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Tender

## **Frozen Food**

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

F02: Contract notice

Notice identifier: 2021/S 000-012548

Procurement identifier (OCID): ocds-h6vhtk-02a249

Published 4 June 2021, 11:35am

## **Section I: Contracting authority**

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

The Common Services Agency (more commonly known as NHS National Services Scotland) ("NSS")

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

### **Contact**

Declan Monaghan

### **Email**

[loraine.hartley@nhs.scot](mailto:loraine.hartley@nhs.scot)

### **Telephone**

+44 1312756366

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nhsscotlandprocurement.scot.nhs.uk/>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

**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

[www.publictenderscotland.publiccontractsscotland.gov.uk](http://www.publictenderscotland.publiccontractsscotland.gov.uk)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.publictenderscotland.publiccontractsscotland.gov.uk](http://www.publictenderscotland.publiccontractsscotland.gov.uk)

Tenders or requests to participate must be submitted to the above-mentioned address

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

Body governed by public law

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

Health

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## **Section II: Object**

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

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

Frozen Food

Reference number

NP7052021

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

- 15000000 - Food, beverages, tobacco and related products

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

Supplies

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

Renewal of a National Framework (NP705) to cover a full range of Frozen Food products

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

Value excluding VAT: £14,000,000

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

This contract is divided into lots: No

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

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

- 15000000 - Food, beverages, tobacco and related products

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

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

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

A range of Frozen Food to be use by health boards across Scotland Multi supplier Framework.

The Framework Agreement may be used by all mainland and Island NHS Scotland Health Boards and Special Boards (including the common services agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e. all NHS Scotland Health Boards, Special Boards, and the Authority or other NHS Organisations established pursuant to NHS (Scotland Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014. All Scottish Hospices.

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

Quality criterion - Name: Service / Weighting: 10

Cost criterion - Name: Price / Weighting: 90

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

Value excluding VAT: £14,000,000

### **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.2.12) Information about electronic catalogues**

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

### **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**

Total value shown is for the duration of the framework and based on 12 months' suppliers spend data. The Framework period shall be for 4 years

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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**

List and brief description of selection criteria

See contract/tender documentation which incorporates requirements of the SPD (Scotland)

Minimum level(s) of standards possibly required

1) A copy of a valid certificate issued within the last 12 months, certified by a UKAS accredited Certification Body confirming that the economic operators holds a relevant certificate to one of the following standards as applicable:

BRC Global Standard for Food Safety (Issue 6 or above);

BRC Global Standard for Storage and Distribution (Issue 2 or above);

STS Code of Practice for Suppliers to the Public Sector (Version 9 or above)

SALSA Plus (Issue 4).

Certification to any of the above standards must be maintained by suppliers at all times during the Framework agreement.

Our Supplier Assessment Agents, STS, will facilitate the management of certification standards on behalf of NHSS

### **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**

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: 3

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

An electronic auction will be used

#### **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: [2021/S 000-006872](#)

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

Date

15 July 2021

Local time

9:30am

#### **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

15 July 2021

Local time

9:30am

Place

Gyle Square, South Gyle Crescent, Edinburgh

Information about authorised persons and opening procedure

Carried out by NSS National Procurement

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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**



The Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards (including the

Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e. all NHS

Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS (Scotland)

Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014. All Scottish

Hospices.

The indicative total contract value shown is based on a circa 3 500 000 GBP per annum over the indicated duration

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18832. 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:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

The Statement of Requirements will detail the Community Benefit background and objectives. The contract will mandate that suppliers

Respond in its tender outlining current Community Benefits and proposals if successful and mandating that they support the overall

Community Benefit concept and process including a contract and supplier management process post award

(SC Ref:650941)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Telephone

+44 1312252525

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the framework agreement which notification will contain among other information,

a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is not electronic) between the date on which

the authority despatches the notice(s) and the date on which the authority proposes to conclude the relevant framework agreement.

The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings

to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include the setting aside of the decision to award the framework agreement to the winning tenderer(s). The bringing of court proceedings against the

authority after the framework agreement has been entered into will not affect the framework agreement unless grounds for the imposition of special penalties under the Public Contracts

(Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the framework agreement has been entered into are limited to the award of damages. Economic operators are

entitled to write to the authority after receipt of the notification should they require further clarification. The authority will respond within 15 days of such a written request, but it should be noted that receipt by the authority of such request during the standstill period may not prevent the authority from awarding the framework agreement following the expiry of the standstill period. Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts:

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

Country

United Kingdom