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Contract

## **The supply and delivery of prepared and unprepared fresh fruit, vegetables and dairy products**

Kirklees Council

F03: Contract award notice

Notice identifier: 2022/S 000-031937

Procurement identifier (OCID): ocids-h6vhtk-0349cc

Published 11 November 2022, 9:45am

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

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

Kirklees Council

PO Box 1720

HUDDERSFIELD

HD1 9EL

#### **Contact**

Robert Baines

#### **Email**

[robert.baines@Kirklees.gov.uk](mailto:robert.baines@Kirklees.gov.uk)

#### **Telephone**

+44 1484221000

#### **Country**

United Kingdom

**Region code**

UKE44 - Calderdale and Kirklees

**Kirklees Council**

GB184352457

**Internet address(es)**

Main address

<https://www.kirklees.gov.uk>

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

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

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

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

The supply and delivery of prepared and unprepared fresh fruit, vegetables and dairy products

Reference number

KMCCW-040

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

- 15000000 - Food, beverages, tobacco and related products

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

Supplies

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

Single source contract for the supply and delivery of prepared and unprepared fresh fruit, vegetables and dairy products to various locations and establishments throughout Kirklees. The commencement date for the contract is 21st October 2022. The anticipated expiry date for the contract is 20th October 2023 with the option to extend for a further four (4) twelve (12) month periods making the final expiry date potentially 20th October 2027.

#### **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: £4,317,923.65

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

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

- 15300000 - Fruit, vegetables and related products
- 15500000 - Dairy products

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

NUTS codes

- UKE44 - Calderdale and Kirklees

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

Single source contract for the supply and delivery of prepared and unprepared fresh fruit, vegetables and dairy products to various locations and establishments throughout Kirklees. The commencement date for the contract is 21st October 2022. The anticipated expiry date for the contract is 20th October 2023 with the option to extend for a further four (4) twelve (12) month periods making the final expiry date potentially 20th October 2027.

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

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

### **II.2.11) Information about options**

Options: Yes

Description of options

The option to extend for a further four (4) twelve (12) month periods making the final expiry date potentially 20th October 2027

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

This exercise is an open procedure in accordance with the requirements under Regulation 27(5)

of the Public Contracts Regulations 2015 (SI 2015/102) for the purpose of procuring the Goods described in the procurement documents which can be found at <https://yortender.eusupply.com>

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Open procedure

Accelerated procedure

Justification:

Unplanned early termination of the current contract requires a swift replacement to ensure continuity of food provision.

#### **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 000-017191](#)

#### **IV.2.9) Information about termination of call for competition in the form of a prior information notice**

The contracting authority will not award any further contracts based on the above prior information notice

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

### **Contract No**

KMCCW-040

### **Title**

The supply and delivery of prepared and unprepared fresh fruit, vegetables and dairy products

A contract/lot is awarded: Yes

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

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

21 September 2022

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

Number of tenders received: 2

Number of tenders received from SMEs: 2

Number of tenders received by electronic means: 2

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

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

Ralph Livesey Ltd

72B Roman Way, Off Longridge Road

Preston

PR2 5BE

Email

[andrew@ralphlivesey.co.uk](mailto:andrew@ralphlivesey.co.uk)

Country

United Kingdom

NUTS code

- UKD4 - Lancashire

Companies House

166886

The contractor is an SME

Yes

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

Initial estimated total value of the contract/lot: £5,000,000

Total value of the contract/lot: £4,317,923.65

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## **Section VI. Complementary information**

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

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

High Court of England & Wales

n/a

n/a

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the

Public Contracts Regulations 2015 (SI 2015/102), the contracting authority incorporated a minimum ten (10) calendar day standstill period at the point that information on the award of the Contract was communicated to economic operators. This period allowed any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the Contract to the successful economic operators. Such additional

information should be requested from the address at Sections I.1 and I.3 of this Notice above. If an appeal regarding the award of the Contract has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be started within

thirty(30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date. Where the Contract has not been awarded, the Court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If however the Contract has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the Contract to be ineffective