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Contract

## **Tree Seedlings (2023)**

Forestry and Land Scotland

F03: Contract award notice

Notice identifier: 2023/S 000-004201

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

Published 10 February 2023, 2:20pm

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

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

Forestry and Land Scotland

Great Glen House, Leachkin Road

Inverness

IV3 8NW

#### **Email**

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

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.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 100

Price - Weighting: 0

#### **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

- The 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

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-001723](#)

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## Section V. Award of contract

### Contract No

FLS-0054-C

A contract/lot is awarded: Yes

### V.2) Award of contract

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

2 February 2023

#### V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 1

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

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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

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

Tape4Trees Ltd

Toft Tunnel Farm, Flatters

Brothertoft. Boston

PE20 3SJ

Telephone

+44 7717575272

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Total value of the contract/lot: £667,071

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## **Section VI. Complementary information**

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

(SC Ref:722352)

### **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.

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

Telephone

+44 1312252595

Country

United Kingdom