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Tender

## **Supply and Delivery of Bitumen and Associated Products**

Scotland Excel

F02: Contract notice

Notice identifier: 2025/S 000-004550

Procurement identifier (OCID): ocds-h6vhtk-045426

Published 11 February 2025, 1:25pm

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Email**

[roads@scotland-excel.org.uk](mailto:roads@scotland-excel.org.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

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

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10383](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383)

## **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.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

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

Body governed by public law

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

General public services

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## **Section II: Object**

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

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

Supply and Delivery of Bitumen and Associated Products

Reference number

0224

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

- 44113600 - Bitumen and asphalt

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

Supplies

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

This framework agreement is for the Supply and Delivery of Bitumen and Associated Products. The objective of this framework is to provide Council's with a mechanism to procure a range of Bitumen products, including but not limited to, bulk bitumen, reinstatement products, surface dressings, mortars and cementitious products, and sundries.

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

Value excluding VAT: £60,000,000

#### **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**

Cementitious Products

Lot No

4

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

- 44111200 - Cement

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

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

This lot is anticipated to provide councils and other participating bodies with a mechanism to procure Mortars and Cementitious Products including a range of fast set mortars and deferred set materials for general repairs. It is anticipated this will be delivered in tub form.

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

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

### **II.2.6) Estimated value**

Value excluding VAT: £6,600,000

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

Duration in months

48

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: 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

### **II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further information.

## **II.2) Description**

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

Sundry Bitumen Related Products

Lot No

5

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

- 44113600 - Bitumen and asphalt

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

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

This lot is anticipated to provide councils and other participating bodies with a mechanism to procure Sundry Bitumen Related Products including industrial bitumen cleaners.

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

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

### **II.2.6) Estimated value**

Value excluding VAT: £300,000

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

Duration in months

48

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: 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

### **II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further information.

## **II.2) Description**

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

Bulk Bitumen

Lot No

1

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

- 44113600 - Bitumen and asphalt

**II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

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

This lot is anticipated to provide councils and other participating bodies with a mechanism to procure Bulk Bitumen, including a range of bitumen emulsions and binders supplied in bulk storage tankers.

**II.2.5) Award criteria**

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

**II.2.6) Estimated value**

Value excluding VAT: £45,600,000

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

Duration in months

48

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: 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

#### **II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further information.

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

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

Reinstatement Products

Lot No

2

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

- 44113700 - Road-repair materials

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

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



This lot is anticipated to provide councils and other participating bodies with a mechanism to procure Reinstatement Products, including a range of products to allow fast repair to roads and rapid reinstatement of road furniture and ironworks. It is anticipated this will be delivered in bagged or barrel form.

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

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

#### **II.2.6) Estimated value**

Value excluding VAT: £5,700,000

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

Duration in months

48

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: 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

#### **II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further information.

## **II.2) Description**

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

Surface Dressing Products

Lot No

3

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

- 44113810 - Surface dressing

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

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

This lot is anticipated to provide councils and other participating bodies with a mechanism to procure Surface Dressing Products, including a range of products which restore skidding resistance, seal the road surface to prevent water ingress and help the overlay adhere to the underlying, weathered pavement surface. It is anticipated this will be delivered in bagged or barrel form.

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

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

### **II.2.6) Estimated value**

Value excluding VAT: £1,800,000

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

Duration in months

48

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: 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

**II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further information.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

1. SPD (Scotland) Questions 4B.5.1 and 4B.5.2 - Insurance Requirements
2. SPD (Scotland) Questions 4B.6 - Other Economic and Financial Requirements

In accordance with Regulation 59(12), as this proposed framework agreement is divided into lots, these economic and financial standing selection criteria apply separately in relation to each individual lot.

#### **INSURANCE REQUIREMENTS:**

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

#### **ALL LOTS**

Employer's (Compulsory) Liability Insurance – maintain a minimum indemnity limit of GBP 10 million in respect of each and every claim.

Public Liability Insurance – maintain a minimum indemnity limit of GBP 10 million in respect of each and every claim.

Product Liability Insurance – maintain a minimum indemnity limit of GBP 10 million in the aggregate.

