

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/018985-2024>

Tender

Forestry and Arboricultural Works Framework

The City of Edinburgh Council

Midlothian Council

West Lothian Council

East Lothian Council

Fife Council

Scottish Borders Council

The Common Services Agency (more commonly known as NHS National Services Scotland) (NSS)

F02: Contract notice

Notice identifier: 2024/S 000-018985

Procurement identifier (OCID): ocds-h6vhtk-047156

Published 20 June 2024, 8:43am

The closing date and time has been changed to:

5 August 2024, 12:00pm

See the [change notice](#).

Section I: Contracting authority

I.1) Name and addresses

The City of Edinburgh Council

Waverley Court, 4 East Market Street

Edinburgh

EH8 8BG

Email

lorna.lennen@edinburgh.gov.uk

Telephone

+44 1314693922

Country

United Kingdom

NUTS code

UKM75 - Edinburgh, City of

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00290

I.1) Name and addresses

Midlothian Council

Midlothian House, Buccleuch Street

Dalkeith

EH22 1DN

Email

procurement@midlothian.gov.uk

Telephone

+44 1312707500

Country

United Kingdom

NUTS code

UKM73 - East Lothian and Midlothian

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00336

I.1) Name and addresses

West Lothian Council

West Lothian Civic Centre, Howden South Road

Livingston

EH54 6FF

Email

cpu@westlothian.gov.uk

Telephone

+44 1506281814

Fax

+44 1506281325

Country

United Kingdom

NUTS code

UKM78 - West Lothian

Internet address(es)

Main address

<https://www.westlothian.gov.uk/article/44070/Corporate-Procurement-Unit>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00140

I.1) Name and addresses

East Lothian Council

John Muir House

Haddington, East Lothian

EH41 3HA

Email

procurement@eastlothian.gov.uk

Telephone

+44 1620827827

Fax

+44 1506281325

Country

United Kingdom

NUTS code

UKM73 - East Lothian and Midlothian

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00181

I.1) Name and addresses

Fife Council

Fife House, North Street

Glenrothes

KY7 5LT

Email

enquiry.procurement@fife.gov.uk

Telephone

+44 3451550000

Fax

+44 1506281325

Country

United Kingdom

NUTS code

UKM72 - Clackmannanshire and Fife

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00187

I.1) Name and addresses

Scottish Borders Council

Council Headquarters

Newtown St Boswells

TD6 0SA

Email

procurement@scotborders.gov.uk

Telephone

+44 1835824000

Fax

+44 1506281325

Country

United Kingdom

NUTS code

UKM91 - Scottish Borders

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00394

I.1) Name and addresses

The Common Services Agency (more commonly known as NHS National Services Scotland) (NSS)

The Jack Copland Centre,, 52 Research Avenue North, Heriot-Watt Research Park

Edinburgh

EH12 9EB

Email

karen.walls4@nhs.scot

Telephone

+44 7919392110

Fax

+44 1506281325

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Information about joint procurement

The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law

East Lothian Council

West Lothian Council

Mid Lothian Council

Fife Council

Scottish Borders Council

NHS Lothian

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

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

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

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

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Forestry and Arboricultural Works Framework

Reference number

CT1296

II.1.2) Main CPV code

- 77000000 - Agricultural, forestry, horticultural, aquacultural and apicultural services

II.1.3) Type of contract

Services

II.1.4) Short description

The City of Edinburgh Council and Participating Sector Partners (PSP's) and their Arm's Length Organisations, wish to appoint 3 Contractors, however, may take up to a maximum of 6 specialist and experienced suppliers to a Framework Agreement to carry out tree works at a variety of locations over the next four years.

To carry out Forestry and Arboricultural Works as determined by the awarding Councils.

To work alongside the Councils inhouse team

To respond to and complete works requested within specified timescales

II.1.5) Estimated total value

Value excluding VAT: £950,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 77000000 - Agricultural, forestry, horticultural, aquacultural and apicultural services
- 16100000 - Agricultural and forestry machinery for soil preparation or cultivation
- 16600000 - Specialist agricultural or forestry machinery
- 71421000 - Landscape gardening services
- 03452000 - Trees

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

Edinburgh, Lothians, Borders.

