS <input type="checkbox"/>	DA <input type="checkbox"/>	DE <input type="checkbox"/>	ET <input type="checkbox"/>	EL <input type="checkbox"/>	EN <input checked="" type="checkbox"/>	FR <input type="checkbox"/>	IT <input type="checkbox"/>	LV <input type="checkbox"/>	LT <input type="checkbox"/>	HU <input type="checkbox"/>	MT <input type="checkbox"/>	NL <input type="checkbox"/>	PL <input type="checkbox"/>	PT <input type="checkbox"/>	SK <input type="checkbox"/>	SL <input type="checkbox"/>	FI <input type="checkbox"/>	SV <input type="checkbox"/>	Other:
ES <input type="checkbox"/>	CS <input type="checkbox"/>	DA <input type="checkbox"/>	DE <input type="checkbox"/>	ET <input type="checkbox"/>	EL <input type="checkbox"/>	EN <input checked="" type="checkbox"/>	FR <input type="checkbox"/>	IT <input type="checkbox"/>	LV <input type="checkbox"/>	LT <input type="checkbox"/>	HU <input type="checkbox"/>	MT <input type="checkbox"/>	NL <input type="checkbox"/>	PL <input type="checkbox"/>	PT <input type="checkbox"/>	SK <input type="checkbox"/>	SL <input type="checkbox"/>	FI <input type="checkbox"/>	SV <input type="checkbox"/>		
IV.3.7) Minimum time frame during which the tender must maintain the tender <i>(open procedure)</i>																					
Until / / (dd/mm/yyyy)																					
Or duration in months: or days (from the date stated for receipt of tender)																					
IV.3.8) Conditions of opening tenders																					
Date: / / (dd/mm/yyyy) Time:																					
Persons authorised to be present at the opening of tenders <i>(if applicable)</i> Yes <input type="checkbox"/> No <input type="checkbox"/>																					

SECTION VI: COMPLEMENTARY INFORMATION**VI.1) THIS IS A RECURRENT PROCUREMENT** *(if applicable)*Yes ☐ No ☒If **yes**, estimated timing for further notices to be published**V1.2) CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY COMMUNITY FUNDS**Yes ☐ No ☒If **yes**, reference to project(s) and/or programme(s):**V1.3) ADDITIONAL INFORMATION** *(if applicable)*

1. Interested parties should express interest, receive and submit its Pre-Qualification Questionnaire submissions via the Authority in line with the details contained in the Information Memorandum/ Pre-Qualification Questionnaire documentation.
2. A bidder's day will be held on 24th April 2012 for those parties interested in the Project. Interested parties can register for this event via the Authority. Further details are provided in the Information Memorandum/Pre-Qualification Questionnaire.
3. Further to Section II.3 the anticipated duration shall be 300 months (or 25 years) operational plus the period of construction. The total anticipated duration is therefore 324 months (or circa 27 years) from the award of the contract.
4. Further to Section II.1.9 variants may accepted by the Authority. However, interested parties should note the Authority will seek to limit or restrict the requirements on which variants will be accepted and evaluated. Full details will be set out in the ITPD and contract documents.

V1.4) PROCEDURES FOR APPEALS**V1.4.1) Body responsible for appeal procedures**

Official Name:

Address:

Town:

Post Code:

Country:

Contact Point(s):

Telephone:

Email:

Fax:

Internet Address (URL):

Body responsible for mediation procedures *(if applicable)*

Official Name:

Address:

Town:

Post Code:

Country:

Contact Point(s):

Telephone:

Email:

Fax:

Internet Address (URL):		
V1.4.2) (Lodging of appeals <i>(please fill heading V1.4.2 or, if need be, heading V1.4.3)</i> <i>Precise information on deadline(s) for lodging appeals:</i> Kilmarnock College will incorporate a minimum of a 10 calendar day standstill period at the point of information once the award of the contract is communicated to tenderers. This period allows unsuccessful tenderers to seek further debriefing from the contracting authority before the contract is entered into. Applicants have 2 working days from the notification of the award decision to request additional debriefing and that information has to be provided a minimum of 3 working days before the expiry of the standstill period. Such additional information should be requested from the address in I.1. If an appeal regarding the award of contract has not been successfully resolved, The Public Contracts (Scotland) Regulations 2006 (SSI 2006 No.1) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rule to take action in the Sheriff Court or Court of Session. Any such action must be brought promptly (generally within 3 months).		
V1.4.3) Service from which information about the lodging of appeals may be obtained		
Official Name:		
Address:		
Town:	Post Code:	Country:
Email:	Telephone:	
Internet Address (URL):	Fax:	
V1.5) DATE OF DISPATCH OF THIS NOTICE / / (dd/mm/yyyy)		

ANNEX A

ADDITIONAL ADDRESSES AND CONTACT POINTS

I) ADDRESSES AND CONTACT POINTS FROM WHICH FURTHER INFORMATION CAN BE OBTAINED

Official Name:		
Address:		
Town:	Post Code:	Country:
Contact Point(s) For the attention of		Telephone:
Email:	Telephone:	
Internet Address (URL):	Fax:	

II) ADDRESSES AND CONTACT POINTS FROM WHICH SPECIFICATIONS AND ADDITIONAL DOCUMENTS (INCLUDING DOCUMENTS FOR COMPETITIVE DIALOGUE AS WELL AS DYNAMIC PURCHASING SYSTEM) CAN BE OBTAINED

Official Name:		
Address:		
Town:	Post Code:	Country:
Contact Point(s) For the attention of		Telephone:
Email:	Telephone:	
Internet Address (URL):	Fax:	

III) ADDRESSES AND CONTACT POINTS TO WHICH TENDERS / REQUESTS TO PARTICIPATE MUST BE SENT

Official Name:		
Address:		
Town:	Post Code:	Country:
Contact Point(s) For the attention of		Telephone:
Email:	Telephone:	
Internet Address (URL):	Fax:	

ANNEX B
INFORMATION ABOUT LOTS

Lot No

Title: _____

1) SHORT DESCRIPTION		
2) COMMON PROCUREMENT VOCABULARY (CPV)		
	Main Vocabulary	Supplementary vocabulary <i>(if applicable)</i>
Main object		
Additional objects		
3) QUANTITY OR SCOPE <div style="display: flex; justify-content: space-between;"> <i>If known, estimated cost excluding VAT:</i> Currency: </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <i>or range:</i> between and Currency: </div>		
4) INDICATION ABOUT DIFFERENT DATE FOR DURATION OF CONTRACT OR STARTING/COMPLETION <i>(if applicable)</i> Duration in months: or days (from the award of contract) <i>or schedule date (if known)</i> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <i>or starting</i> / / <i>(dd/mm/yyyy)</i> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> completion / / <i>(dd/mm/yyyy)</i> </div>		
5) ADDITIONAL INFORMATION ABOUT LOTS		

(Use this Annex as many times as there are lots)