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Awarded contract

## **NPS Framework Agreement for the Supply and Distribution of Packaged Food and Beverages**

Caerphilly County Borough Council

F20: Modification notice

Notice reference: 2021/S 000-029223

Published: 24 November 2021, 10:25am

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

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

Caerphilly County Borough Council

Penallta House

Hengoed

CF82 7PG

#### **Contact**

Rhys James

#### **Email**

[jamesrm1@caerphilly.gov.uk](mailto:jamesrm1@caerphilly.gov.uk)

#### **Telephone**

+44 1443863062

**Fax**

+44 1443863167

**Country**

United Kingdom

**NUTS code**

UKL16 - Gwent Valleys

**Internet address(es)**

Main address

[www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Buyer's address

[https://www.sell2wales.gov.wales/search/Search\\_AuthProfile.aspx?ID=AA0272](https://www.sell2wales.gov.wales/search/Search_AuthProfile.aspx?ID=AA0272)

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

NPS Framework Agreement for the Supply and Distribution of Packaged Food and Beverages

Reference number

NPS-FOOD-0069-16

**II.1.2) Main CPV code**

- 15000000 - Food, beverages, tobacco and related products

**II.1.3) Type of contract**

Supplies

## **II.2) Description**

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

- 15000000 - Food, beverages, tobacco and related products

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

NUTS codes

- UKL - Wales

Main site or place of performance

Defined Geographical zones that provide all Wales coverage

### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

This Framework was for the supply and distribution of all Packaged food and beverages. There were 32 geographical zones within the framework with the overall following indicative expenditure values for the initial term of the agreement (4 years):-

GBP 106000000.00 exc vat

Zones =

Zone 1 Blaenau Gwent

Zone 2 Bridgend

Zone 3 Caerphilly

Zone 4 Cardiff

Zone 5 Carmarthenshire

Zone 6 Ceredigion

Zone 7 Conwy

Zone 8 Denbighshire

Zone 9 Flintshire

Zone 10 Gwynedd

Zone 11 Isle Of Anglesey

Zone 12 Merthyr Tydfil

Zone 13 Monmouthshire

Zone 14 Neath Port Talbot

Zone 15 Newport

Zone 16 Pembrokeshire

Zone 17 Powys– North

Zone 18 Powys – South

Zone 19 Rhondda Cynon Taf

Zone 20 City and County of Swansea

Zone 21 Torfaen

Zone 22 Vale of Glamorgan

Zone 23 Wrexham

Zone 24 Abertawe Bro Morgannwg University Health Board

Zone 25 Aneurin Bevan Health Board

Zone 26 Betsi Cadwaladr University Health Board

Zone 27 Cardiff and Vale University Health Board

Zone 28 Cwm Taf Health Board

Zone 29 Hywel Dda Health Board

Zone 30 Powys Teaching Health Board

Zone 31 Velindre NHS Trust

## Zone 32 All Wales

The aforementioned Lots and their associated Geographical Zones were not restricted to specific Customer Organisations i.e. Customer Organisations could commission through any of the lots and the associated geographical zones.

The purpose of the procurement was to identify Bidders which represented the most economically advantageous solution for the supply and distribution of specified delivered products as specified within the ITT.

The NPS awarded this lot on the basis of one primary Framework Provider and two contingent Framework Providers per zone

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

Start date

28 November 2017

End date

28 November 2021

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

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2017/S 171-350424](#)

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

### **Contract No**

NPS Framework Agreement for the Supply and Distribution of Packaged Food and Beverages

### **Title**

NPS Framework Agreement for the Supply and Distribution of Packaged Food and Beverages

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

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

5 February 2018

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

The contract/concession has been awarded to a group of economic operators: Yes

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

CASTELL HOWELL FOODS LTD

CASTELL HOWELL FOODS LTD, HEOL Y PLAS Cross Hands

LLANELLI

SA146SX

Telephone

+44 1269846075

Country

United Kingdom

NUTS code

- UKL14 - South West Wales

The contractor/concessionaire is an SME

No

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

BFS Group Ltd T/A Bidfood

814 , Leigh Road

Slough

SL14BD

Telephone

+44 3703663100

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

The contractor/concessionaire is an SME

No

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

Brake Bros. Ltd

Enterprise House, Eureka Business Park

AShford

TN254AG

Telephone

+44 1233206000

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Michael I Holdsworth Ltd T/A Holdsworth

