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Contract

## **Welfare Units for Newton Nursery**

Forestry and Land Scotland

F03: Contract award notice

Notice identifier: 2021/S 000-000284

Procurement identifier (OCID): ocids-h6vhtk-028862

Published 7 January 2021, 3:00pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Forestry and Land Scotland

1 Highlander Way, Inverness Retail Park

Inverness

IV2 7GB

#### **Email**

[procurement@forestryandland.gov.scot](mailto:procurement@forestryandland.gov.scot)

#### **Country**

United Kingdom

#### **NUTS code**

UKM - SCOTLAND

#### **Internet address(es)**

Main address

<https://forestryandland.gov.scot/>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA30371](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30371)

#### **I.4) Type of the contracting authority**

Body governed by public law

#### **I.5) Main activity**

Environment

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Welfare Units for Newton Nursery

Reference number

803\_0278

#### **II.1.2) Main CPV code**

- 03120000 - Horticultural and nursery products

#### **II.1.3) Type of contract**

Supplies

#### **II.1.4) Short description**

This is a voluntary ex ante transparency (VEAT) notice.

A Health & Safety support visit at Newton Nursery highlighted an urgent requirement to replace and update the current welfare provision welfare facilities for nursery staff. The current Covid-19 pandemic has escalated this requirement to a matter of absolute urgency due to the risk poor welfare provision can contribute to virus transmission. In the event a staff member presented with the virus which this could ultimately require the closure of the nursery and harm to staff. Access to adequate welfare facilities with minimal touch points will assist in mitigating against the risk of virus transmission within FLS staff and resulting interruption to site operations.

As the nursery is a key operational site for both FLS and the wider sector that relies on plant supply to sustain jobs, we require to negate this business risk via a rapid route to market with minimal staff resource required to then purchase the required welfare provision.

The welfare facility provision requires to be of a high standard, both in terms of Covid-19 related provision and overall building lifespan and structural warranty capability, as the intention will be to relocate this welfare provision down to the newly leased area once the proposed nursery upgrade and redevelopment has completed. It is not deemed best value to hire or utilise short term temporary purchases to meet the need as a longer term larger building is required and in line with recommendations from the Health and Safety report.

FLS has reviewed a number of collaborative Framework Agreements and determined that a direct award against existing collaborative Framework Agreement is not possible due to the 'catalogue' approach and core items listed on the Framework Agreements not meeting FLS requirements. FLS cannot direct award on the Framework Agreements for non-catalogue items therefore a mini competition would be required. The urgency of this requirement means it is not possible run a mini-competition.

FLS therefore intends to award this contract without competition to the supplier that investigation has found is capable of meeting the requirements including the additional extras to ensure the welfare provision is "covid secure".

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £200,000

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 03120000 - Horticultural and nursery products

#### **II.2.3) Place of performance**

NUTS codes

- UKM - SCOTLAND

Main site or place of performance

Newton Nursery

#### **II.2.4) Description of the procurement**

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#### **II.2.5) Award criteria**

Price

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

A Health & Safety support visit at Newton Nursery highlighted an urgent requirement to replace and update the current welfare provision welfare facilities for nursery staff. The current Covid-19 pandemic has escalated this requirement to a matter of absolute urgency due to the risk poor welfare provision can contribute to virus transmission. In the event a staff member presented with the virus which this could ultimately require the closure of the nursery and harm to staff. Access to adequate welfare facilities with minimal touch points will assist in mitigating against the risk of virus transmission within FLS staff and resulting interruption to site operations.

#### 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 249-622737](#)

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## Section V. Award of contract

### Contract No

803\_0278

A contract/lot is awarded: Yes

### V.2) Award of contract

#### V.2.1) Date of conclusion of the contract

7 January 2021

**V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 0

The contract has been awarded to a group of economic operators: No

**V.2.3) Name and address of the contractor**

Portakabin (Scotland) Ltd

Whistleberry Road

Hamilton

ML3 0EJ

Country

United Kingdom

NUTS code

- UKM - SCOTLAND

The contractor is an SME

No

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £200,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

This contract is due to be completed by 31st May 2021.

(SC Ref:640557)

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The Inverness Justice Centre

Longman Road

Inverness

IV1 1AH

Email

[inverness@scotcourts.gov.uk](mailto:inverness@scotcourts.gov.uk)

Telephone

+44 1463230782

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014 , may bring proceedings in the Sheriff Court or the Court of Session.

Court of Session

Parliament House

Parliament Square

Edinburgh

EH1 1RQ

0131 225 2595

[supreme.courts@scotcourts.gov.uk](mailto:supreme.courts@scotcourts.gov.uk)