Motor Vehicle Insurance – RTA (Road Traffic Act) cover plus maintaining a minimum indemnity limit of GBP 5 million for Property Damage, and unlimited in respect of Third-Party Injury.

For bidders who will sub contract parts of the business, it is a requirement that the bidder requires to provide a letter signed by a person of appropriate authority confirming that the bidder has ongoing arrangements in place to ensure that subcontractors' vehicles are appropriately insured and maintained.

Minimum level(s) of standards possibly required

#### **OTHER ECONOMIC AND FINANCIAL REQUIREMENTS:**

Tenderers will pass the economic and financial standing test where Scotland Excel is assured of the tenderer's financial viability and sustainability for participation in the contract. A search of the tenderer against Equifax's ScoreCheck and Protect must not result in a "Rating", "Warning" or "Caution" return which identifies financial risk, unless the tenderer confirms that it can provide any other document which Scotland Excel considers appropriate to prove to Scotland Excel (acting within its permitted discretion under the applicable public procurement rules) that the tenderer does/would not present an unmanageable risk should it be appointed on to the proposed Framework Agreement.

SCOTLAND EXCEL MUST BE NOTIFIED OF ANY CHANGE OF CIRCUMSTANCES WHICH IMPACTS ON THE ECONOMIC AND FINANCIAL STANDING TEST. AWARD RECOMMENDATIONS ARE SUBJECT TO CONTINUED COMPLIANCE WITH THE TENDER REQUIREMENTS.

Tenderers relying on the financial standing of a parent company who are unable to commit to obtaining a parent company guarantee may be assessed as a FAIL and with be excluded from the competition.

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

1. SPD (Scotland) Question 4C.10 - Subcontracting
2. SPD (Scotland) Question 4D.1 - Quality Assurance Schemes
3. SPD (Scotland) Question 4D.1 - Health and Safety Procedures
4. SPD (Scotland) Question 4D.2 - Environmental Management Standards

In accordance with Regulation 59(12), as this proposed framework agreement is divided into lots, these technical and professional ability selection criteria apply separately in relation to each individual lot.

Minimum level(s) of standards possibly required

#### **SPD (SCOTLAND) QUESTION 4C.10 - SUBCONTRACTING:**

Tenderers will be required to confirm whether they intend to subcontract and, if so, for what proportion of the contracts to be called-off under the proposed framework agreement. If you intend to subcontract any share of the contract to third parties on whose capacity you do not rely to satisfy the selection criteria, you must secure that each subcontractor completes a separate SPD (Scotland) Response for all Parts of the SPD (Scotland) Qualification Envelope, except Part 4 (Selection criteria).

#### SPD (SCOTLAND) QUESTION 4D.1 - QUALITY ASSURANCE SCHEMES:

The tenderer must have the following:

The tenderer **MUST HOLD** a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent).

OR

A documented policy regarding quality management. The policy must set out responsibilities for quality management demonstrating that the tenderer has and continues to implement a quality management policy that is authorised by their Chief Executive, or equivalent, and is periodically reviewed at a senior management level. The policy must be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organisation.

#### SPD (SCOTLAND) QUESTION 4D.1 - HEALTH AND SAFETY PROCEDURES:

The tenderer must have the following:

The tenderer **MUST HOLD** a UKAS (or equivalent), accredited independent third party certificate of compliance in accordance with BS ISO 45001 (or equivalent) or have, within the last 12 months, successfully met the assessment requirements of a scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum.

OR

A regularly reviewed and documented policy for Health and Safety (H&S) management, endorsed by the Chief Executive Officer, or equivalent. The policy must be relevant to the nature and scale of the work and set out responsibilities for H&S management at all levels within the organisation. The policy must be relevant to the nature and scale of your operations and set out your company's responsibilities of health and safety management and compliance with legislation.

#### SPD (SCOTLAND) QUESTION 4D.2 - ENVIRONMENTAL MANAGEMENT STANDARDS:

The tenderer must have the following:

The tenderer **MUST HOLD** a UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate.

