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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](mailto: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

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## **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](http://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.

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## **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.

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## **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

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## **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](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.