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Tender

250_24 Road Repair Materials

ESPO

F02: Contract notice

Notice identifier: 2024/S 000-014184

Procurement identifier (OCID): ocds-h6vhtk-0433da

Published 2 May 2024, 11:47am

Section I: Contracting authority

I.1) Name and addresses

ESPO

Barnsdale Way, Grove Park, Enderby

LEICESTER

LE19 1ES

Contact

Food, Communities and Technology Procurement Team

Email

tenders@espo.org

Country

United Kingdom

Region code

UKF22 - Leicestershire CC and Rutland

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.espo.org/>

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.eastmidstenders.org/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.eastmidstenders.org/>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

Other activity

Local Authority Services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

250_24 Road Repair Materials

Reference number

250_24

II.1.2) Main CPV code

- 44113700 - Road-repair materials

II.1.3) Type of contract

Supplies

II.1.4) Short description

ESPO intends to establish a national framework for the supply and delivery of Road Repair Materials, including Bitumen Emulsions, Propriety Emulsion Products, Polymer Modified Binder & Emulsion, Rapid Set Products and Joint Sealant Products.

To tender:

(a) Go to <https://www.eastmidtenders.org/>; (b) Register (if not already registered on ProContract); (c) Search for tender opportunity '250_24' (via "View Opportunities" from the 'EastMidsTenders' Portal); (d) Express an interest (if not already completed via the previously Published PIN); (e) Download the tender documents (from the ProContract Activity summary screen, once an Expression of interest has been completed).

II.1.5) Estimated total value

Value excluding VAT: £10,000,000

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

Lot 1 - Emulsion Products

Lot No

1

II.2.2) Additional CPV code(s)

- 44113610 - Bitumen
- 44113800 - Road-surfacing materials
- 44113810 - Surface dressing
- 44113900 - Road-maintenance materials

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

This lot is for emulsion products which includes but is not limited to tack coat emulsion, cold applied surface dressing emulsion, hot applied surface dressing emulsion, slow set slurry sealing emulsion, polymer modified bitumen emulsion, Cold joint paint, blown bitumen, 40/60 pen bitumen, K3 stabilizer and Spray injection patching emulsion.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £2,000,000

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

Start date

1 August 2024

End date

31 July 2026

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: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

II.2) Description

II.2.1) Title

Lot 2 - Packed Highway Products

Lot No

2

II.2.2) Additional CPV code(s)

- 19522000 - Resins
- 24327400 - Resin products
- 35322400 - Mortars
- 43413000 - Concrete or mortar mixers
- 44113610 - Bitumen

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

This lot is for Rapid Set Products which includes but is not limited to: mortar, bedding mortar, polyester resin mortar, epoxy resin mortar, rapid set concrete, rapid set flowable fibre modified concrete, rapid hardening post fix 2-part concrete, rapid hardening single part concrete, temporary cold-lay instant road repair material, permanent pothole repair material and soil stabiliser.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £4,000,000

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

Start date

1 August 2024

End date

31 July 2026

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: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

II.2) Description

II.2.1) Title

Lot 3 - Joint Sealant Products

Lot No

3

II.2.2) Additional CPV code(s)

- 39812500 - Sealants
- 44113610 - Bitumen
- 44113900 - Road-maintenance materials

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

This lot is for Joint Sealant Products which includes but is not limited to: hot applied bitumen overbanding, hot applied bitumen crack sealant, hot applied bitumen joint sealant, Rubber joint sealant for horizontal joints and cracks and cold applied thixotropic bitumen emulsion for application to vertical surfaces.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £1,500,000

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

Start date

1 August 2024

End date

31 July 2026

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: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

II.2) Description

II.2.1) Title

Lot 4 - Other Bituminous Based Products

Lot No

4

II.2.2) Additional CPV code(s)

- 14213000 - Macadam, tarmac and tar sands
- 24959100 - Aerosols
- 39812500 - Sealants
- 44113610 - Bitumen
- 44113900 - Road-maintenance materials

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

This lot is for Other Bituminous Based Products which includes but is not limited to: joint and edge sealant spray, Bitumen cold joint sealer & tack coat spray and deferred set bitumen macadam.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £2,500,000

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

Start date

1 August 2024

End date

31 July 2026

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: Yes

Description of options

The framework agreement has the option to extend for up to a further 24 months. The total estimated value stated in Section II.1.5 includes the option period.

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

Selection criteria as stated in the procurement documents

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

As part of the on-going contract management process, throughout the period of the Framework Agreement, ESPO shall monitor the financial stability of the awarded Supplier by reference to credit rating agency reports. ESPO shall obtain a credit score for the Supplier on or before the Framework start date as a base score and where a significant change in the credit score is identified over the life of the Framework Agreement, ESPO reserves the right to investigate the reasons for this significant change. Depending on the severity of the changes, it will be at the sole discretion of ESPO to suspend or even permanently remove the Supplier from the Framework.

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

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 000-002290](#)

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

Date

4 June 2024

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

IV.2.7) Conditions for opening of tenders

Date

4 June 2024

Local time

12:01pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

As a Central Purchasing Body as defined in the Public Contracts Regulations 2015, the Framework Agreement is open for use by Public Bodies (defined at <https://www.espo.org/amfile/file/download/file/9608/>) that also fall into one of the following classifications of user throughout all administrative regions of the UK: Local Authorities; Educational Establishments (including Academies); Central Government Departments and Agencies; Police, Fire & Rescue and Coastguard Emergency Services; NHS and HSC Bodies, including Ambulance Services; Registered Charities; Registered Social Landlords; The Corporate Office of the House of Lords, The Corporate Officer of the House of Commons; or any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament. Details of the classification of end user establishments and geographical areas are available at: <https://www.espo.org/legal>.

ESPO has established a commercial trading company, ESPO Trading Limited, whose target clients are third sector organisations such as national and local charities, public sector mutual organisations and other organisations involved in the delivery of services to or for the public sector. The successful Supplier may be asked to enter into an additional separate framework agreement (the Second Framework) with ESPO Trading Limited on materially similar terms to that found in the tender pack to be entered into by ESPO itself.

Any Second Framework agreement will be a purely commercial agreement and will, for the avoidance of doubt, not be governed by the Public Contract Regulations 2015 or other public procurement legislation. ESPO Trading Limited may enter into the second framework agreement with the successful supplier and make it available to third sector clients who themselves are not required to follow the Public Contracts Regulations 2015 or other public procurement legislation. Accordingly, this is provided for bidders information only.

An eAuction process may be used to award subsequent call off contracts following the reopening of competition among the parties to the Framework Agreement.

VI.4) Procedures for review

VI.4.1) Review body

The Royal Court of Justice

The Strand

LONDON

WC2A 2LL

Country

United Kingdom

Internet address

<https://www.justice.gov.uk/>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

ESPO will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers. Applicants who are unsuccessful shall be informed by ESPO as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2015 (SI 2105 No. 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order for any document to be amended and may award damages, make a declaration of ineffectiveness, order for a fine to be paid, and/or order 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.