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Tender

Supply and Delivery of Coated, Uncoated & Recycled Roadstone and Ready Mixed Concrete

Scotland Excel

F02: Contract notice

Notice identifier: 2022/S 000-014191

Procurement identifier (OCID): ocds-h6vhtk-02e39c

Published 24 May 2022, 10:57am

Section I: Contracting authority

I.1) Name and addresses

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

Contact

David Kerr

Email

roads@scotland-excel.org.uk

Telephone

+44 1414888656

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

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/esop/pts-host/public/pts/web/login.html>

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/esop/pts-host/public/pts/web/login.html>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Supply and Delivery of Coated, Uncoated & Recycled Roadstone and Ready Mixed Concrete

Reference number

1621

II.1.2) Main CPV code

- 44113140 - Roadstone

II.1.3) Type of contract

Supplies

II.1.4) Short description

This framework will provide councils and other participating bodies the mechanism to procure the supply and delivery of range of roadstone and ready mix concrete products. This includes coated, uncoated and recycled roadstone materials.

II.1.5) Estimated total value

Value excluding VAT: £100,000,000

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

Uncoated Roadstone

Lot No

2

II.2.2) Additional CPV code(s)

- 44113140 - Roadstone

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 (lot 2) will provide councils and other participating bodies the mechanism to procure the supply and delivery for a range of uncoated roadstone products.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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.2.13) 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

Recycled Roadstone

Lot No

3

II.2.2) Additional CPV code(s)

- 44113140 - Roadstone

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 (Lot 3) will provide councils and other participating bodies the mechanism to procure the supply and delivery for a range of recycled roadstone products.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £5,000,000

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.2.13) 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

Cementation products such as ready mixed concrete

Lot No

4

II.2.2) Additional CPV code(s)

- 44114000 - Concrete
- 44114100 - Ready-mixed concrete

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 (Lot 4) will provide councils and other participating bodies the mechanism to procure the supply and delivery for a range ready mix and other concrete products.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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.2.13) 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

Coated Roadstone

Lot No

1

II.2.2) Additional CPV code(s)

- 44113320 - Coated roadstone
- 44113300 - Coated materials
- 44113310 - Coated road 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 (Lot 1) will provide councils and other participating bodies the mechanism to procure the supply and delivery for a range of coated roadstone products.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

II.2.6) Estimated value

Value excluding VAT: £75,000,000

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

Duration in months

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.

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

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.

1. SPD (Scotland) Questions 4B.5.1 and 4B.5.2 - Insurance Requirements

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

SPD (SCOTLAND) QUESTION 4B.5.1 AND 4B.5.2 INSURANCE REQUIREMENTS:

For all lots 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:

EMPLOYERS (COMPULSORY) LIABILITY INSURANCE = no less than GBP 5 million in respect of each and every claim.

PUBLIC/PRODUCTS LIABILITY INSURANCE = Minimum of GBP 10 million Public Liability is issued on an “any one claim” basis, however the Products Liability will be on an aggregate basis.

MOTOR INSURANCE = minimum of GBP 5 million in respect of each claim, without limit to the number of claims.

GOODS IN TRANSIT COVER - to cover the value of the materials supplied per annum

Minimum level(s) of standards possibly required

SPD (SCOTLAND) QUESTION 4B.6 OTHER ECONOMIC AND FINANCIAL REQUIREMENTS:

A. For bidders who will sub contract parts of the business, the bidder should provide a letter signed by a person of appropriate authority

confirming that the bidder has on-going arrangements in place to ensure that sub-contractors' vehicles are appropriately insured and maintained.

B. The bidder is to confirm that a search of the bidder against Equifax's Protect will not return a 'Warning' or 'Caution' returnable code or any neutral code, unless the bidder 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 bidder does / would not represent an unmanageable risk should it be appointed onto the proposed framework agreement.

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 Parts 1, 2, 3 and 6 of the SPD (Scotland) Qualification Envelope.

SPD (SCOTLAND) QUESTION 4D.1 - QUALITY MANAGEMENT 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 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 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).

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.1.6) Information about electronic auction

An electronic auction will be used

Additional information about electronic auction

The Council reserves the right to use an electronic auction during the Contract period.

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: [2021/S 000-023593](#)

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

Date

22 June 2022

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

IV.2.7) Conditions for opening of tenders

Date

22 June 2022

Local time

12:00pm

Information about authorised persons and opening procedure

Scotland Excel, Renfrewshire House, Cotton Street, Paisley PA1 1AR on:

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

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, as a central purchasing body, is procuring this framework for the use and benefit of its members namely 32 local authorities in Scotland, Tayside Contracts, Scotland Excel associate members; all as listed at <https://home.scotland-excel.org.uk/about-us/our-members/>

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

Tenderers are advised that the envisaged maximum number of participants that might be appointed is purely indicative. Scotland Excel reserves the right to appoint more or less bidders to the proposed Framework Agreement.

Tenderers are advised that whether electronic ordering, invoicing and payment (section V1.2 above) will be used or accepted is at the discretion of each Local Authority Member or Associate Member which will be settled by them during call-off of a contract under this proposed Framework Agreement.

Subcontractors on whose capacity the Tenderer does not rely: Scotland Excel will request the following information in the Single Procurement Document (Scotland):

- whether the Tenderer intends to subcontract any share of the contract to a third party;
- list of the proposed subcontractors as far as it is known at that stage; and
- what proportion / percentage of the contracts to be called-off under the proposed framework agreement does the Tenderer intend to subcontract.

Please note that these subcontractors on whose capacity the bidder does not rely will be subject to the rules regarding Exclusion as set out above (section III).

Further to IV.1.6, electronic auctions may be used at the point when Councils enter into Call-offs under the Framework. In that event, Councils will set out relevant information in the procurement documents related to their requirement in accordance with Regulation 36 (Electronic Auctions) of the Public Contracts (Scotland) Regulations 2015.

Bidders should note that retrospective rebates apply to this Framework. Details can be found within the Framework Contract document.

Suppliers will be required to provide management Information (MI) and KPIs on a quarterly basis and report on Community Benefits provided bi-annually.

MI requires an itemised statement for goods and services provided for each contracting authority who will be permitted to purchase under this proposed Framework Agreement down to a defined categorisation structure set out in the MI template.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 21236. 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 criteria, Bidders will be requested to commit to delivery of community benefits in accordance with the methodology outlined in the tender documents.

(SC Ref:693131)

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

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.