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Award

## **Civil Engineering Roads Maintenance and Associated Services - North Region (West)**

Forestry and Land Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-023896

Procurement identifier (OCID): ocds-h6vhtk-0316a7

Published 15 August 2023, 2:05pm

### **Section I: Contracting authority/entity**

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

Forestry and Land Scotland

Great Glen House, Leachkin Road

Inverness

IV3 8NW

#### **Email**

[procurement@forestryandland.gov.scot](mailto:procurement@forestryandland.gov.scot)

#### **Telephone**

+44 3000676000

#### **Country**

United Kingdom

#### **NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<https://forestryandland.gov.scot>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA30371](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30371)

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

Body governed by public law

**I.5) Main activity**

Environment

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## **Section II: Object**

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

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

Civil Engineering Roads Maintenance and Associated Services - North Region (West)

Reference number

FLS-0085-C

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

- 45233141 - Road-maintenance works

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

Works

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

FLS-0085-C, Civil Engineering Roads Maintenance and Associated Services - North Region (West), has been awarded using the Negotiated Procedure without Prior Publication (NPwPP) after no suitable bids were received for C0236-1, an Open Procedure. This NPwPP meets the requirements of The Public Contracts (Scotland) Regulations 2015; Regulation 33.1.a as no suitable bids were received for C0236-1.

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

This contract is divided into lots: No

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

Value excluding VAT: £1,400,000

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

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

- 77300000 - Horticultural services
- 45221100 - Construction work for bridges
- 45233120 - Road construction works

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

NUTS codes

- UKM - Scotland

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

The core civil engineering works are the maintenance of the forest road network.

There may also be requirements for new road construction, road upgrades, bridge maintenance, and temporary bridge construction. The Client may utilise this contract for these requirements where it anticipates being able demonstrate value for money, or where it has urgent requirements that do not allow time for an alternative procurement procedure to be conducted – for example, as a result of a phytophthora ramorum outbreak. The Client, however, reserves the right to conduct alternative procurement procedures for these requirements where there are substantial works relating to any of these requirements and/or an opportunity to demonstrate better value for money.

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

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

### **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

Negotiated without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure

Explanation:

This contract was awarded using the Negotiated Procedure without Prior Publication following the failed tender of C0236-1, an Open Procedure, which failed to receive any suitable bids. The sole bid received failed two technical responses. Using the Negotiated Procedure without Prior Publication, the sole bidder was invited to re-submit the two technical responses, which they then passed. The conditions of the contract remained the same as those in the previous Open tender exercise. This NPwPP is fully compliant with Public Contracts (Scotland) Regulations 2015; Regulation 33.1.a.

#### 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: [2022/S 000-004108](#)

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## Section V. Award of contract/concession

### Contract No

FLS-0085-C

A contract/lot is awarded: Yes

### V.2) Award of contract/concession

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

4 August 2023

**V.2.2) Information about tenders**

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

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

D.N. Munro Plant Hire Ltd

Allt a Chruinne

Glenshiel

IV40 8HN

Telephone

+44 7799217120

Country

United Kingdom

NUTS code

- UKM63 - Lochaber, Skye & Lochalsh, Arran & Cumbrae and Argyll & Bute

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £1,400,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

(SC Ref:741443)

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

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

The Inverness Justice Centre

Longman Road

Inverness

IV1 1AH

Email

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

Telephone

+44 1463230782

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014 , may bring proceedings in the Sheriff Court or the Court of Session.

#### **VI.4.4) Service from which information about the review procedure may be obtained**

Court of Session

Parliament House, Parliament Square

Edinburgh

EH1 1RQ

Email

[supreme.courts@scotcourts.gov.uk](mailto:supreme.courts@scotcourts.gov.uk)

Telephone

+44 1312252595

Country

United Kingdom