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Tender

## **58\_23 Ready Meals**

ESPO

F02: Contract notice

Notice identifier: 2023/S 000-014366

Procurement identifier (OCID): ocds-h6vhtk-03a387

Published 19 May 2023, 2:53pm

### **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](mailto: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

<http://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

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## **Section II: Object**

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

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

58\_23 Ready Meals

Reference number

58\_23

#### **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**

ESPO is seeking to renew its framework agreement for the supply and direct delivery of frozen Ready Meals:

Lot 1 - Single Portion Ready Meals

Lot 2 - Multi-portion meal components

To tender: (a) Go to <https://www.eastmidstenders.org/>; (b) Register (if not already registered on ProContract); (c) Search for tender opportunity '58\_23' (via "View Opportunities" from the 'EastMidsTenders' Portal); (d) Express an interest; (e) Download the tender documents from the website (documents can be found in the first question of the Online Questionnaire, but to see these you will first need to click on "Start my response" followed by "Edit" next to the Question set, and "Answer question" next to the first question - for any additional help accessing please refer to the guide that is included within the Proactis portal - ProContract - for this opportunity).

#### **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**

Lot 1 - Single Portion Ready Meals

Lot No

1

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

- 15800000 - Miscellaneous food products

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

NUTS codes

- UK - United Kingdom

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

Suppliers under this Lot will be able to supply a wide range of complete single portion main meals and desserts.

### **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: £50,000,000

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

Start date

1 October 2023

End date

30 September 2025

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 - Multi-Portion Meal Components

Lot No

2

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

- 15800000 - Miscellaneous food products

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

NUTS codes

- UK - United Kingdom

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

The scope of this lot is for multi-portion meal components, including main and side dishes, desserts and sweet and savoury sauces.

### **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: £50,000,000

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

Start date

1 October 2023

End date

30 September 2025

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.

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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**

Selection criteria as stated in the procurement documents

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

#### **III.2.2) Contract performance conditions**

Financial - 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 Agreement.

Food Safety Accreditation - Suppliers must have, and retain throughout the framework lifetime, a relevant third party food safety accreditation (such as BRC, STS) in relation to the manufacture and/or storage of Food products. Failure to retain such accreditation must be immediately reported to ESPO and will be at the sole discretion of ESPO to suspend or even permanently remove the Supplier from the Framework Agreement. Certificate copies will be sent to ESPO annually, on the expiry/renewal date of such accreditation.

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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

#### **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 000-003729](#)

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

Date

30 June 2023

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

30 June 2023

Local time

12:01pm

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## **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.