

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/017896-2023>

Tender

Asbestos related Works and Services

Scotland Excel

F02: Contract notice

Notice identifier: 2023/S 000-017896

Procurement identifier (OCID): ocds-h6vhtk-03b397

Published 23 June 2023, 10:44am

Section I: Contracting authority

I.1) Name and addresses

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

Email

construction@scotland-excel.org.uk

Telephone

+44 1414888230

Country

United Kingdom

NUTS code

UKM - Scotland

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

Asbestos related Works and Services

Reference number

0722

II.1.2) Main CPV code

- 71317000 - Hazard protection and control consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

Provision of asbestos surveys, analytical services and removal and disposal works.

Scotland Excel is the Centre of Procurement Expertise for the local government sector in Scotland. All 32 Scottish local authorities are members and circa 90 organisations are associate members. Established in 2008, our remit is to work collaboratively with members and suppliers to raise procurement standards, secure best value for customers and to improve the efficiency and effectiveness of public sector procurement in Scotland.

Scotland Excel develops and manages collaborative contracts for products, services and works where a strategic requirement is identified across our sector. For further information about our governance and set up, suppliers are referred to the following page of our website:

<https://home.scotland-excel.org.uk/about-us/our-governance/>

II.1.5) Estimated total value

Value excluding VAT: £28,000,000

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

Asbestos Removal and Disposal

Lot No

2

II.2.2) Additional CPV code(s)

- 45262660 - Asbestos-removal work
- 90650000 - Asbestos removal services

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

The scope of this lot will include, but not be limited to, asbestos removal and disposal.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

II.2.6) Estimated value

Value excluding VAT: £20,000,000

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: Yes

Description of options

The Framework Contract will run for four years from the commencement date.

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.

For Lot 2 – Asbestos Removal and Disposal it is a minimum requirement for selection that Tenderers are required to confirm they hold and will maintain a HSE License (minimum 1 year license type) and waste carrier license.

II.2) Description

II.2.1) Title

Asbestos Analytical Services

Lot No

3

II.2.2) Additional CPV code(s)

- 71630000 - Technical inspection and testing services
- 90650000 - Asbestos removal services

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

The scope of this lot will include, but not be limited to, asbestos analytical services.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

II.2.6) Estimated value

Value excluding VAT: £700,000

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: Yes

Description of options

The Framework Contract will run for four years from the commencement date.

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.

For Lot 3 - Asbestos Analytical Services it is a minimum requirement for selection that Tenderers are required to confirm they hold and will maintain UKAS ISO/IEC 17025.

II.2) Description

II.2.1) Title

Asbestos Surveying and Analytical Services

Lot No

4

II.2.2) Additional CPV code(s)

- 71315300 - Building surveying services
- 79311000 - Survey services
- 71315100 - Building-fabric consultancy services
- 90650000 - Asbestos removal services
- 71630000 - Technical inspection and testing services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

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

The scope of this lot will include, but not be limited to, asbestos surveys and analytical services.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

II.2.6) Estimated value

Value excluding VAT: £2,300,000

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: Yes

Description of options

The Framework Contract will run for four years from the commencement date.

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.

For Lot 4 - Asbestos Surveying and Analytical Services has a minimum requirement for selection that Tenderers are required to confirm they hold and will maintain UKAS ISO/IEC 17020 and UKAS ISO/IEC 17025.

II.2) Description

II.2.1) Title

Asbestos Surveys

Lot No

1

II.2.2) Additional CPV code(s)

- 79311000 - Survey services
- 71315300 - Building surveying services
- 71315100 - Building-fabric consultancy services
- 90650000 - Asbestos removal services

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

The scope of this lot will include, but not be limited to, asbestos surveys.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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: Yes

Description of options

The Framework Contract will run for four years from the commencement date.

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.

For Lot 1 - Asbestos Surveys it is a minimum requirement for selection that Tenderers are required to confirm they hold and will maintain UKAS ISO/IEC 17020.

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

As this proposed framework is divided into lots, these technical and professional ability selection criteria apply separately in relation to each individual lot.

SPD (SCOTLAND) QUESTIONS 4A.1 - SUITABILITY

The Tenderer must be enrolled in the relevant professional or trade registers kept in its country of establishment.

Tenderers must hold and maintain the relevant accreditations as listed below;

Lot 1 - Asbestos Surveys - UKAS ISO/IEC 17020

Lot 2 - Asbestos Removal and Disposal - HSE License (minimum 1 year type) and waste carrier license

Lot 3 - Analytical Services - UKAS ISO/IEC 17025

Lot 4 - Asbestos Surveying and Analytical Services - UKAS ISO/IEC 17020 and UKAS ISO/IEC 17025

Tenderers are required to state that they currently hold the valid accreditation, as listed above, in their tenderer submission. Tenderers will be required to provide Scotland Excel with electronic copies of their accreditation as part of the evaluation.

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.

SPD (SCOTLAND) QUESTIONS 4B.5.1 AND 4B.5.2 - Insurance Requirements

SPD (SCOTLAND) QUESTIONS 4B.6 - Other Economic and Financial Requirement

Minimum level(s) of standards possibly required

Tenderers must confirm that they already have, or can commit to obtain prior to the commencement of the Framework Contract, the following types and minimum levels of insurance cover on terms compatible with the requirements of the Framework Contract:-

For all lots the following levels of Insurance are required;

EMPLOYERS LIABILITY INSURANCE to a minimum level of 10million GBP, each and every claim (there should be no inner limits for asbestos-related work).

PUBLIC/PRODUCTS LIABILITY INSURANCE to a minimum level of 10million GBP, each and every claim and in the aggregate for products.

