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Tender

## **Winter Maintenance Framework Agreement (Footways & Miscellaneous).**

Scottish Borders Council

F02: Contract notice

Notice identifier: 2021/S 000-017439

Procurement identifier (OCID): ocds-h6vhtk-02cb8d

Published 23 July 2021, 9:05am

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

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

Scottish Borders Council

Council Headquarters

Newtown St Boswells

TD6 0SA

#### **Email**

[procurement@scotborders.gov.uk](mailto:procurement@scotborders.gov.uk)

#### **Telephone**

+44 1835824000

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00394](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00394)

**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 to the above-mentioned address

**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**

Winter Maintenance Framework Agreement (Footways & Miscellaneous).

Reference number

SBC/CPS/2055

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

- 90620000 - Snow-clearing services

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

Services

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

The purpose of establishing a Framework Agreement is to provide Winter Maintenance Assistance from 3rd party contractors to cover legislative requirements during winter periods should there be insufficient in-house capacity.

The Framework will be split into 3 Lots covering the following requirements:

Lot 1: Provision of Planned Winter Service Treatments on Priority Footway Routes (AM).

Lot 2: Assistance for Reactive Winter Service Treatment to Footways Network.

Lot 3 Assistance with Miscellaneous Winter related activities within Roads & Footways and other Council locations.

#### **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**

Reactive Treatments on Footway Network during periods of icing & snow

Lot No

2

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

- 90620000 - Snow-clearing services

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

NUTS codes

- UKM91 - Scottish Borders

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

Contractors within Lot 2 will be requested to carry out winter maintenance treatment to any part of the Council's footway network. The Contractor may not receive any instruction until the completion of the primary footway network that morning however, there will be occasions where the request is made in advance i.e. the day before.

Drivers are required to hold a Class C1+ E licence to enable them to tow the appropriate trailer complete with footpath tractor, gritter & scraper when appropriate. The towing vehicle is also required to have the capability of carrying up to 1 tonne of salt while towing the loaded trailer.

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

Quality criterion - Name: Ability to meet requirements / Weighting: 30

Quality criterion - Name: Service Back Up / Weighting: 25

Quality criterion - Name: Contract Implementation/Exit / Weighting: 15

Quality criterion - Name: Response Times / Weighting: 25

Quality criterion - Name: Fair Working Practices / Weighting: 5

Price - Weighting: 70

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

Duration in months

36

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**

The Framework will be for a maximum period of 36 months. The initial period of the Framework will be for 12 months from the starting date with an option to extend for up to a further 24 months subject to satisfactory operation and performance. Any periods of extension will be at the sole discretion of the Council.

## **II.2) Description**

### **II.2.1) Title**

Assistance with Miscellaneous Winter related activities within Roads & Footways and other Council locations

Lot No

3

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

- 90620000 - Snow-clearing services

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

NUTS codes

- UKM91 - Scottish Borders

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

Contractors within Lot 3 will generally be available for 'calling out' at short notice to assist with miscellaneous winter related activities from a particular specified Roads Depot or within a specific area.

When called out to provide a service under this Lot a minimum charge equivalent to four hours of working time will apply.

Contractors must ensure that all drivers/operators hold the appropriate licence.

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

Quality criterion - Name: Ability to meet requirements / Weighting: 30

Quality criterion - Name: Service Back Up / Weighting: 25

Quality criterion - Name: Contract Implementation/Exit / Weighting: 15

Quality criterion - Name: Response Times / Weighting: 25

Quality criterion - Name: Fair Working Practices / Weighting: 5

Price - Weighting: 70

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

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Variants will be accepted: No

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Options: No

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The procurement is related to a project and/or programme financed by European Union funds: No

### **II.2.14) Additional information**

The Framework will be for a maximum period of 36 months. The initial period of the Framework will be for 12 months from the starting date with an option to extend for up to a further 24 months subject to satisfactory operation and performance. Any periods of extension will be at the sole discretion of the Council.

## **II.2) Description**

### **II.2.1) Title**

Provision of Planned Winter Service Treatments on Priority Footway Routes (AM).

Lot No

1

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

- 90620000 - Snow-clearing services

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

NUTS codes

- UKM91 - Scottish Borders

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

Where necessary to supplement the Council's in-house resources, the Contractors will be required to respond to the need for planned winter treatments to the Council's priority footway network. They will be rota'd along with other contractors/Council winter operatives for any given week(s) throughout the winter period. Contractors within Lot 1 will be provided with a designated route. There will be a squad (2 operatives) identified for each of the 21 routes for a seven day week. There will be similar teams working from the six Roads Depots across the Region. One driver per squad within this Lot is required to hold a Class C1+E licence.

