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Contract

Supply and Distribution of Fruit and Vegetables & Misc. Chilled Foods

Saint John Henry Newman Catholic College
Education
Dukefield FoodService
Public Sector

F03: Contract award notice

Notice identifier: 2024/S 000-004898

Procurement identifier (OCID): ocds-h6vhtk-040fd0

Published 14 February 2024, 11:42am

Section I: Contracting authority

I.1) Name and addresses

Saint John Henry Newman Catholic College

Off Canon Dolan Way, Chadderton

Oldham

OL9 9QY

Email

enquiries@newmanrc.oldham.sch.uk

Telephone

+44 1617853112

Country

United Kingdom

NUTS code

UKD3 - Greater Manchester

Internet address(es)

Main address

www.newmanrc.oldham.sch.uk

Buyer's address

www.newmanrc.oldham.sch.uk

I.1) Name and addresses

Education

Off Canon Dolan Way, Chadderton

Oldham

OL9 9QY

Email

enquiries@newmanrc.oldham.sch.uk

Telephone

+44 1617853112

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

www.newmanrc.oldham.sch.uk

Buyer's address

www.newmanrc.oldham.sch.uk

I.1) Name and addresses

Dukefield FoodService

167 Chorley New Road

Bolton

BL1 4RA

Email

darron.bibby@dukefieldfood.com

Telephone

+44 1204374060

Country

United Kingdom

NUTS code

UKD3 - Greater Manchester

Internet address(es)

Main address

<https://suppliers.multiquote.com>

Buyer's address

<https://suppliers.multiquote.com>

I.1) Name and addresses

Public Sector

Off Canon Dolan Way, Chadderton

Oldham

OL9 9QY

Email

enquiries@newmanrc.oldham.sch.uk

Telephone

+44 1204374060

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

www.newmanrc.oldham.sch.uk

Buyer's address

www.newmanrc.oldham.sch.uk

I.2) Information about joint procurement

The contract involves joint procurement

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Supply and Distribution of Fruit and Vegetables & Misc. Chilled Foods

Reference number

CA13078 - SJHNCC/DF/FAVAMCF - 2023

II.1.2) Main CPV code

- 15300000 - Fruit, vegetables and related products

II.1.3) Type of contract

Supplies

II.1.4) Short description

This Framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs of Saint John Henry Newman Catholic College it is also open for use by all contracting authorities across the UK public sector (and any future successors to these organisations). These include (but not limited to) central government departments and agencies, Non Departmental Public Bodies, NHS bodies, Local Authorities, Blackpool Council, Police Authorities, Emergency Services, Educational Establishments, Hospices, Registered Charities, National Parks and Registered Social Landlords. Full details of the classification of eligible end user establishments and geographical areas is available at

<http://www.dukefieldfoodservice.com/fts-eligible-users>.

The framework will be let across nine Lots, with a maximum of 3 suppliers awarded a place on each of the Lots.

II.1.6) Information about lots

This contract is divided into lots: Yes

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £52,000,000

II.2) Description

II.2.1) Title

Lot 1 - North West & Cumbria

Lot No

1

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKD1 - Cumbria
- UKD - North West (England)

Main site or place of performance

North West & Cumbria

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 2 - East, North, West Yorkshire

Lot No

2

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKE4 - West Yorkshire
- UKE12 - East Riding of Yorkshire
- UKE2 - North Yorkshire

Main site or place of performance

East, North, West Yorkshire

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 3 - East Midlands

Lot No

3

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKF - East Midlands (England)

Main site or place of performance

East Midlands

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 4 - West Midlands

Lot No

4

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKG3 - West Midlands

Main site or place of performance

West Midlands

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 5 - South Yorkshire

Lot No

5

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKE3 - South Yorkshire

Main site or place of performance

South Yorkshire

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 6 - North East

Lot No

6

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKC - North East (England)

Main site or place of performance

North East

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 7 - South East

Lot No

7

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKJ - South East (England)

Main site or place of performance

South East

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 8 - South West

Lot No

8

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKK - South West (England)

