



Department for Levelling Up,
Housing & Communities

Pre-Tender Market Engagement

Planning Decisions Technical Advice CPD 004 122 142

Authority: Department for Levelling Up, Housing and Communities (“the Authority”).

Date Response required: [10:00 am] (GMT) 7th October 2021

1 PURPOSE

- 1.1 This Pre-Tender Market Engagement (PTME) seeks information in preparing a potential procurement of a Supplier (herein referred to as a “**Potential Supplier**”) to provide expert specialist technical advice on planning, environmental, and habitats matters related to planning proposals (and potential proposals) that advance the government’s priorities that will support the economic growth of the country. The purpose of this PTME is to:
 - 1.1.1 help define the requirement.
 - 1.1.2 help provide a better understanding of the feasibility of the requirement.
 - 1.1.3 understand the best approach.
 - 1.1.4 understand the capacity of the market to deliver, within very challenging timescales, and possible risks involved; and
 - 1.1.5 provide the market with an opportunity to ask questions, raise queries and any issues to be addressed at an early stage.
 - 1.1.6 help provide a better understanding of the potential costs for these services
- 1.2 The Authority shall maintain commercial confidentiality of information received during the PTME.

2 INTRODUCTION

- 2.1 The Authority has made a Special Development Order (SDO) under Sections 59 and 60 of the Town and Country Planning Act 1990. This grants temporary planning permission on proposals for the use and development of land for Inland Border Facilities (IBFs). These facilities support the phased introduction of border controls necessary to ensure the smooth flow of trade across the British borders, maintenance of revenue collection, and the security of the country. The facilities are operated by Department for the Environment, Food and Rural Affairs, Her Majesty’s Revenue and Customs, Department for Transport and the Department for Business, Energy, and Industrial Strategy (the Border Departments).
- 2.2 The relevant legislation can be found here; <https://www.legislation.gov.uk/ukxi/2020/928/contents/made>.
More information on IBFs can be found here; <https://inlandborderfacilities.uk/>.
- 2.3 In addition, The Authority may be giving advice on planning, environmental and habitats issues to support the government in the consideration of other large-scale projects (of regional and national significance). There may be some advice needed to support formal decision making in this area, but this is dependent on circumstances.

2.4 To ensure that robust decisions are made by ministers and officials, specialist technical advice is likely to be needed regarding the provisions of the Town and Country Planning Act 1990, the Planning Act 2008, and the Environmental, Habitats and Hazardous Substances regulatory regimes, in one or more of the following areas (and potentially other areas as well - details will be dependent on the nature of specific development and the nature of the specific sites).

- 2.4.1 Noise.
- 2.4.2 Lighting.
- 2.4.3 Air quality.
- 2.4.4 Waste and materials management.
- 2.4.5 Flood risk and surface water management
- 2.4.6 [ground water and its management]
- 2.4.7 Protected species-specific matters.
- 2.4.8 Civil engineering.
- 2.4.9 Transportation / service access.
- 2.4.10 Heritage.
- 2.4.11 Archaeology.
- 2.4.12 Biodiversity.
- 2.4.13 Design.
- 2.4.14 Hazardous substances.
- 2.4.15 Safety.

2.5 The Authority does not have the in-house capacity to provide this advice and other government organisation are not able to provide secondees, therefore procurement is being explored in order to contract for this expertise. The contract will be in the form of a call off arrangement. The successful bidder will be expected to be able to provide the above services, sometimes at short notice, to support planning decisions. A budget is estimated at £500k until 31 December 2026. However actual spend will be dependent on the how many proposals need to be considered. In addition, other teams within the Planning Directorate may use this this contract should they require technical advice in line with the above listed specialisms to support their own work streams (although to date they have not needed these services). The contract will therefore be demand lead with specific requirements and commissions being identified as and when needed in relation to specific projects.

2.6 Potential suppliers will have to deliver quality products to hard deadlines, within tight time frames.

3 HIGH LEVEL OUTLINE PROJECT OUTCOMES REQUIRED

3.1 Advice, on some or all of the areas detailed at paragraph 2.4 above, supporting robust planning decisions are required on approximately five sites to support the new border control infrastructures. In addition, advice on some or all of the areas detailed at paragraph 2.4 above, will be needed to inform support for a major investment project, and should that project go ahead advice is likely to be needed on the planning decisions and consequential matters as the site is built and becomes operational.

3.2 It is possible that further large-scale investment projects will need advice on some or all of the areas detailed at paragraph 2.4 above, and support at the early stages and then through to completion. These projects will be dealt with in discrete packages under the contract.

