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Tender

## **Framework for hire of plant and tools**

East Lothian Council

F02: Contract notice

Notice identifier: 2023/S 000-029410

Procurement identifier (OCID): ocds-h6vhtk-040845

Published 5 October 2023, 2:39pm

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

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

East Lothian Council

John Muir House

Haddington, East Lothian

EH41 3HA

#### **Contact**

[procurement@eastlothian.gov.uk](mailto:procurement@eastlothian.gov.uk)

#### **Email**

[procurement@eastlothian.gov.uk](mailto:procurement@eastlothian.gov.uk)

#### **Telephone**

+44 1620827827

#### **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](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00181)

**I.3) Communication**

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

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

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.publiccontractsscotland.gov.uk](http://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**

Framework for hire of plant and tools

Reference number

ELC-23-0043

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

- 34921000 - Road-maintenance equipment

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

Supplies

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

Hire of Plant and Tools

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

Value excluding VAT: £1,000,000

#### **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**

Hire of Operated Plant & Tools

Lot No

1

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

- 45500000 - Hire of construction and civil engineering machinery and equipment with operator

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

NUTS codes

- UKM73 - East Lothian and Midlothian

Main site or place of performance

East Lothian

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

Hire of operated Plant and Tools.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Hire of Plant and Tools

### **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**

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 (for above threshold).

## **II.2) Description**

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

Hire of Non Operated Plant and Tools.

Lot No

2

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

- 34921000 - Road-maintenance equipment
- 43325100 - Grounds-maintenance equipment

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

NUTS codes

- UKM73 - East Lothian and Midlothian

Main site or place of performance

East Lothian

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

Hire of Non Operated Plant and Tools.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **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.2.14) Additional information**

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 (for above threshold).

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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

It is a requirement that tenderers financial standing will pass the requirements of the East Lothian Council financial health evaluation (Appendix 2 Financial Health Evaluation Flowchart).

The tenderer must hold or commit to obtain, prior to the commencement of the Contract the following types and levels of insurance:

- Employers (Compulsory) Liability insurance GBP 5m each and every claim (unless exempt).
- Public Liability Insurance GBP 10m each and every claim.
- Contractors All Risk Insurance GBP 2m each and every claim.
- Motor vehicle insurance with an appropriate level of indemnity as deemed by the supplier.
- Plant and Equipment Insurance with an appropriate limit of indemnity as deemed by the supplier.

Minimum level(s) of standards possibly required

The financial information will be evaluated using the East Lothian Council financial health evaluation flowchart.

The financial information provided will require to meet the following criteria.

- (i) The ratio of total assets to total liabilities (net assets) should be positive in 2 out of 3 years.

(ii) The accounts should not show a loss in 2 consecutive years.

(iii) The accounts should not show a loss in 1 year and negative net current assets in any 1 year.

Where the information provided does not meet item (i) but there is an improving trend East Lothian Council may consider items (ii) and (iii) and will have discretion, with regard to the evidence provided and taking into account the level of risk to East Lothian Council, as to whether a bidder will pass this requirement.

The tenderer will require to submit evidence in the form of their audited accounts or equivalent (as detailed in the tender documents) for the most recent 2 years (2 sets of signed, audited accounts), along with details of any significant changes since the last year end.

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

List and brief description of selection criteria

Bidders should provide a minimum of two relevant examples from the last 3 years that demonstrate experience and ability to deliver a service similar in scale and scope to the requirements of this framework (APPENDIX 1).

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

Date

6 November 2023

Local time

12:00pm

**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**

Tender must be valid until: 6 February 2024

**IV.2.7) Conditions for opening of tenders**

Date

6 November 2023

Local time

12:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Four years.

### **VI.2) Information about electronic workflows**

Electronic payment will be used

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

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.

#### **QUALITY:**

The bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent),

OR

The bidder be able to provide copies of equivalent documented policies and procedures as set out in the SPD.

#### **HEALTH AND SAFETY:**

The bidder must hold a UKAS (or equivalent), accredited independent third party certificate of compliance in accordance with BS OHSAS 18001 (or equivalent) or have, within the last 12 months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum.

OR,

The bidder be able to provide copies of equivalent documented policies and procedures as set out in the SPD.

As part of the Council's wider duties towards its citizens, the Council wishes to engage with suppliers, providers and contractors to deliver benefits to our young people, through work experience opportunities, training opportunities or links with schools, but also to

provide assistance with community projects, as well as engaging in supply chain initiatives.

For successful tenderers there will be an obligation for the delivery of Community Benefits once the aggregated spend with East Lothian Council contracts has reached 50K GBP in any financial year.

This will be delivered through East Lothian Works who will be in contact with the successful tenderer.

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=742465](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=742465).

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](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.

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:

As part of the Council's wider duties towards its citizens, the Council wishes to engage with suppliers, providers and contractors to deliver benefits to our young people, through work experience opportunities, training opportunities or links with schools as well as engaging in supply chain initiatives. For successful tenderers there will be a contractual obligation for the delivery of Community Benefits once the aggregated spend with East Lothian Council contracts has reached GBP 50K in any financial year (Appendix 4).

(SC Ref:742465)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=742465](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=742465)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom