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Tender

## **12\_23 Building Materials**

ESPO

F02: Contract notice

Notice identifier: 2023/S 000-004169

Procurement identifier (OCID): ocds-h6vhtk-03740d

Published 10 February 2023, 12:32pm

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

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

ESPO

Barnsdale Way, Grove Park, Enderby

LEICESTER

LE19 1ES

#### **Contact**

Place & Environment Procurement Team

#### **Email**

[tenders@espo.org](mailto:tenders@espo.org)

#### **Country**

United Kingdom

#### **Region code**

UKF22 - Leicestershire CC and Rutland

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://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://www.eastmidstenders.org/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.eastmidstenders.org/>

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

Regional or local authority

**I.5) Main activity**

Other activity

Local Authority Services

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## **Section II: Object**

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

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

12\_23 Building Materials

Reference number

12\_23

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

- 44111000 - Building materials

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

Supplies

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

An ESPO national framework agreement which offers customers access to an extensive range of building material supplies.

To tender: (a) Go to <https://www.eastmidtenders.org/>; (b) Register (if not already registered on ProContract); (c) Search for tender opportunity '12\_23' (via "View Opportunities" from the 'EastMidsTenders' Portal); (d) Express an interest; (e) Download the tender from the website (documents can be found in the first question of the Online Questionnaire, but to see these you will first need to click on "Start my response" followed by "Edit" next to the Question set, and "Answer question" next to the first question).

#### **II.1.5) Estimated total value**

Value excluding VAT: £100,000,000

#### **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**

## Lot 1 - One Stop Shop

Lot No

1

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

- 14212000 - Granules, chippings, stone powder, pebbles, gravel, broken and crushed stone, stone mixtures, sand-gravel mixtures and other aggregates
- 31000000 - Electrical machinery, apparatus, equipment and consumables; lighting
- 34928220 - Fencing components
- 34928310 - Safety fencing
- 39122100 - Cupboards
- 39141000 - Kitchen furniture and equipment
- 39144000 - Bathroom furniture
- 39224210 - Painters' brushes
- 39298900 - Miscellaneous decoration items
- 39715000 - Water heaters and heating for buildings; plumbing equipment
- 39812500 - Sealants
- 42130000 - Taps, cocks, valves and similar appliances
- 42500000 - Cooling and ventilation equipment
- 42650000 - Pneumatic or motorised hand tools
- 43132300 - Drills
- 43320000 - Construction equipment
- 43413100 - Cement mixers
- 43830000 - Power tools
- 44000000 - Construction structures and materials; auxiliary products to construction (except electric apparatus)
- 45340000 - Fencing, railing and safety equipment installation work

- 45451000 - Decoration work
- 79931000 - Interior decorating services

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

NUTS codes

- UK - United Kingdom

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

Lot 1 is for the provision of the supply of all building materials covered under the scope of Lots 2 - 8 from a single supplier.

### **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: £36,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 2 - Building Materials

Lot No

2

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

- 14212000 - Granules, chippings, stone powder, pebbles, gravel, broken and crushed stone, stone mixtures, sand-gravel mixtures and other aggregates
- 39812500 - Sealants
- 42500000 - Cooling and ventilation equipment
- 44000000 - Construction structures and materials; auxiliary products to construction (except electric apparatus)

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

NUTS codes

- UK - United Kingdom

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

Lot 2 covers the provision of general building materials including, but not limited to, timber, aggregates, bricks and blocks, ironmongery, roofing, doors & windows, tools and hardware such as screws, plugs etc.

### **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: £12,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 3 - Plumbing and Bathrooms

Lot No

3

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

- 39144000 - Bathroom furniture
- 39715000 - Water heaters and heating for buildings; plumbing equipment
- 42130000 - Taps, cocks, valves and similar appliances
- 44115200 - Plumbing and heating materials

- 44160000 - Pipeline, piping, pipes, casing, tubing and related items
- 44600000 - Tanks, reservoirs and containers; central-heating radiators and boilers

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

NUTS codes

- UK - United Kingdom

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

Lot 3 covers the provision of plumbing and bathroom building materials including, but not limited to, boilers, gas spares, radiators, piping, valves, connections, boilers, radiators, bathroom suites and spares etc.

### **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: £10,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 4 - Kitchens

Lot No

4

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

- 39122100 - Cupboards
- 39141000 - Kitchen furniture and equipment

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

NUTS codes

- UK - United Kingdom

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

Lot 4 covers the provision of kitchen materials including, but not limited to, cupboard units, worktops, taps, sinks.