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

Quality criterion - Name: Ability to meet requirements / Weighting: 30

Quality criterion - Name: Service Back Up / Weighting: 25

Quality criterion - Name: Contract Implementation/Exit / Weighting: 15

Quality criterion - Name: Response Times / Weighting: 25

Quality criterion - Name: Fair Working Practices / Weighting: 5

Price - Weighting: 70

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

SPD(Scotland)Question 1.75.1 Part 4C Qualifications - Class C1+E licence.

Certification to operate any plant or vehicles they will be responsible for.

Hold or working towards a Winter Maintenance qualification.

All vehicles should have legal certifications such as MOT, Servicing and

Road Tax.

### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

SPD Scotland Question 1.72 Part 4B - Insurance Requirements and Economic and Financial Standing. It is a requirement of this contract that Economic operators hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

- Public Liability - Minimum 5,000,000 GBP
- Employer's Liability - Minimum 5,000,000 GBP(if applicable)
- Motor insurance as required

Minimum level(s) of standards possibly required

SPD Scotland Question Part 4B Question 1.72.6 - Economic or Financial Requirements. Contractors will be subject to a Credit Safe check to assess the economic financial standing. The contractor will be required to co-operate with the Council and may be asked to provide copies of their last 2 financial audited accounts to assist with this process. The contractor will be required to obtain a Credit safe rating  $\geq 35$ .

The Council reserves the right to exclude economic operators who fail to meet this rating and reserves the right not to award a contract without liability on its part.

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

List and brief description of selection criteria

Health And Safety Procedures

SPD (Scotland) Question 1.78.1 Part 4D - Quality Assurance Schemes - The following is required:

An ISO 18001 and then BS EN ISO 45001:(2016 Or 2017) when the standard became auditable.

OR,

A documented health and safety policy or where applicable (less than 5 employees , self-employed etc.) provide a statement of Health and Safety Intent and similarly, where recorded, provide examples of risk assessments likely to be associated with carrying out this type of work(3 minimum).

These should include safety of staff and others, members of the public , operation of vehicles, plant and equipment and include their current Covid 19 Risk Controls.

Minimum level(s) of standards required:

Organisations with less than five employees are not required by law to have a documented policy statement. The need to reduce documentary requirements on micro businesses in particular will be taken into account by buyers and the evaluation panel.

Method statements and risk assessments for risks likely to be associated with carrying out this type of work including Covid 19 Risk Controls.

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

### **III.2.1) Information about a particular profession**

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Class C1+E licence

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

KPIs as per the specification.

### **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: 10

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

Date

27 August 2021

Local time

12:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.7) Conditions for opening of tenders**

Date

27 August 2021

Local time

12:00pm

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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**

Contractors should note that when it is judged by the Council(at their sole discretion)to be appropriate the Council will collaborate

with the relevant bodies(including Police Scotland)to actively share significant elements of information provided and detailed in this

response.

Tenderers are advised that the envisaged maximum number of participants as set out in IV1.3 of this contract notice is indicative. The Council reserves the right to appoint more or less Tenderers as and if required.

Once the initial SPD evaluation has been completed the following documents will be required. You will be notified directly informing

you which documents you need to provide using the Request for Documentation process.

1. Evidence of your company's insurance certification detailing the required level of insurance as per the levels stated within this contract

notice,

2. Completed copy of the Certificate of Non Collusion,

3. Completed copy of the Canvassing Declaration,

4. Completed copy of the Freedom of Information schedule,
5. Completed copy of the Non Involvement in Serious Organised Crime Declaration.
6. and any other documentation required.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 19201.  
For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

(SC Ref:660781)

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

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

Jedburgh Sherriff Court and Justice of the Peace Court

Castlegate

Jedburgh

TD8 6AR

Email

[jedburgh@scotcourts.gov.uk](mailto:jedburgh@scotcourts.gov.uk)

Telephone

+44 1835863231

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

The contracting authorities will incorporate a minimum 10 day standstill period at the point of information on the award of the contract is communicated to tenderers. The Public Contract (Scotland) Regulations 2015 (SSI,2015 No446) provide for aggrieved parties who have been harmed or at risk of harm by a breach of the rule to take action in the Sherriff Court or Court of Session. A claim for an ineffectiveness order must be made

within 30 days of the Framework Agreement award being published on the OJEU or within 30 days of the date to those who expressed an interest in or otherwise bid for the contract were informed of the conclusion of the contract or in any other case within six months from the date on which the contract was entered into.