Main site or place of performance

South West

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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) Description

II.2.1) Title

Lot 9 - Greater London

Lot No

9

II.2.2) Additional CPV code(s)

- 15300000 - Fruit, vegetables and related products

II.2.3) Place of performance

NUTS codes

- UKI - London

Main site or place of performance

Greater London

II.2.4) Description of the procurement

This framework is designed to meet the Fruit and Vegetable & Misc. Chilled Food needs across the entire Public Sector. The framework covers a comprehensive range and full details of the service provision are contained within the invitation to Tender documentation

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40.00%

Price - Weighting: 60.00%

II.2.11) Information about options

Options: Yes

Description of options

48 month(s) from the commencement date, with 24 initial month(s) and option to extend 2x12 month(s)

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

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

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: [2023/S 000-031843](#)

Section V. Award of contract

Contract No

CA13078

Lot No

1

Title

Lot 1 - North West & Cumbria

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

V.2.3) Name and address of the contractor

Ribble Farm Fare Limited

Shay Lane, Longridge

Preston

PR3 3BT

Email

marina@ribbl-farm.co.uk

Telephone

+44 1772783386

Fax

+44 1772786076

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<http://ribblefarmfare.co.uk/>

The contractor is an SME

No

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

Total value of the contract/lot: £20,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

2

Title

Lot 2 - East, North, West Yorkshire

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Ribble Farm Fare Limited

Shay Lane, Longridge

Preston

PR3 3BT

Email

marina@ribbl-farm.co.uk

Telephone

+44 1772783386

Fax

+44 1772786076

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<http://ribblefarmfare.co.uk/>

The contractor is an SME

No

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

V.2.3) Name and address of the contractor

Turner Price Ltd

Hull

HU4 6PD

Email

info@turner-price.co.uk

Telephone

+44 1482577100

Fax

+44 1482577190

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.turner-price.com

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

3

Title

Lot 3 - East Midlands

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

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Country

United Kingdom

NUTS code

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Internet address

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The contractor is an SME

No

V.2.3) Name and address of the contractor

Turner Price Ltd

Hull

HU4 6PD

Email

info@turner-price.co.uk

Telephone

+44 1482577100

Fax

+44 1482577190

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.turner-price.com

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

4

Title

Lot 4 - West Midlands

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Brake Bros Foodservice

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Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

V.2.3) Name and address of the contractor

Ribble Farm Fare Limited

Shay Lane, Longridge

Preston

PR3 3BT

Email

marina@ribbl-farm.co.uk

Telephone

+44 1772783386

Fax

+44 1772786076

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<http://ribblefarmfare.co.uk/>

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

5

Title

Lot 5 - South Yorkshire

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Turner Price Ltd

Hull

HU4 6PD

Email

info@turner-price.co.uk

Telephone

+44 1482577100

Fax

+44 1482577190

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.turner-price.com

The contractor is an SME

No

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

6

Title

Lot 6 - North East

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Turner Price Ltd

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Telephone

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Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.turner-price.com

The contractor is an SME

No

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

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Telephone

+44 1233206000

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+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

7

Title

Lot 7 - South East

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

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

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

8

Title

Lot 8 - South West

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 5

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

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section V. Award of contract

Contract No

CA13078

Lot No

9

Title

Lot 9 - Greater London

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

14 February 2024

V.2.2) Information about tenders

Number of tenders received: 4

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

V.2.3) Name and address of the contractor

Brake Bros Foodservice

Enterprise House, Eureka Business Park

Ashford

TN25 4AG

Email

andrew.holman@brake.co.uk

Telephone

+44 1233206000

Fax

+44 1233206298

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

www.brake.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £4,000,000

Section VI. Complementary information

VI.3) Additional information

The framework is being delivered through Saint John Henry Newman Catholic College and its partners Dukefield Foodservice Ltd (who are a subsidiary of Dukefield Group Ltd). Dukefield Foodservice Ltd are acting as agents of Saint John Henry Newman Catholic College in the development and ongoing contract management of this framework. The contracting authority will be using an eTendering system to conduct the procurement exercise. To access the procurement

documentation suppliers must register their company details on the Sourcing Cloud system at:

<https://suppliers.multiquote.com>

the tender is available from the opportunities menu on the login page of the site.