OR

A regularly reviewed documented policy regarding environmental management, authorised by the Chief Executive, or equivalent. This policy must include and describe the tenderer's environmental emergency response procedures including the preparedness and response procedures for potential accidents and emergency response situations that give rise to significant environmental impacts (for example hazardous substances spill control)

## **III.2) Conditions related to the contract**

### **III.2.2) Contract performance conditions**

Scotland Excel will require the members of any tendering group of entities (including, but not limited to, consortium members, members of a group of economic operators and / or sub-contractors) to be jointly and severally liable for the performance of the contract (no matter the legal form taken by those entities in order to enter into the contract).

For full details of the conditions relevant to the proposed framework agreement, and contracts to be called-off thereunder (to the extent

known or settled at this stage), please see the procurement documents (details of how to access these being set out in section "I.3) Communication" of this Contract Notice).

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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

Envisaged maximum number of participants to the framework agreement: 9

#### **IV.1.6) Information about electronic auction**

An electronic auction will be used

Additional information about electronic auction

Electronic auctions may be used where competition is re-opened for the purposes of awarding a Competitive Order. If required, the Council will issue information on how electronic auctions will operate at the appropriate time.

#### **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: [2024/S 000-013017](#)

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

Date

11 March 2025

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: 6 (from the date stated for receipt of tender)

#### **IV.2.7) Conditions for opening of tenders**

Date

11 March 2025

Local time

12:00pm

Place

Scotland Excel Offices, Renfrewshire House, Cotton Street, Paisley, PA1 1AR



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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.2) Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

This Tender process is subject to the Law and Guidance applicable in Scotland relative to the award of public contracts including (without

limitation) as set out in the Public Contracts (Scotland) Regulations 2015, most recently amended to reflect the European Union exit by the

UK. Any prior version of the relevant Law and Guidance, or terminology related thereto, which appears in these Procurement Documents should therefore be interpreted and applied as currently in force.

Scotland Excel is a central purchasing body procuring this framework on behalf of the following contracting authorities (and successor

bodies):

- 32 local authorities in Scotland
- Scotland Excel associate members: <http://www.scotland-excel.org.uk/home/aboutus/ourmembers/Ourmembers.aspx>
- Tayside Contracts
- NHS Scotland entities constituted pursuant to the National Health Service (Scotland) Act 1978
- Scottish Prison Services (SPS) and all establishments owned and managed by the

Scottish Ministers through the Scottish Prison Service

- Scottish Government
- Advanced Procurement for Universities and Colleges (APUC Ltd) and their member organisations across the higher and further education

sector in Scotland and their associated and affiliated bodies.

- Any integration authority, or other body, established pursuant to the Public Bodies (Joint Working)(Scotland) Act 2014.

The above is subject to each contracting authority entering into and maintaining a membership agreement or other access agreement with

Scotland Excel.

Tenderers are advised that the envisaged maximum number of participants that might be appointed to this framework agreement set out in section IV.1.3 of this contract notice is purely indicative. Scotland Excel reserves the right to appoint more or less bidders than the envisaged maximum number to the proposed Framework Agreement.

Tenderers are advised that whether electronic ordering, invoicing and payment will be used or accepted is at the discretion of each Member

Authority or Associate Member which will be settled by them during call off of a contract under this proposed Framework Agreement.

**IMPORTANT NOTE FOR TENDERERS:** For some lots, particular requirements apply, including but not limited to, the requirement to evidence conformance with the Tender Specification in all lots. Bids MAY be excluded from evaluation (in whole, or in part) if they do not include the information required in accordance with instructions given. Bids may be subject to a specific EVALUATION APPROACH in particular circumstances detailed in the instructions. Further detailed information and instructions are contained within the tender documents located within the Information and Instructions to Tenderers inc Evaluation Methodology document.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 28218. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see: <https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

In accordance with section 25(3) of the Procurement Reform (Scotland) Act 2014 note that, Scotland Excel intends to include community

benefit requirements. As part of your response within the Technical Envelope, bidders will be requested to commit to delivery of

community benefits in accordance with the methodology outlined in the tender documents.

(SC Ref:789394)

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

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

Court of Session

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 (SSI 2015/446) (as amended) may bring proceedings in the Sheriff Court or the Court of Session.