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Opportunity

## **Supply & Distribution of Milk**

Scotland Excel

F02: Contract notice

Notice reference: 2021/S 000-021245

Published: 27 August 2021, 10:24am

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Email**

[education.corporate@scotland-excel.org.uk](mailto:education.corporate@scotland-excel.org.uk)

#### **Telephone**

+44 3003001200

#### **Fax**

+44 1416187423

#### **Country**

United Kingdom

## **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

## **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](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/>

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/>

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

Body governed by public law

## **I.5) Main activity**

General public services

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## **Section II: Object**

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

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

Supply & Distribution of Milk

Reference number

0521

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

- 15500000 - Dairy products

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

Supplies

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

This contract notice is in relation to the renewal framework for 0521 Supply and Distribution of Milk. These products are for, but not limited to, use within schools, nurseries and council buildings, It is anticipated that the scope of products covered under the framework will include a range of dairy products including but not limited to, whole milk, semi-skimmed milk, skimmed milk, organic milk and fresh creams.

#### **II.1.5) Estimated total value**

Value excluding VAT: £32,000,000

#### **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**

Fresh Milk

Lot No

1

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

- 15510000 - Milk and cream
- 15550000 - Assorted dairy products
- 15511000 - Milk
- 15511100 - Pasteurised milk
- 15511300 - Skimmed milk
- 03333000 - Fresh cows' milk
- 15511500 - Full-cream milk
- 15512100 - Single cream
- 15512200 - Double cream

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Throughout Scotland

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

This Contract Notice is in relation to the renewal framework for 0521 Supply & Distribution of Milk.

It is anticipated that the scope of products covered under the framework will include a range of dairy products including but not limited to whole milk, semi-skimmed milk, skimmed milk, and fresh creams.

These products are for, but not limited to schools, nurseries, council buildings.

For further information regarding the evaluation of this lot, please refer to the “0521 Evaluation Methodology including IIT” document,

available within the relevant ITT on PCS-Tender.

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

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

### **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: 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) Description**

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

Organic Milk

Lot No

2

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

- 15550000 - Assorted dairy products

- 15510000 - Milk and cream
- 15511000 - Milk
- 15511300 - Skimmed milk
- 03333000 - Fresh cows' milk
- 15511500 - Full-cream milk
- 15512100 - Single cream
- 15512200 - Double cream

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

NUTS codes

- UKM - Scotland

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

This Contract Notice is in relation to the renewal framework for 0521 Supply & Distribution of Milk.

It is anticipated that the scope of products covered under the framework will include a range of dairy products including but not limited to organic milk.

These products are for, but not limited to schools, nurseries, council buildings.

For further information regarding the evaluation of this lot, please refer to the “0521 Evaluation Methodology including IIT” document,

available within the relevant ITT on PCS-Tender.

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

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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

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## **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

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.

#### **OTHER ECONOMIC AND FINANCIAL REQUIREMENTS:**

A search of the tenderer against Equifax's Protect must not return a 'Warning' or 'Caution' returnable code or any neutral code, unless the tenderer confirms that it can provide any other document which Scotland Excel considers appropriate to prove to Scotland Excel (acting within its permitted discretion under the applicable public procurement rules) that the tenderer does/would not present an unmanageable risk should it be appointed on to the proposed Framework Agreement. Equifax's protect is a fraud indicator/credit risk search and analysis of five areas of threat in relation to a particular company: credit history; disqualification; validation and investigation bureau; connected data; and bureau information.

Minimum level(s) of standards possibly required

#### **INSURANCE REQUIREMENTS:**

It is a requirement of the contracts to be procured under the proposed framework agreement that tenderers hold, or can commit to obtain

prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

#### **ALL LOTS**

**EMPLOYERS (COMPULSORY) LIABILITY** = a minimum indemnity limit of 10 million GBP per occurrence.

**PUBLIC/PRODUCTS LIABILITY** = a minimum indemnity limit of 10 million GBP per occurrence, and in the aggregate in respect of



Products.

MOTOR VEHICLE INSURANCE = a minimum indemnity level of 5 million GBP in respect of third party property damage, without limit

to the number of claims; unlimited in respect of personal injury. For full details please see the Procurement Documents.

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

List and brief description of selection criteria

1. Subcontracting
2. Quality Management Procedures
3. Environmental Management Systems or Standards
4. Health and Safety Procedures

For full details please see the Procurement Documents. 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 BSEN

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.

#### 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 BSEN 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).

#### 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 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.

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

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

For full details of the conditions relevant to the proposed Framework, and contracts to be called-off there under (to the extent known or

settled at this stage), please see the Procurement Documents (details of how to access these being set out in section “I.3) Communication”

of this Contract Notice).

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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: [2021/S 000-007870](#)

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

Date

28 September 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

28 September 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**

This Tender process is subject to the Law and Guidance applicable in Scotland relative to the award of public contracts including (without limitation) as set out in the Public Contracts (Scotland) Regulations 2015, most recently amended to reflect the European Union exit by the UK. This tender exercise has commenced after the UK withdrawal from the European Union and it has been conducted and concluded in accordance with the Law, Guidance and procedures in force after the UK withdrawal on 31st December 2020. Any prior version of the relevant Law and Guidance, or terminology related thereto, which appears in these Procurement Documents should therefore be interpreted and applied as currently in force. Scotland Excel, as a central purchasing body, is procuring this framework for the use and benefit of its members namely 32 local authorities in Scotland, Tayside Contracts, associate members, together with any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working) (Scotland) Act 2014. Scotland Excel local authority members and associate members entitled to use this framework, are listed at [http://www.scotlandexcel.org.uk/home/Aboutus/Ourmembers/Our\\_members.aspx](http://www.scotlandexcel.org.uk/home/Aboutus/Ourmembers/Our_members.aspx). 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. 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 tenderer than the envisaged maximum number to the proposed Framework Agreement.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 19196. 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:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:

As per details in the Special Conditions, Suppliers will be required to provide Management Information (MI) & KPIs on a quarterly basis.

Community Benefits details will be requested on a 6-monthly basis.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 19196. For more information see:

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

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the

Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

This contract is for supply and delivery. Not being a works contract, a sub-contract clause is not required.

Community benefits are included in this requirement. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:

It has become clear that there is scope within the legal framework which applies to public contracts, to deliver wider social benefits such as:

- \* Targeted recruitment and training

- \* Community engagement

As part of your response within the Technical criteria, Tenderers will be requested to confirm if they will offer community benefits for this

framework.

(SC Ref:661988)

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

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

Paisley Sheriff Court

3 St James' St

Paisley

PA3 2HL

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 (SSI2015/446)(as amended)may bring proceedings in the Sheriff Court or the Court of Session.