The contracting authority shall not be under any obligation to accept the lowest tender or indeed any tender. Saint John Henry Newman Catholic College expressly reserves the rights:

- (a) to terminate the procurement process and not to award any contract as a result of the procurement process at any time;
- (b) to make whatever changes it may see fit to the content and structure of the procurement as detailed within the tender documentation;
- (c) to award a contract covering only part of the Contracting Authorities requirements if explicitly detailed within the tender documentation;
- (d) to disqualify any organisation from the process that canvasses any employee of the Contracting Authority during the procurement process or standstill period if applicable;
- (e) seek clarifications to tender responses on the basis that any clarification sought will not confer any undue competitive advantage in the favour of any supplier from whom such clarifications are being sought;

(f) where the contracting authority can evidence that there is a conflict of interest, either personal or in consideration of any organisation bidding for the contract, the contracting authority shall have the explicit right to immediately exclude that person or organisation from the tender process entirely;

(g) where the contracting authority has engaged in any pre-market soft testing prior to the commencement of the procurement process, the contracting authority reserves the right to name any organisation that has been involved in these discussions and release any and all specifications/discussion documents to the market where appropriate to the subject matter of this procurement;

(h) the contracting authority will not be liable for any costs incurred by tenderers;

(i) the value of the framework provided in section II.1.5) is only an estimate and the contracting authority will not guarantee any business through this framework agreement;

and

(j) the contracting authority wishes to establish a framework agreement open for use by all Public Sector Bodies as stated in II.1.4).

Tenderers should note, in reference to section IV.1.3), envisaged maximum number of participants to the framework:

Where, following the evaluation of bids, more than one tenderer on a Lot is tied with the same evaluation score and are ranked in the last supplier award position, each of these tenderers shall be deemed to occupy the last framework agreement contract award position for the Lot in question for the purpose of calculating the maximum number of suppliers under the framework.

The contracting authority will award a framework agreement to additional tenderers on a particular Lot beyond the stated maximum number for that lot, where their final evaluation score (s) is within 0.5% of the last placed position only on the particular lot. For the avoidance of doubt, the last placed position in respect of this framework on each lot is third place.

VI.4) Procedures for review

VI.4.1) Review body

Saint John Henry Newman Catholic College

Off Canon Dolan Way, Chadderton

Oldham

OL9 9QY

Email

admin@newmanrc.oldham.sch.uk

Telephone

+44 1617858858

Country

United Kingdom

Internet address

WWW.NEWMANRC.OLDHAM.SCH.UK

VI.4.2) Body responsible for mediation procedures

Saint John Henry Newman Catholic College

Off Canon Dolan Way, Chadderton

Oldham

OL9 9QY

Email

admin@newmanrc.oldham.sch.uk

Telephone

+44 1617858858

Country

United Kingdom

Internet address

WWW.NEWMANRC.OLDHAM.SCH.UK

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedure

Saint John Henry Newman Catholic College will incorporate a minimum 10-day standstill period at the point information on the award of contract is communicated to tenderers. Bidders who are

unsuccessful shall be informed by the Contracting Authority as soon as possible after the decision is made as to the reasons why the bidder was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, the Public Procurement Regulations provide for the aggrieved parties who have been harmed or who are at risk of harm by the breach of the rules to take action in the High Court (England, Wales and

Northern Ireland). Any action must be generally brought within 3 months. If a declaration of ineffectiveness is sought, any such action must be brought within 30 days where the Contracting Authority has communicated the award of the contract and a summary of reasons to tenderers, or otherwise within 6 months of the contract being entered into.

Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the Contracting Authority to amend any document and may award damages. If the Contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the

Contracting Authority to pay a fine, and/or order that 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.

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

obtained

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