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Contract

## **VEAT NOTICE for C16022 National Workwear Framework**

Kent Fire and Rescue Service

F03: Contract award notice

Notice identifier: 2022/S 000-020250

Procurement identifier (OCID): ocids-h6vhtk-0355c2

Published 26 July 2022, 9:51am

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

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

Kent Fire and Rescue Service

The Godlands, Straw Mill Hill, Tovil

Maidstone

ME15 6XB

#### **Contact**

Miss Sarah Walsh

#### **Email**

[workwear@kent.fire-uk.org](mailto:workwear@kent.fire-uk.org)

#### **Telephone**

+44 1622692121

#### **Country**

United Kingdom

**NUTS code**

UK - United Kingdom

**Internet address(es)**

Main address

<http://www.kent.fire-uk.org/>

Buyer's address

<http://www.kent.fire-uk.org/>

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

Public order and safety

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## **Section II: Object**

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

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

VEAT NOTICE for C16022 National Workwear Framework

Reference number

DN621289

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

- 18000000 - Clothing, footwear, luggage articles and accessories

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

Supplies

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

This is a VEAT notice, not an opportunity - it relates to OJEU Award notice reference 2019/S 217-532478 for the National Workwear Framework.

The impact of the pandemic has been unprecedented and widespread across all communities and businesses which has been further impacted by the challenging economic picture which has affected supply chains globally. In light of these unforeseeable supply challenges, which were not caused by the Framework Authority, the current supplier of Lot 1 is currently unable to guarantee stable and secure supplies. As such, the Framework Authority has had to agree to suspend Lot 1 until the supplier is able to establish effective supply chain routes and has had to look for an alternative solution to ensure guaranteed supplies. Supply continuity issues have impacted spend under the Framework with only £1.1 million of business having passed through Lot 1 compared to an estimated spend of £15 million for that lot.

Given the nature of the supplies (i.e. workwear for front line workers) the need to put an alternative supplier in place is a matter of urgency and the Framework Authority is not able to wait until a competitive procurement has been carried out.

Fire and Rescue Authorities have been impacted particularly hard as a result of supply continuity issues. Continuity and certainty of supply is crucial and in these circumstances (where the current supply route is no longer available) there is an urgent need to ensure that an alternative supply route is put in place as soon as possible. The Framework Authority had already started to initiate a procurement process for the next iteration of

workwear and PPE provision however, due to the complexities of this procurement (detailed below) this cannot be delivered quickly – there needs to be an interim measure in place to allow supplies to be provided whilst this procurement is carried out. The Lot 2 supplier (who was the second placed tender at the time of the award of Lot 1) can adjust to provide cover for Lot 1 whilst the new workwear procurement is being run. This approach ensures that the Framework Authority is acting responsibly and ethically to both suppliers by ensuring that, should the current supplier for Lot 1 be in a position to re-commit to the Framework in the future, there will be an opportunity to re-join with further time to allow for call-off contracts to be awarded under the Framework.

In light of the above, to ensure continuity and certainty of supply, Lot 2 is to be extended to include Lot 1 and the term of the agreement will be extended to 1 October 2024 (being the amount of time required to complete the new procurement), Lot 1 with the original supplier, whilst being suspended, shall also be extended to 1 October 2024. These extensions are being made under Regulation 32(2)(c) of the Procurement Regulations 2015). Given the complexity of the procurement, the time period has been determined as being the earliest realistic time the new procurement could be completed. The following factors were taken into account when making this decision.

- The Framework Authority has obtained funding from the Home Office, for the research project –‘Future Fire Fighter’ to be completed by the Defence Science and Technology Laboratory (DSTL) looking into roles and activities across the next 10 – 20 years for wearers of workwear and PPE, focussing on inclusivity, safety and overall benefits to wearers. This research will feed into the next procurement (which has been prioritised by the National Fire Chiefs Council PPE and Clothing Committee) which includes the requirement for a National Uniform for the UK Fire Sector.
- The extension will allow for the first stage of research to be completed and disseminated in approximately Quarter 4 of FY22/23. Engagement with Industry will be a fundamental element of the research. Further research stages may be required after this time

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Lowest offer: £5,000,000 / Highest offer: £20,000,000 taken into consideration

### **II.2) Description**

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

- 18000000 - Clothing, footwear, luggage articles and accessories

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

NUTS codes

- UK - United Kingdom

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

This is a VEAT notice, not an opportunity - it relates to OJEU Award notice reference 2019/S 217-532478 for the National Workwear Framework.