### **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: £6,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

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

#### **II.2.1) Title**

Lot 5 - Electrical

Lot No

5

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

- 31000000 - Electrical machinery, apparatus, equipment and consumables; lighting

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

NUTS codes

- UK - United Kingdom

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

Lot 5 covers the provision of electrical materials including, but not limited to, indoor and outdoor lighting, consumer units, cables, connections, switches, sockets and smoke alarms etc.

### **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: £8,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 6 - Paint and Associated Products

Lot No

6

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

- 39224210 - Painters' brushes
- 39298900 - Miscellaneous decoration items
- 44111400 - Paints and wallcoverings
- 44800000 - Paints, varnishes and mastics

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

NUTS codes

- UK - United Kingdom

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

Lot 6 covers the provision of paint and associated products including, but not limited to, interior and exterior paint, emulsion, gloss, satin, primer and undercoat etc.

### **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: £10,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

## **II.2) Description**

### **II.2.1) Title**

Lot 7 - Fencing

Lot No

7

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

- 34928220 - Fencing components
- 34928310 - Safety fencing
- 44231000 - Made-up fencing panels
- 44312000 - Fencing wire
- 44313100 - Wire-mesh fencing
- 45340000 - Fencing, railing and safety equipment installation work

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

NUTS codes

- UK - United Kingdom

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

Lot 7 covers the provision of fencing including, but not limited to, metal and timber fencing such as welded mesh, bow top, vertical bar fencing, knee rail fencing, hit and miss boards and playground fencing etc.

### **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: £8,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 months. The total estimated value stated in Section II.1.5 includes the option period.

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

#### **II.2.1) Title**

Lot 8 - Small Plant Items

Lot No

8

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

- 42650000 - Pneumatic or motorised hand tools
- 43132300 - Drills
- 43320000 - Construction equipment
- 43413100 - Cement mixers
- 43830000 - Power tools
- 44511500 - Hand saws
- 44511510 - Handsaw blades
- 44512800 - Screwdrivers
- 44512900 - Drill bits, screwdriver bits and other accessories

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

NUTS codes

- UK - United Kingdom

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

Lot 8 covers the provision of small plant items including, but not limited to, hand-held power tools (Drills, Saws etc.) and small construction equipment (cement mixers, wacker plates, etc).

### **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: £10,000,000

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

Start date

1 May 2023

End date

30 April 2025

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 24 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.1.2) 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 financial stability of tenderers will not be assessed as part of this procurement exercise, but will be monitored during the contract terms.

Note: Tenderers are referred to clause 26.8 of the Framework Agreement which allows ESPO to terminate the Framework in the event of a material detrimental change in the financial standing and/or rating of a Supplier. ESPO shall obtain a credit score (determined by the use of a credit rating agency) for the Supplier on or before the Framework start date as a base score and where a significant change in the credit score is identified over the life of the Framework, ESPO reserves the right to investigate the reasons for this significant change. Depending on the severity of the changes, it will be at the sole discretion of ESPO to suspend or even permanently remove the Supplier from the Framework.

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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: [2022/S 000-028302](#)

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

Date

13 March 2023

Local time

12:00pm

### **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

13 March 2023

Local time

12:01pm

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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 in the Public Contracts Regulations 2015, the Framework Agreement is open for use by Public Bodies (defined at <https://www.espo.org/amfile/file/download/file/9608/>) 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 & 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: <https://www.espo.org/legal>.

ESPO has established a commercial trading company, ESPO Trading Limited, whose target clients are third sector organisations such as national and local charities, public sector mutual organisations and other organisations involved in the delivery of services to or for the public sector. The successful Supplier may be asked to enter into an additional separate framework agreement (the Second Framework) with ESPO Trading Limited on materially similar terms to that found in the tender pack to be entered into by ESPO itself.

Any Second Framework agreement will be a purely commercial agreement and will, for the avoidance of doubt, not be governed by the Public Contract Regulations 2015 or other public procurement legislation. ESPO Trading Limited may enter into the second framework agreement with the successful supplier and make it available to third sector clients who themselves are not required to follow the Public Contracts Regulations 2015 or other public procurement legislation. Accordingly, this is provided for bidders information only.

An eAuction process may be used to award subsequent call off contracts following the reopening of competition among the parties to the Framework Agreement.

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

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

The Royal Court of Justice

The Strand

LONDON

WC2A 2LL

Country

United Kingdom

Internet address

<https://www.justice.gov.uk/>

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

Precise information on deadline(s) for review procedures

ESPO 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.