II.2.4) Description of the procurement

The City of Edinburgh Council and Participating Sector Partners (PSP's) and their Arm's Length Organisations, wish to appoint 3 Contractors, however, may take up to a maximum of 6. specialist and experienced suppliers to a Framework Agreement to carry out tree works at a variety of locations over the next four years.

To carry out Forestry and Arboricultural Works as determined by the awarding Councils.

To work alongside the Councils inhouse team

To respond to and complete works requested within specified timescales

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

II.2.6) Estimated value

Value excluding VAT: £950,000

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

The Council reserves the right to extend the Framework Agreement for a period of up to 24 months subject to satisfactory performance.

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

Breakdown Figures provided are indicative

Edinburgh Council 190,000 GBP per annum East Lothian Council 50,000 GBP per annum, West Lothian Council 60,000 GBP per annum, Midlothian Council 25,000 GBP per annum

Fife Council and Borders Council - a specific budget is not currently identified , NHS Lothian 42,000 GBP Per annum

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

SPD Question 4B.1 – Tenderers are required to provide their “general” annual turnover for the last two financial years in response to this question.

SPD Question 4B.5 - Tenderers are required to confirm that they hold, or commit to obtaining prior to the commencement of any subsequently awarded contract, the specified types and levels of insurance.

SPD Question 4B.6 - Tenderers are required to provide their Current ratio for Current Year and the Prior Year. The formula for calculating a Tenderer’s current ratio is current assets divided by current liabilities.

Minimum level(s) of standards possibly required

SPD Question 4B.1 – Tenderers are required to have a minimum “general” annual turnover of GBP 354000.00 for the last two financial years. Where a Tenderer does not have an annual turnover of this value, the Council may exclude the Tenderer from the competition or may apply discretion seeking supporting evidence to determine the Tenderer’s suitability to proceed in the competition.

SPD Question 4B.5 - Tenderers are required to hold, or commit to obtaining prior to the commencement of any subsequently awarded contract, the following types and levels of insurance:

Employer’s Liability Insurance:

A minimum cover of 5 million GBP for each claim.

Public Liability Insurance

A minimum cover of 10 million GBP for each claim.

Professional Indemnity Insurance

A minimum cover of 10 million GBP for each claim

Motor Insurance:

motor vehicle insurance on a fully comprehensive basis

Where a Tenderer does not hold or commit to obtaining the types and levels of insurance indicated, the Council will exclude the Tenderer from the competition.

SPD Question 4B.6 - The acceptable range for each financial ratio is greater than 1.10. Where a Tenderer's current ratio is less than the acceptable value, the Council may exclude the Tenderer from the competition or may apply discretion seeking supporting evidence to determine the Tenderer's suitability to proceed in the competition.

III.1.3) Technical and professional ability

List and brief description of selection criteria

SPD Question 4C.4(a) - Payment of the real Living Wage - Tenderers are required to confirm that they will pay any staff that are directly involved in the delivery of the Framework Agreement (including any agency or sub-contractor staff), at least the real Living Wage.

SPD Question 4C.4(b) - Inclusion of Prompt Payment Clause - Tenderers are required to confirm that they will include the standard clause in all contracts used in the delivery of the Framework Agreement, ensuring payment of sub-contractors at all stages of the supply chain within 30 days and include a point of contact for sub-contractors to refer to in the case of payment difficulties.

SPD Question 4C.7(a) - Response to Climate Change Emergency - Tenderers are required to provide evidence that their organisation is taking steps to build their awareness of the climate change emergency and provide details of how they have/will respond (to the climate change emergency).

SPD Question 4C.7(b) – Compliance with LEZ - Tenderers are required to confirm that they (and any sub-contractor) will comply with the minimum emissions standards for Edinburgh's Low Emission Zone (and any other such related scheme, including those in Partner Organisation's locations) when delivering the specified services.

