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**Award** 

# **Tree Seedlings (2023)**

Forestry and Land Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-001723

Procurement identifier (OCID): ocds-h6vhtk-0398f9

Published 19 January 2023, 3:42pm

# Section I: Contracting authority/entity

# I.1) Name and addresses

Forestry and Land Scotland

Great Glen House, Leachkin Road

Inverness

IV3 8NW

#### **Email**

procurement@forestryandland.gov.scot

### **Telephone**

+44 3000676000

### Country

**United Kingdom** 

#### **NUTS** code

UKM - Scotland

# Internet address(es)

Main address

https://forestryandland.gov.scot

Buyer's address

 $\underline{https://www.publiccontractsscotland.gov.uk/search/Search\_AuthProfile.aspx?ID=AA3037} \\ \underline{1}$ 

# I.4) Type of the contracting authority

Body governed by public law

# I.5) Main activity

Environment

# **Section II: Object**

# II.1) Scope of the procurement

# II.1.1) Title

Tree Seedlings (2023)

Reference number

FLS-0054-C

#### II.1.2) Main CPV code

• 03450000 - Tree-nursery products

### II.1.3) Type of contract

**Supplies** 

### II.1.4) Short description

Tree seedling supply is a nascent but important market for FLS. FLS is aware that a

single company in the United Kingdom holds the exclusivity to use the background Intellectual Property on which this tape-based approach relies. FLS is not currently aware of any other alternative systems that could deliver the same volume of specified product on a commercially viable basis.

#### 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: £667,071

### II.2) Description

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

• 77300000 - Horticultural services

#### II.2.3) Place of performance

**NUTS** codes

• UKM62 - Inverness & Nairn and Moray, Badenoch & Strathspey

Main site or place of performance

Newton Nursery, Elgin, Morayshire, IV30 8XR.

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

This contract is to supply up to 5,199,600 seedlings and plant them at FLS's Newton Nursery. It shall include aftercare of the seedlings that aims to maximise quality and survival.

#### 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

### Section IV. Procedure

### **IV.1) Description**

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - o protection of exclusive rights, including intellectual property rights

#### **Explanation:**

FLS is aware that a single company in the United Kingdom holds the exclusivity to use the background Intellectual Property on which this tape-based approach relies.

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

The procurement is covered by the Government Procurement Agreement: No

### Section V. Award of contract/concession

#### **Contract No**

FLS-0054-C

A contract/lot is awarded: Yes

### V.2) Award of contract/concession

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

19 January 2023

#### V.2.2) Information about tenders

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

#### V.2.3) Name and address of the contractor/concessionaire

Tape4Trees Ltd

Toft Tunnel Farm, Flatters Brothertoft, Boston **PE20 3SJ** Telephone +44 7717575272 Country **United Kingdom NUTS** code • UK - United Kingdom The contractor/concessionaire is an SME Yes V.2.4) Information on value of contract/lot/concession (excluding VAT) Total value of the contract/lot/concession: £667,071 **Section VI. Complementary information** VI.3) Additional information (SC Ref:719307) VI.4) Procedures for review VI.4.1) Review body The Inverness Justice Centre Longman Road

Inverness

IV1 1AH

Email

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.

### VI.4.4) Service from which information about the review procedure may be obtained

Court of Session

Parliament House, Parliament Square

Edinburgh

EH1 1RQ

Email

supreme.courts@scotcourts.gov.uk

Telephone

+44 1312252595

Country

**United Kingdom**