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Tender

## **WLC Local Bus Services DPS**

West Lothian Council

F02: Contract notice

Notice identifier: 2023/S 000-012282

Procurement identifier (OCID): ocds-h6vhtk-03ad9a

Published 28 April 2023, 12:35pm

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

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

West Lothian Council

West Lothian Civic Centre, Howden South Road,

Livingston

EH54 6FF

#### **Contact**

Catriona Peden

#### **Email**

[catriona.peden@westlothian.gov.uk](mailto:catriona.peden@westlothian.gov.uk)

#### **Telephone**

+44 1506283312

**Fax**

+44 1506281325

**Country**

United Kingdom

**NUTS code**

UKM78 - West Lothian

**Internet address(es)**

Main address

<http://www.westlothian.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00140](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00140)

**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**

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

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

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

WLC Local Bus Services DPS

Reference number

CC11575

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

- 60000000 - Transport services (excl. Waste transport)

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

Services

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

Selection stage of Dynamic Purchasing System for subsidised local bus routes

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

Value excluding VAT: £23,789,990

#### **II.1.6) Information about lots**

This contract is divided into lots: No

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

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

- 34120000 - Motor vehicles for the transport of 10 or more persons
- 60112000 - Public road transport services
- 60130000 - Special-purpose road passenger-transport services

- 60140000 - Non-scheduled passenger transport

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

NUTS codes

- UKM78 - West Lothian

Main site or place of performance

West Lothian Council area

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

WLC wish to set up a Dynamic Purchasing System (DPS) for subsidised local bus services

For support in tendering please go to

<https://www.supplierjourney.scot/>

<https://www.sdpScotland.co.uk/>

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Duration in months

120

This contract is subject to renewal

No

### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5

Objective criteria for choosing the limited number of candidates:

All those passing the SPD questions will be admitted to the DPS

#### **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**

Re: SPD Q3D.1, 3D.2 & 3D.3 Bidders should answer these questions on Environmental, social and labour law in relation to compliance with the regulations covering Scotland and the UK.

Police Scotland will be consulted with regards to Serious and Organised Crime checks. Any links to this type of activity may cause your tender to be rejected.

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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

Re SPD question 4B.6 West Lothian Council will use Dun and Bradstreet's DBAi financial reporting system to assess the financial stability of tenderers. Tenderers with a Failure Score of 50 or above on the DBAi system will be deemed to have evidenced satisfactory financial stability. Please note that 49 or less will not be considered as having met this criteria. If a tenderer has a Failure Score of less than 50, the tenderer may be required to submit their last three years accounts.

In the event that the tenderer is not required to publish accounts and therefore does not have a Dun & Bradstreet or equivalent rating, tenderers should be able to provide financial accounts when requested. The council will then conduct an analysis of the accounts to ensure that there is no significant financial risk. Please note that if you intend on attaching 2 years accounts, these must include financial data over a 3 year period.

It is recommended that candidates review their own Dun & Bradstreet Score in advance of submitting their tender. If following this review tenderers consider that the Dun & Bradstreet Score does not reflect their current financial status, details of this should be provided, complete with evidence of a good high street credit rating (the equivalent of Dun & Bradstreet score 50) from a recognised credit referencing agency. The council will review any such information as part of the evaluation of Tenderer's financial status.

In the event that a firm does not meet the financial criteria for consideration but has a parent company that does, the firm may still be eligible for consideration where their Tender Submission is supported by a Parent Company Guarantee.

Should after review of the financial evaluation the tenderer fail, then the tender submission may be rejected.

Minimum level(s) of standards possibly required

Employer's (Compulsory) Liability: 10 million GBP

Public Liability: 5 million GBP

Motor vehicle insurance – Insurance appropriate for the purposes of the business i.e carriage

of passengers for hire or reward.

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

List and brief description of selection criteria

Provide details of either a valid Public Service Vehicles (PSV) Operators Licence or community bus permit.

Please note details of individual driver and vehicle licence details will be requested at a later date during the mobilisation period prior contract commencement.

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

### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

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

The procurement involves the setting up of a dynamic purchasing system

#### **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 000-006160](#)

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

Date

13 April 2033

Local time

12:00pm

**IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

13 April 2033

**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)



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## **Section VI. Complementary information**

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

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Initial DPS open for 30 days then reopened for 10 years. following that further notice will be published

### **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**

Where there is suspicion that risk may be present, as defined by Police Scotland (PS), WLC will provide PS info on the representatives of the bidder (SPD Part 2B) to allow PS to review & provide feedback on info provided.

NB: when completing SPD section 1.11 Part 2B, this should be completed using personal information as follows: full name including any middle names as it appears on birth &/or marriage certificate; the day date & month & the location of birth; & home address & postcode. Failure to provide the correct information may result in your bid being excluded from the tender process or an offer of contract being withdrawn should the info prove to be incomplete or incorrect at a later stage.

If bidders intend to use a supply chain to deliver the requirements detailed in II.2.4 in the Find a Tender Service, Contract Notice or relevant section of the Site Notice, they should confirm they have (or have access to) the relevant supply chain management & tracking systems to ensure a resilient & sustainable supply chain. This will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly & effectively, & provide evidence when requested of:

a) their standard payment terms

b)  $\geq 95\%$  of all supply chain invoices being paid on time (in accordance with the terms of contract) in the last financial year

If the bidder is unable to confirm (b) they must provide an improvement plan, signed by their

Director, which improves the payment performance.

TUPE – The incoming Contractor is responsible for obtaining legal & professional advice about relevant TUPE implications.

CONFIDENTIALITY - All information supplied by the Authority must be treated in confidence & not disclosed to third parties except insofar as this is necessary to obtain sureties or quotations for the purpose of submitting the tender. All information supplied by you to the Authority will similarly be treated in confidence except:

(i) for any information required to be disclosed or otherwise provided by the Authority to any person in order to comply with the Freedom of Information (Scotland) Act 2002 & any codes of practice applicable from time to time relating to access to public authorities' information.

The Tenderer shall co-operate, facilitate, support & assist the Authority in the provision of this information. In the event the Authority is required to provide information to any person as a result of a request made to it under such Act &/or codes, the Authority shall adhere to the requirements of such Act &/or codes in disclosing information relating to this Agreement, the Project documents & the Contractor.

(ii) that references may be sought from banks, existing or past clients, or other referees submitted by the tenderers;

(iii) for the disclosure of such information with regard to the outcome of the procurement process as may be required to be published in the Supplement to the Official Journal of the European Union in accordance with EU directives or elsewhere in accordance with the requirements of UK government policy on the disclosure of information relating to government contracts.

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 23758. 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:

Community Benefits proposals may form part of the award criteria and may be evaluated and become contractual obligations. For further procurement information visit the link below.

<http://www.westlothian.gov.uk/article/2023/Doing-Business-With-The-Council>.

(SC Ref:730748)

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

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

Livingston Sheriff Court

West Lothian Civic Centre, Howden South Road,

Livingston

EH54 6FF

Country

United Kingdom