Manchester Road, Tideswell

Tideswell

SK178NF

Telephone

+44 7725987080

Country

United Kingdom

NUTS code

- UKL22 - Cardiff and Vale of Glamorgan

The contractor/concessionaire is an SME

No

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

Celtic Food Services Ltd



Unit 4, London rd Ind Estate

Pembroke Dock

SA724RZ

Telephone

+44 1646685869

Country

United Kingdom

NUTS code

- UKL14 - South West Wales

The contractor/concessionaire is an SME

Yes

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

N H Case Ltd

Bennetts Field

Wincanton

BA99DT

Telephone

+44 196332297

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

THE LITTLE FOOD CO LTD

THE LITTLE FOOD COMPANY LTD, Glovers Meadow Maesbury Road

Oswestry

SY108JN

Telephone

+44 1691668004

Country

United Kingdom

NUTS code

- UKG2 - Shropshire and Staffordshire

The contractor/concessionaire is an SME

Yes

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

D G WHOLESALE

UNIT Y1 CAPITAL BUSINESS PARK, CAPITAL POINT PARKWAY

CARDIFF

CF32PW

Telephone

+44 2920794468

Country

United Kingdom

NUTS code

- UKL22 - Cardiff and Vale of Glamorgan

The contractor/concessionaire is an SME

Yes

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

M&S CATERING SUPPLIES LTD

M&S CATERING SUPPLIES LTD, Units 1-4

CAERPHILLY

CF832RZ

Telephone

+44 2920888877

Country

United Kingdom

NUTS code

- UKL15 - Central Valleys

The contractor/concessionaire is an SME

Yes

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

Chapple & Jenkins

Station Road, Kingswood

Bristol

BS154NR

Telephone

+44 1179721100

Country

United Kingdom

NUTS code

- UKK11 - Bristol, City of

The contractor/concessionaire is an SME

Yes

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

ARGIES COFFEE

Unit 5, Brynmenyn Business Centre, St. Theodores Way

Bridgend

CF329TZ

Country

United Kingdom

NUTS code

- UKL17 - Bridgend and Neath Port Talbot

The contractor/concessionaire is an SME

Yes

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

Cott Beverages

Citrus Grove, Sideley, Kegworth

Derby

DE742FJ

Country

United Kingdom

NUTS code

- UKF1 - Derbyshire and Nottinghamshire

The contractor/concessionaire is an SME

Yes

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

TOVALI LTD

TOVALI LTD, Tovali Works

CARMARTHEN

SA313AR

Telephone

+44 1267237331

Country

United Kingdom

NUTS code

- UKL1 - West Wales and the Valleys

The contractor/concessionaire is an SME

Yes

#### **V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £106,000,000

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## **Section VI. Complementary information**

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

The Framework was awarded to be open for use by the following bodies:

-Welsh Ministers, their agencies, sponsored and statutory bodies and other contracting authorities funded by them.

-The Welsh Assembly Commission

-Any company, limited liability partnership or other corporate entity wholly or partly owned by or controlled (directly or indirectly) by Welsh Government

-UK Government, their agencies, companies and limited liability partnerships or other entities, wholly or partly owned by or controlled by departments of the UK Govt and which operate in Wales. Non-ministerial governmental departments which operate devolved offices in Wales

-Local Authorities in Wales their agencies, companies and limited liability partnerships or other corporate entities wholly or partly owned by or controlled by and any county and county borough, city, community or other council or local authority in Wales

-Caerphilly County Borough Council nor Gwynedd Council will be using this framework. However both councils reserve the right to use the framework in the future.

-Contracting authorities established for the provision of culture, media and sport in Wales

-NHS Health Boards in Wales, NHS Trusts in Wales, Special Health Authorities in Wales, Community Health Councils in Wales, the NHS Wales Shared Services Partnership and Board of Community Health Councils and any other contracting authorities operating within or on behalf of the NHS in Wales

-Higher and further education bodies in Wales

-Police and crime commissioners and police forces in England and Wales; national park, and fire and rescue authorities in Wales

-Wales Council for Voluntary Action and associated bodies

-RSLs in Wales.