4 OUTPUTS/DELIVERABLES

- 4.1 Provide advice in line with the technical specialisms as listed in clause 2.4 above; and background information on the regimes covering the areas listed at paragraph 2.4 above, to take a “promoter” or a responsible government department of the proposed development through relevant stages of inception; informal proactive pre-proposal advice; and making recommendations to the decision maker; discharge of conditions monitoring; and where necessary, ensuring compliance with any relevant consents.
- 4.2 Leading and contributing to pre-proposal advice both on the environmental and habitats protection regimes. This advice will cover general issues and site-specific development.
- 4.3 Support formal decision making by preparing screening opinions, preparing, and reviewing Environmental Statements and A HRA reports and preparing appropriate assessments, and other assessments required by the planning Acts and Regulations such as the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and that will support decisions on specific proposals.
- 4.4 Provide advice and support on (but not limited to) the environmental and habitats aspects of consequential decisions concerning (but not limited to)
 - 4.4.1 Assessment of representations
 - 4.4.2 Construction and Environmental Management Plans (CEMP) relating to planning proposals.
 - 4.4.3 Operational matters relating to planning proposals.
 - 4.4.4 Reinstatement matters relating to planning proposals.
 - 4.4.5 Compliance with planning approvals
 - 4.4.6 Other relevant consents
- 4.5 Provide advice on (but not limited to) the environment and habitats aspects of and service relating to (but not limited to)
 - 4.5.1 Stakeholder correspondence, (including public engagement)
 - 4.5.2 Parliamentary business
- 4.6 Methods by which deliverables are shared:
 - 4.6.1 attending meetings (virtual and in person, subject to current Covid guidance),
 - 4.6.2 written advice and reports,
 - 4.6.3 engagement with regulatory bodies on behalf of the wider team.
 - 4.6.4 Telephone discussions to be available on the same day. Written advice to be given within 24 hours, with more substantive documents produced in 10 working days. This is to support delivery of a The Authority consideration and decision within a 10-working day period. Weekend and bank holiday working may be required on some occasions plus late night senior availability to answer urgent questions.

5 KEY DATES & TENDERING PROCESS

- 5.1 If it is decided this service is required, it is anticipated that a procurement may start in November with the contract to commence late 2021/ early 2022 these indicative dates are for information purposes only. The Authority reserve the right to amend these dates at any time, and Potential Suppliers rely on them entirely at their own risk.
- 5.2 It is envisaged that this requirement will be tendered via Homes England Multi-Disciplinary Framework. This means that only suppliers registered on this framework will be eligible to tender once the Invitation to Tender (ITT) is released, however the Authority reserves the

right to alter its route to market and may not proceed to tender under this framework or under this Lot for the procurement.

5.3 This Pre-Tender Market Engagement is being conducted via the Authorities e-tendering portal Bravo <https://dclg.bravosolution.co.uk>.

5.4 You must register for a Bravo account to be able to respond to this Pre-Tender Market Engagement and in order to obtain up to date information on this market engagement. Registration is free. Full details can be found in section 8 of this document Bravo E-Tendering Registration below.

5.5 It is intended that the Inland Border Facilities (IBF) will be operational in phases in line with the Government's phased introduction of border controls. The principal planning decisions should have been taken by end of March 2022 (decisions regarding planning, construction and operation should have been taken by that point). It is possible that there will be some advice needed on compliance issues.

5.6 The Inland Border Facilities are temporary facilities that will cease operation by 31 December 2025, with reinstatement complete by 31 December 2026. There is the potential for advice to be needed during this phase of sites' lifetime.

5.7 We anticipate specific periods of intense activity across several workstreams followed by a slower pace.

5.8 Detailed timing for future projects is unknown. It is likely that speed in mobilising expertise and delivery of products will be required.

6 RESPONSE

Please respond via the message board on BravoSolution, with the following by 12.noon (GMT), 7th October 2020 (the "Response Deadline").

Q1 Would you be interested in tendering for this project?

Q2 For each of the example scenarios listed below; please can you provide the following information:

- How long would it take you to mobilise resource?
- How long to will it take to deliver technical advice on the areas listed at 2.4 (above) based on the scenarios below? (Including oral and written advice)
- What is the estimated cost on delivering each of the below scenarios and key factors influencing cost?
- Please highlight any possible risks that could be identified based on the scenarios including key delivery risks.

a) Example Scenario 1: (Small scale – border facility)

Proposal for the change of use of an established site (such as a Distribution Warehouse) for uses such as an Inland Border Facility for a temporary period. Likely to be a site under 5 hectares, with limited development required onsite to meet border department requirements including, but not limited to, additional lighting and security measures. Specialist advice

required could include providing pre-proposal advice, reviewing Environmental Statements, preparing screening opinions and providing advice to the decision maker.

b) Example Scenario 2: (Medium scale – border facility)

