

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/001723-2023>

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

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

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:
 - 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