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Given the nature of the supplies (i.e. workwear for front line workers) the need to put an alternative supplier in place is a matter of urgency and the Framework Authority is not able to wait until a competitive procurement has been carried out.

Fire and Rescue Authorities have been impacted particularly hard as a result of supply continuity issues. Continuity and certainty of supply is crucial and in these circumstances (where the current supply route is no longer available) there is an urgent need to ensure that an alternative supply route is put in place as soon as possible. The Framework Authority had already started to initiate a procurement process for the next iteration of workwear and PPE provision however, due to the complexities of this procurement (detailed below) this cannot be delivered quickly – there needs to be an interim measure in place to allow supplies to be provided whilst this procurement is carried out. The Lot 2 supplier (who was the second placed tender at the time of the award of Lot 1) can adjust to provide cover for Lot 1 whilst the new workwear procurement is being run. This approach ensures that the Framework Authority is acting responsibly and ethically to both suppliers by ensuring that, should the current supplier for Lot 1 be in a position to re-commit to the Framework in the future, there will be an opportunity to re-join with further time to allow for call-off contracts to be awarded under the Framework.

In light of the above, to ensure continuity and certainty of supply, Lot 2 is to be extended to include Lot 1 and the term of the agreement will be extended to 1 October 2024 (being the amount of time required to complete the new procurement), Lot 1 with the original supplier, whilst being suspended, shall also be extended to 1 October 2024. These

extensions are being made under Regulation 32(2)(c) of the Procurement Regulations 2015). Given the complexity of the procurement, the time period has been determined as being the earliest realistic time the new procurement could be completed. The following factors were taken into account when making this decision.

- The Framework Authority has obtained funding from the Home Office, for the research project –‘Future Fire Fighter’ to be completed by the Defence Science and Technology Laboratory (DSTL) looking into roles and activities across the next 10 – 20 years for wearers of workwear and PPE, focussing on inclusivity, safety and overall benefits to wearers. This research will feed into the next procurement (which has been prioritised by the National Fire Chiefs Council PPE and Clothing Committee) which includes the requirement for a National Uniform for the UK Fire Sector.
- The extension will allow for the first stage of research to be completed and disseminated in approximately Quarter 4 of FY22/23. Engagement with Industry will be a fundamental element of the research. Further research stages may be required after this time

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

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

#### **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

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The products involved are manufactured purely for the purpose of research, experiment, study or development
- Additional deliveries by the original supplier

Explanation:

Unforeseeable events:

- KFRS has experienced supplier problems – these could not have been and were not foreseen by the Authority

For reasons of extreme urgency:

- Continuity of supplier is required because of the nature of the goods being supplied – workwear is an everyday essential for the front line work being carried out and continuity and certainty of supply is crucial.

- The authority has a supplier under Lot 2 who can adjust and provide to cover Lot 1 so as to ensure continuity and certainty of supply. Furthermore, the Lot 2 supplier came second in Lot 1 and as such, the Authority has taken the decision to revert to the second place supplier.

Strictly necessary (which links amongst other things to the length of time the direct award relates to):

- The authority has considered the procurement and given the complexity of the new procurement (see draft wording for VEAT notice for full details) the extension relates to the earliest realistic time such procurement would be able to take place and be completed.

Not caused by the authority

- KFRS were not the cause of the supplier problems

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2019/S 217-532478](#)

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## **Section V. Award of contract**

### **Contract No**

c16022

### **Lot No**

2

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

26 July 2022

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 0



The contract has been awarded to a group of economic operators: No

**V.2.3) Name and address of the contractor**

HUNTER APPAREL SOLUTIONS LIMITED

UNIT 9 SPRINGTOWN INDUSTRIAL ESTATE, SPRINGTOWN ROAD,

LONDONDERRY,

BT48 0LY

Email

[sales@hunterapparelsolutions.com](mailto:sales@hunterapparelsolutions.com)

Telephone

+44 2871262542

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://www.hunterapparelsolutions.com/contact/>

The contractor is an SME

Yes

**V.2.4) Information on value of contract/lot (excluding VAT)**

Lowest offer: £5,000,000 / Highest offer: £20,000,000 taken into consideration

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## **Section VI. Complementary information**

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

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

Kent and Medway Towns Fire Authority

The Godlands Straw Mill Hill

Tovil

ME15 6XB

Email

[procurement@kent.fire-uk.org](mailto:procurement@kent.fire-uk.org)

Telephone

+44 162292121

Country

United Kingdom

Internet address

[www.kent.fire-uk.org](http://www.kent.fire-uk.org)

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

Precise information on deadline(s) for review procedures

A 10 calendar stand still period will end on Friday 5th August at 00:00hrs