-Schools, sixth-form colleges, foundation schools and academies in Wales

-One Voice Wales (Town & Community Councils)in Wales

-The above shall include subsidiaries of the contracting authority at any level.

In the event of merger, abolition or change of any of the contracting authorities listed or referred to above, the successors to those authorities or to their functions will also be able to enter into contracts under this agreement.

The Welsh Ministers (NPS) will not be liable for any bidder costs arising from the non award of this Contract.

As this is a Framework Agreement there was no guarantee of the spend split by lot / supplier.

(WA Ref:115531)

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

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

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Telephone

+44 2079477501

Country

United Kingdom

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 15000000 - Food, beverages, tobacco and related products

#### **VII.1.3) Place of performance**

NUTS code

- UKL - Wales

#### **VII.1.4) Description of the procurement:**

The NPS established a Framework Agreement for the Supply and Distribution of Packaged Foods and Beverages which has since been novated over to Caerphilly County Borough Council.

There are 32 geographical zones within the framework with the indicative expenditure for the initial term of the agreement (4 years):-

GBP 106000000.00 exc vat

Zones =

Zone 1 Blaenau Gwent

Zone 2 Bridgend

Zone 3 Caerphilly

Zone 4 Cardiff

Zone 5 Carmarthenshire

Zone 6 Ceredigion

Zone 7 Conwy

Zone 8 Denbighshire



Zone 9 Flintshire

Zone 10 Gwynedd

Zone 11 Isle Of Anglesey

Zone 12 Merthyr Tydfil

Zone 13 Monmouthshire

Zone 14 Neath Port Talbot

Zone 15 Newport

Zone 16 Pembrokeshire

Zone 17 Powys– North

Zone 18 Powys – South

Zone 19 Rhondda Cynon Taf

Zone 20 City and County of Swansea

Zone 21 Torfaen

Zone 22 Vale of Glamorgan

Zone 23 Wrexham

Zone 24 Abertawe Bro Morgannwg University Health Board

Zone 25 Aneurin Bevan Health Board

Zone 26 Betsi Cadwaladr University Health Board

Zone 27 Cardiff and Vale University Health Board

Zone 28 Cwm Taf Health Board

Zone 29 Hywel Dda Health Board

Zone 30 Powys Teaching Health Board

Zone 31 Velindre NHS Trust

Zone 32 All Wales

The aforementioned Lots and their associated Geographical Zones were not restricted to specific Customer Organisations i.e. Customer Organisations could commission through any of the lots and the associated geographical zones.

The purpose of the procurement was to identify Bidders which represented the most economically advantageous solution for the supply and distribution of specified delivered products as specified within the ITT.

The NPS awarded this lot on the basis of one primary Framework Provider and two contingent Framework Providers per zone