MOTOR VEHICLE INSURANCE to a minimum indemnity level of 5million GBP in respect of third party property damage/unlimited in respect of injury (where there is no company fleet and employees use their own vehicles instead, a letter signed by a person of appropriate authority confirming that the provider has ongoing arrangements in place to ensure that employees' vehicles are appropriately insured and maintained for business purposes).

For Lots 1, 3, and 4 the following additional insurance is required;

PROFESSIONAL INDEMNITY INSURANCE to a minimum of 2million GBP each and every claim OR 5million GBP in the annual aggregate (there should be no inner limits for asbestos-related work).

Tenderers must note that these minimum levels of insurance are required to be awarded onto the framework, however, the Councils may request an increase to the minimum level of insurance cover required or request additional insurance cover when awarding a Work Order under the Framework Contract.

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

The Tenderer is required to confirm that a search of the tenderer against "Equifax Protect" will not return a 'Warning' or 'Caution' code or any neutral code, unless the Tenderer can provide any other documentation which Scotland Excel considers appropriate to prove to Scotland Excel that the Tenderer does/would not present an unmanageable risk should it be appointed on to the proposed framework

agreement.

III.1.3) Technical and professional ability

List and brief description of selection criteria

SPD (Scotland) Question 4C.1.2 - Services

SPD (Scotland) Question 4C.10 - Subcontracting

SPD (Scotland) Question 4D.1 - Quality Management Procedures

SPD (Scotland) Question 4D.1 - Health and Safety Procedures

SPD (Scotland) Question 4D.2 - Environmental Management Systems or 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

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 all Parts of the SPD (Scotland) Qualification Envelope, except Part 4 (Selection criteria).

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.

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 BS 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.

ENVIRONMENTAL MANAGEMENT SYSTEMS OR 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).

Further to the description of the selection criteria outlined above, full guidance and the minimum levels of standards required are outlined within the ITT.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

For details of the conditions relevant to the Framework Contract and contracts to be called off thereunder (to the extent known or settled at this stage), please see the tender documents (refer to section "I.3" of this notice).

Please note, in accordance with Regulations 20(7) and 20(8) of the Public Contracts (Scotland) Regulations 2015, we may, where necessary, impose conditions for the performance of the contract by a group of economic operators (EO's) which are different from those imposed on individual participants (for example we may require the group of EO's to be jointly and severally liable for performance of the contract), and may require groups of EO's to assume a specific legal form for the purposes of the award of the contract.

For more information relative to the submission of consortia tenders, tenders by groups of EO's and sub-contracting, please refer to the tender documentation which is available on the PCS-T project for this procurement exercise.

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: 30

IV.1.6) Information about electronic auction

An electronic auction will be used

Additional information about electronic auction

An electronic auction may be used

Additional information about electronic auction:

This is at the discretion of each Scotland Excel Council, Associate Member or other bodies Participating and applicable requirements will be set out by them during the procedure for the call-off of a contract under this proposed framework agreement (subject to law).

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 000-007737](#)

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

Date

24 July 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

Tender must be valid until: 9 February 2024

IV.2.7) Conditions for opening of tenders

Date

24 July 2023

Local time

12:00pm

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

Scotland Excel is a central purchasing body and is procuring this framework on behalf of the following contracting authorities (and

successor bodies):

A) The 32 local authorities in Scotland as listed at <http://www.scotland-excel.org.uk/home/aboutus/ourmembers.aspx>

B) Scotland Excel associate members as listed at <http://www.scotland-excel.org.uk/home/Aboutus/Ourmembers/Associate-members.aspx>

C) any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working)(Scotland)Act 2014.

D) Any Scottish Registered Social Landlords listed on the public register of the Scottish Housing Regulator:

<http://directory.scottishhousingregulator.gov.uk/Documents/Landlord%20Register.pdf> as at the date of publication of this notice.

E) Tayside Contracts

F) Advanced Procurement for Universities and Colleges (APUC Ltd) and their member organisations across the higher and further

education sector in Scotland and their associated and affiliated bodies.

G) Scottish Prison Service (SPS)

H) Scottish National Health Service Authorities and Trusts

I) Transport Scotland

J) Scottish Government and Scottish Central Government Bodies.

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 to the proposed framework agreement set out in section IV.1.3 of this contract notice is purely indicative. Scotland Excel reserves the right to appoint more or less bidders than the envisaged maximum number to the proposed framework agreement.

Further information regarding the operation of the framework and the tendering requirements can be found within the tender documentation

which is available in the relevant PCS-T project for this procurement exercise.

Rebates apply to this framework. For further details, please see the Framework Contract.

IMPORTANT NOTE FOR TENDERERS: Tenderers should note the specific requirements and evaluation approaches applicable to this tender as set out in the procurement documents.

Bids may be excluded from evaluation (in whole, or in part) if they do not include the information required in accordance with instructions given.

Further information and instructions are contained within the procurement documents.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 23750. 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:

Tenderers are requested to agree to the community benefits approach as set out in the

ITT. Where agreed, if successful in award onto the

framework and if a Work Order is awarded through the framework, consultants will be required to:

1. Upon award of the Work Order proactively engage with the Council to agree the selection of community benefit outcomes and how

these will be monitored between the parties (including reporting and reviews).

2. Commence implementing the community benefits immediately, or as soon as reasonably possible, upon being appointed a Work Order.

3. Inform Scotland Excel of the selection of community benefit outcomes which have been agreed with the Council and report on the

delivery these on a bi-annual basis in a format prescribed by Scotland Excel.

(SC Ref:730195)

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

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.