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Tender

901_21 Supply of Binder, Storage Tanks and Spray Tankers

ESPO on behalf of Leicestershire County Council

F02: Contract notice

Notice identifier: 2021/S 000-000022

Procurement identifier (OCID): ocds-h6vhtk-02875d

Published 4 January 2021, 10:56am

Section I: Contracting authority

I.1) Name and addresses

ESPO on behalf of Leicestershire County Council

Barnsdale Way

LEICESTER

LE191ES

Contact

Place and Environment Procurement Team

Email

tenders@espo.org

Telephone

+44 1162657934

Country

United Kingdom

NUTS code

UKF22 - Leicestershire CC and Rutland

Internet address(es)

Main address

<http://www.espo.org/>

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://procontract.due-north.com/Advert/Index?advertId=c04fd187-71f6-ea11-8105-005056b64545>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://procontract.due-north.com/Advert/Index?advertId=c04fd187-71f6-ea11-8105-005056b64545>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

901_21 Supply of Binder, Storage Tanks and Spray Tankers

Reference number

901_21

II.1.2) Main CPV code

- 44113810 - Surface dressing

II.1.3) Type of contract

Supplies

II.1.4) Short description

ESPO is working on behalf of Leicestershire County Council to undertake a procurement process to appoint up to a maximum of four suppliers, one of which will be awarded the contract to assist with the undertaking of surface dressing works to be carried out on Leicestershire County Council highways during the spring/summer season of 2021 (and by mutual agreement and extension of the contract in seasons 2022, 2023 and 2024).

The suppliers must offer the following:

- 1) A reliable source of intermediate and premium grade binder;
- 2) The hire of two storage tanks, each with a minimum capacity of 45 000 litres;
- 3) The hire of two spray tankers, each with a carrying capacity of 16 000 litres;
- 4) The provision of limited technical expertise as and when required.

The framework will run for an initial period of 1 year with an option to extend for a further period or periods up to a total of 3 years, in 12 monthly increments, taking the contract term to a maximum of 4 years.

To tender:

- (a) go to www.eastmidstenders.org

- (b) register;
- (c) search for tender opportunity 901_21';
- (d) express an interest;
- (e) download the tender from the website.

This is a supplement contract notice in accordance with Procurement Policy Note 08/20 - Introduction of Find a Tender. The original contract notices published in OJEU on 17/12/2020 and Contracts Finder on 19/12/2020.

II.1.5) Estimated total value

Value excluding VAT: £10,000,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

Supply of Binder, Storage Tanks and Spray Tankers to LCC

Lot No

1

II.2.2) Additional CPV code(s)

- 34133100 - Tankers
- 44113700 - Road-repair materials
- 44113800 - Road-surfacing materials
- 44113810 - Surface dressing
- 44113900 - Road-maintenance materials

II.2.3) Place of performance

NUTS codes

- UKF2 - Leicestershire, Rutland and Northamptonshire

II.2.4) Description of the procurement

Leicestershire County Council (LCC) effectively seeks a multi supplier framework (up to a maximum of four) to award a single supplier to assist with the undertaking of surface dressing works during the spring/summer season (mid-April -mid-October), by offering a reliable source of binder (supply and delivery), the hire of tanks in which to store it, the hire of tankers (vehicles) with which to lay it and the provision of advice and expertise as required.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £3,052,000

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start date

4 March 2021

End date

3 March 2022

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 36 months. The total estimated value stated in Section II.1.5 includes the option period.

II.2) Description

II.2.1) Title

Supply of Binder, Storage Tanks and/or Spray Tankers to Eligible Public Bodies throughout the UK

Lot No

2

II.2.2) Additional CPV code(s)

- 34133100 - Tankers
- 44113700 - Road-repair materials
- 44113800 - Road-surfacing materials
- 44113810 - Surface dressing
- 44113900 - Road-maintenance materials
- 44611400 - Storage tanks

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement

Tenderers bidding for lot 1 will have the option to 'opt' in or 'out' of lot 2. The suppliers not awarded to LCC's surface dressing season will act as contingency suppliers to LCC and by opting 'in', will be able to supply goods and or/services within the scope of lot 1, to eligible public bodies throughout the UK via a further competition only.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £6,948,000

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start date

4 March 2021

End date

3 March 2022

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

The framework agreement has the option to extend for up to a further 36 months. The total estimated value stated in Section II.1.5 includes the option period.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

Requirement to be an accredited member of The Road Emulsion Association and an accredited member of The Road Surface Treatments Association.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

The minimum financial requirement for the purposes of the current tender exercise is stated in the procurement documents.

This framework will operate on-going contract monitoring procedures following award, to ensure financial stability requirements are maintained. Credit rating checks will be carried out on a regular basis, using the credit rating agency, Creditsafe Business Solutions Ltd. Any changes will be assessed (compared with a baseline credit rating score obtained at contract award stage) and significant changes or sustained degradation will be investigated.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2020/S 249-622718](#)

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

28 January 2021

Local time

11:00am

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

28 January 2021

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

As a Central Purchasing Body as defined by the EU Procurement Directive 2014/24/EU, the framework agreement is open for use by Public Bodies (defined at https://www.espo.org/ESPO/media/Documents/FAQs/ESPO-s_powers_to_trade_website_-2016-12-22.pdf) that also fall into one of the following classifications of user throughout all administrative regions of the UK:

- local authorities;
- educational establishments (including Academies);
- central government departments and agencies;
- police, fire and rescue and coastguard emergency services;
- NHS and HSC bodies, including ambulance services;
- registered charities;
- registered social landlords;
- The Corporate Office of the House of Lords, The Corporate Officer of the House of Commons; or any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament. Details of the classification of end user establishments and geographical areas are available at: [http://www.espo.org/About-us-\(1\)/FAQs/Legal](http://www.espo.org/About-us-(1)/FAQs/Legal)

VI.4) Procedures for review

VI.4.1) Review body

The Royal Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

ESPO on behalf of Leicestershire County Council will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers. Applicants who are unsuccessful shall be informed by ESPO as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2015 (SI 2105 No 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order for any document to be amended and may award damages, make a declaration of ineffectiveness, order for a fine to be paid, and/or order the duration of the contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.