#### **VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

28 November 2017

End date

28 November 2023

#### **VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£106,000,000

#### **VII.1.7) Name and address of the contractor/concessionaire**

CASTELL HOWELL FOODS LTD

CASTELL HOWELL FOODS LTD, HEOL Y PLAS Cross Hands

LLANELLI

SA146SX

Telephone

+44 1269846075

Country

United Kingdom

NUTS code

- UKL14 - South West Wales

The contractor/concessionaire is an SME

No

### **VII.1.7) Name and address of the contractor/concessionaire**

BFS Group Ltd T/A Bidfood

814 , Leigh Road

Slough

SL14BD

Telephone

+44 3703663100

Country

United Kingdom

NUTS code

- UKJ11 - Berkshire

The contractor/concessionaire is an SME

No

### **VII.1.7) Name and address of the contractor/concessionaire**

Brake Bros. Ltd

Enterprise House, Eureka Business Park

AShford

TN254AG

Telephone

+44 1233206000

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

#### **VII.1.7) Name and address of the contractor/concessionaire**

Michael I Holdsworth Ltd T/A Holdsworth

Manchester Road, Tideswell

Tideswell

SK178NF

Telephone

+44 7725987080

Country

United Kingdom

NUTS code

- UKL22 - Cardiff and Vale of Glamorgan

The contractor/concessionaire is an SME

No

**VII.1.7) Name and address of the contractor/concessionaire**

Celtic Food Services Ltd

Unit 4, London rd Ind Estate

Pembroke Dock

SA724RZ

Telephone

+44 1646685869

Country

United Kingdom

NUTS code

- UKL14 - South West Wales

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

ARGIES COFFEE

Unit 5, Brynmenyn Business Centre, St. Theodores Way

Bridgend

CF329TZ

Country

United Kingdom

NUTS code

- UKL17 - Bridgend and Neath Port Talbot

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

Cott Beverages

Spectrum Business Park, Wrexham Industrial Estate

Wrexham

LL139QA

Country

United Kingdom

NUTS code

- UKL23 - Flintshire and Wrexham

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

TOVALI LTD

TOVALI LTD, Tovali Works

CARMARTHEN

SA313AR

Telephone

+44 1267237331

Country

United Kingdom

NUTS code

- UKL1 - West Wales and the Valleys

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

N H Case Ltd

Bennetts Field

Wincanton

BA99DT

Telephone

+44 196332297

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

THE LITTLE FOOD CO LTD

THE LITTLE FOOD COMPANY LTD, Glovers Meadow Maesbury Road

Oswestry

SY108JN

Telephone

+44 1691668004

Country

United Kingdom

NUTS code

- UKG2 - Shropshire and Staffordshire

The contractor/concessionaire is an SME

Yes

### **VII.1.7) Name and address of the contractor/concessionaire**

Chapple & Jenkins

Station Road, Kingswood

Bristol

BS154NR

Telephone

+44 1179721100

Country

United Kingdom

NUTS code

- UKK11 - Bristol, City of

The contractor/concessionaire is an SME



Yes

**VII.1.7) Name and address of the contractor/concessionaire**

D G WHOLESale

UNIT Y1 CAPITAL BUSINESS PARK, CAPITAL POINT PARKWAY

CARDIFF

CF32PW

Telephone

+44 02920794468

Country

United Kingdom

NUTS code

- UKL22 - Cardiff and Vale of Glamorgan

The contractor/concessionaire is an SME

Yes

**VII.1.7) Name and address of the contractor/concessionaire**

M&S CATERING SUPPLIES LTD

M&S CATERING SUPPLIES LTD, Units 1-4

CAERPHILLY

CF832RZ

Telephone

+44 2920888877

Country

United Kingdom

NUTS code

- UKL15 - Central Valleys

The contractor/concessionaire is an SME

Yes

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

The National Procurement Service (NPS Wales) novated control of this framework agreement to Caerphilly County Borough Council in April of 2020 which coincided with the start of the Covid19 pandemic.

Since that time, the framework agreement has not been fully utilised by its participating members due to a number of reasons, including the Welsh Governments decision to implement lockdowns and school closures throughout the course of the pandemic.

The reduction in usage has therefore had a detrimental impact on the supply chain and made it extremely difficult to predict the future requirements of the framework Agreement.

Due to current market conditions, the Council and framework participants have taken the decision to extend the framework agreement for a period of up to 12 months inclusive of an additional twelve month extension option. It is envisaged that the extension period will allow the market time to stabilise prior to undertaking a new collaborative tender process for this provision. If it is found that the market stabilises sooner then the group may take the decision to undertake a new tender exercise earlier.

The modification will not change the overall nature of the framework agreement, as the contractors will still be supplying the same goods on the same terms as previously agreed.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

The Covid19 Pandemic has been an unprecedented time for the Council, framework participants and the supply chain and its effects have forced considerable change and unpredictability for all concerned. Events such as lockdowns, releasing of restrictions, the opening and closing of Schools and the provision of free school meals have all created uncertainty and fluctuations in the market.

This means that until the market fully stabilises, that it is difficult for the Council and framework participants to fully predict its requirements moving forward and therefore for suppliers to price and tender accordingly.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £106,000,000

Total contract value after the modifications

Value excluding VAT: £159,000,000