SPD Question 4D.1 – Quality Assurance Schemes & Environmental Management - It is a mandatory requirement that Tendering Organisations with more than 5 employees have in place a Health & Safety Policy which is approved at a senior level within the Organisation and is reviewed regularly

Minimum level(s) of standards possibly required

SPD Question 4C.4(a) - Payment of the real Living Wage - Where a Tenderer does not

commit to pay any staff that at least the real Living Wage, the Council may exclude the Tenderer from the competition.

SPD Question 4C.4(b) - Inclusion of Prompt Payment Clause - Where a Tenderer does not commit to the inclusion of a prompt payment clause, the Council may exclude the Tenderer from the competition.

SPD Question 4C.7(a) - Response to Climate Change Emergency - Where a Tenderer fails to demonstrate that it is taking steps to build awareness of the climate change emergency and reduce emissions, to the Council's satisfaction, the Council may exclude the Tenderer from the competition.

SPD Question 4C.7(b) – Compliance with LEZ - Where a Tenderer does not commit to complying with this requirement, the Council may exclude the Tenderer from the competition.

SPD Question 4D.1 – Quality Assurance Schemes & Environmental Management -Bidders should confirm that this condition has been met within the response to this question. Where a Bidder does not have a Health & Safety Policy and is required to do so, the Council may exclude the Bidder from the competition

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

Works must be undertaken in compliance with British standards BS 3998 2010 – Tree Work Recommendations.

The completion of tree works must be undertaken in compliance with Industrial Best Practice and current Health and Safety legislation / Regulations covering all activities of any tree work operation issued as an Arboricultural Works order and supporting activities to perform instructed tree works;

Signing, Lighting & Guarding NRSWA Unit 2, or superseding or equivalent

Level 2 Certificate of Competence in Chainsaw Maintenance and Cross-cutting or equivalent

Level 2 Award in the Safe Use of a Manually Fed Wood-Chipper or equivalent

Level 2 Certificate of Competence in Felling Small Trees up to 380mm or equivalent

Level 3 Certificate of Competence in Felling and Processing Medium Trees over 380mm and up to 760mm or equivalent

Level 3 Certificate of Competence in Felling and Processing Large Trees Over 760mm or equivalent

Level 2 Certificate of Competence in Tree Climbing and Aerial Rescue or equivalent

Level 2 Certificate of Competence in Using a Chainsaw from a Rope and Harness or equivalent

Level 2 Certificate in Arboriculture or equivalent or higher

All squad members must hold a current First Aid certificate.

III.2.2) Contract performance conditions

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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

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: 6

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

Originally published as:

Date

29 July 2024

Local time

12:00pm

Changed to:

Date

5 August 2024

Local time

12:00pm

See the [change notice](#).

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

IV.2.7) Conditions for opening of tenders

Date

29 July 2024

Local time

12:30pm

Place

City of Edinburgh

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: 48 months

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

is a mandatory requirement of this Framework Agreement that a prompt payment clause is present in all Contracts used in the delivery of the requirements. This ensures payment of sub-contractors at all stages of the supply chain within 30 days and includes an obligation to provide a point of contact for sub-contractors to refer to in the case of payment difficulties. This will require active monitoring of payment performance as well as the provision of evidence and reports to the Council on request or as contractually scheduled.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site

at https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=767683.

The buyer has indicated that it will accept electronic responses to this notice via the Post box facility. A user guide is available

at https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

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:

The Service Provider is encouraged to secure positive outcomes that will benefit the community in which they operate. The Service Provider must

assist the Council in the delivery of community benefits. The Council reserves the right to introduce monitoring of the delivery of

community benefits during the Framework Agreement term.

Download the copy of the online SPD document here (to be completed online through post box submission):

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=769835.

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

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:

Please refer to tender documents

(SC Ref:769835)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=769835

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

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 Public Contracts (Scotland) Regulations 2015 may bring proceedings in the Sheriff Court or Court of Session. A claim for an ineffectiveness order must be made within 30 days of the Contract Award Notice being published in the Find a Tender Service or within 30 days of the date 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 6 months from the date on which the contract was entered into.