Proposal for the development of a previously developed or greenfield site for uses such as an Inland Border Facility for a temporary period. Likely to be a site of 50+ hectares, with a range of development required onsite to meet border department requirements including, but not limited to, extensive areas of hard standing for HGV and staff parking, vehicle inspection facilities, office and welfare facilities, sustainable drainage systems, landscaping and other mitigation, lighting, perimeter security measures and access. Specialist advice required could include providing pre-proposal advice, reviewing Environmental Statements, preparing screening opinions and providing advice to the decision maker.

c) Example Scenario 3: (Large scale - major investment project)

Proposal for the development of a previously developed or greenfield site for general industrial / storage or distribution uses on a permanent basis. Likely to be a site of 100+ hectares, with a range of development required onsite to meet investor requirements including, but not limited to, warehouse/industrial units, parking, sustainable drainage systems, landscaping and other mitigation, lighting, and access. Specialist advice required could include providing pre-proposal advice, reviewing Environmental Statements, preparing screening opinions and providing advice to the decision maker.

Q4 Is what the Authority asking for clear?

Q5 What, if anything, has the Authority missed or overlooked in setting out their requirement? What additional information, parameters or steers could the Authority provide to enable bidders to develop well-targeted proposals,

Q6 Is there anything here which is irrelevant, outdated, or unnecessary?

Q7 Please advise if you would likely be facilitating this requirement independently or as part of a consortium?

Q8 Based on the governments Social Value Model; which of the government's 5 Social Value themes do you think would be most suited to this requirement? (Theme 1: COVID-19 Recovery, Theme 2: Tackling economic inequality, Theme 3: Fighting Climate Change, Theme 4: Equal opportunity, Theme 5: Wellbeing)

Further details on social value can be found in the link provided

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940826/Social-Value-Model-Edn-1.1-3-Dec-20.pdf

7 QUESTIONS AND CLARIFICATIONS

- 7.1 Potential Suppliers may raise questions or seek clarification regarding any aspect of this PTME document at any time prior to the Response Deadline. Questions must be submitted via the message board on BravoSolution only.
- 7.2 To ensure that all Potential Suppliers have equal access to information regarding this PTME exercise, responses to questions raised by Potential Suppliers will be published in a "Questions and Answers" document, which will also be circulated by email, with updates appearing at regular intervals (approximately two to three working days).
- 7.3 Responses to questions will not identify the originator of the question.

7.4 If a Potential Supplier wishes to ask a question or seek clarification without the question and answer being revealed, then the Potential Supplier must state this in their email and provide its justification for withholding the question and any response. If the Authority does not consider that there is sufficient justification for withholding the question and the corresponding response, the Potential Supplier will be invited to decide whether:

7.4.1 the question/clarification and the response should in fact be published; or

7.4.2 it wishes to withdraw the question/clarification.

8 Bravo E- Tendering Portal Registration

8.1 Further information can be found at <https://dclg.bravosolution.co.uk> under the project title- ITT: itt_113 - Planning Decisions Technical Advice- Pre Tender Market Engagement (PTME)

8.2 Register for a free account at <https://dclg.bravosolution.co.uk>

8.3 Click the 'ITTs Open To All Suppliers' link. (These are procurement processes open to any registered supplier).

- Click on the relevant ITT to access the content.
- Click the 'Express Interest' button at the top of the page.
- This will move the ITT into your 'My ITTs' page. (This is a secure area reserved for your projects only) You can now access any attachments by clicking 'Buyer Attachments' in the 'ITT Details' box

Click 'My Response' under 'ITT Details', you can choose to:

- 'Create Response', or,
- 'Decline to Respond' (please give a reason if declining).
- You can now use the 'Messages' function to communicate with the Authority and seek any clarification.
- Follow the onscreen instructions to complete the ITT. There may be a mixture of online & offline actions for you to perform. You must then submit your reply using the 'Submit Response' button at the top of the page. If you require any further assistance please consult the online help, or contact the eTendering help desk.

9 GENERAL CONDITIONS

9.1 This PTME will help the Authority to refine the requirements and to understand the potential level of interest in the delivering requirements. It will also aid Potential Supplier's understanding of the requirements in advance of any formal competitive tender exercise.

9.2 The Authority reserves the right to change any information contained within this PTME at any time, and Potential Suppliers rely upon it entirely at their own risk.

9.3 The Authority reserves the right not to proceed with a competitive tender exercise after this PTME or to award any contract.

9.4 Any and all costs associated with the production of such a response to this PTME must be borne by the Potential Supplier.

9.5 No down-selection of Potential Suppliers will take place as a consequence of any responses or interactions relating to this PTME.

- 9.6 The Authority expects that all responses to this PTME will be provided by Potential Suppliers in good faith to the best of their ability in the light of information available at the time of their response.
- 9.7 No information provided by a Potential Supplier in response to this PTME will be carried forward, used or acknowledged in any way for the purpose of evaluating the Potential Supplier, in any subsequent formal procurement process.