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Tender

## **Woodland Establishment across Scotland through a Dynamic Purchasing System**

Forestry and Land Scotland

F02: Contract notice

Notice identifier: 2024/S 000-035639

Procurement identifier (OCID): ocds-h6vhtk-04b3b2

Published 4 November 2024, 12:55pm

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

#### **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.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>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

**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**

Woodland Establishment across Scotland through a Dynamic Purchasing System

Reference number

FW0049

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

- 77300000 - Horticultural services

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

Services

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

The Authority (FLS) has established a Dynamic Purchasing System (DPS) for Woodland Establishment across Scotland.

A Dynamic Purchasing System (DPS) is an electronic system used to tender for services with a group of pre-qualified suppliers. FLS uses this system of pre-qualified suppliers to tender for Woodland Creation projects as and when they arise.

To submit a bid to join the DPS, suppliers need to submit a Single Procurement Document (SPD) through the DPS project on the Public Contracts Scotland – Tender (PCS-T) website. The SPD is a qualification response form which allows FLS to assess bidders' suitability, experience, and capability to provide the services which may be required under the DPS. Only bidders that achieve a 'Pass' for all questions in the SPD are appointed to the DPS.

The DPS comprises 2 Lots; Commercial and Amenity, and Planting and Maintenance.

This DPS is extending the validity date from the 31st October 2024 until 31st October 2029.

New applications shall be evaluated and the decision communicated within 10 working days.

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

Value excluding VAT: £21,000,000

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

Single DPS agreement for Lots 1 and 2

## **II.2) Description**

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

Planting and Maintenance woodland establishment on sites where the Authority is the Forestry Works Manager (FWM)

Lot No

2

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

- 77200000 - Forestry services

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

NUTS codes

- UKM - Scotland

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

Planting and Maintenance woodland establishment on sites where the Authority is the Forestry Works Manager (FWM).

Contractors will be expected to undertake forest establishment operations which will include tree planting, beating-up to replace any dead or missing trees, chemical weeding and hand weeding operations. Further operations that may be required such as tree protection with the application individual tree protectors or control noxious weeds will be detailed in Invitations to Tender.

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

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

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

Duration in months

60

This contract is subject to renewal

Yes

Description of renewals

DPS validity period will be for 5 years, a retender would need to be published within approximately 12 months before the end date

### **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.

## **II.2) Description**

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

Commercial and amenity woodland establishment, Contractor will be the Forest Works Manager (FWM)

Lot No

1

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

- 77200000 - Forestry services

**II.2.3) Place of performance**

NUTS codes

- UKM - Scotland

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

Commercial and amenity woodland establishment, Contractor will be the Forest Works Manager (FWM).

The Authority expects the Contractor to undertake all the establishment work that will be required to deliver the overall specification in the Land Management Plan and associated documents: this will include appropriate ground preparation, vegetation control, sourcing appropriate provenances of the tree species specified in the Land Management Plan, planting, maintenance, protection of the crop from damaging agents, and effective communication.

**II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

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

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This contract is subject to renewal

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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

SPD Specific Question 4b.5.1, 5.2 and 5.3

(Question) The Bidder confirms they already have or can commit to obtain, prior to the commencement of a Contract that they are awarded, the levels of insurance cover.

Minimum level(s) of standards possibly required

(Statement)

Employer's (Compulsory) Liability Insurance = Minimum 5 million GBP.

Public Liability Insurance = Minimum 5 million GBP for any one incident and unlimited in

total <http://www.hse.gov.uk/pubns/hse40>.

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

List and brief description of selection criteria

#### **SPD Specific Question 4c.1.2**

(Question) For public supply and public service contracts only, please provide relevant examples of supplies and/or services carried out during the last three years.

#### **SPD Specific Question 4c.4 (Modern Slavery Act)**

(Question) Please provide a statement of the relevant supply chain management and/or tracking systems used:

#### **ESPD Specific Question 4c.6**

(Question) The following educational and professional qualifications are held by the service provider or the contractor itself:

#### **ESPD 4D.1 Quality Assurance standards**

#### **Health and Safety Procedures)**

Question) Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required Health and Safety standards?

#### **SPD 4D.2 Environmental Management Systems**

(Question) Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required environmental management systems or standards?

Minimum level(s) of standards possibly required

#### **ESPD Specific Question 4c.1.2**

(Statement) For each Lot, Bidders are required to provide at least one example using the template in the document FW0049 Appendix 1a - 4C-1-2 Technical Experience that demonstrates relevant experience to deliver the requirement for the Lot described as detailed in the document FW0049 DPS Specification.

#### **ESPD Specific Question 4c.4 (Modern Slavery Act)(Statement)**

Bidders with a turnover greater than 36m GBP are required to comply with the Modern Slavery Act 2015 and must provide a link to their online statement setting out the steps they have taken to ensure there is no modern slavery in their own business or their supply chains to ensure that slavery and human trafficking is not taking place in any part of its own business.

<http://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted>

Bidders with a turnover less than 36m GBP may give a brief explanation of what steps if any you are taking to ensure that slavery and human trafficking is not taking place in any part of its own business

ESPD Specific Question 4c.6

(Statement) Bidders will be required to confirm that they and/or the service provider have the following relevant educational and professional qualifications:

Please confirm that Operators will have the relevant certificates ((Statement) - See FW0049 Appendix 1 - ESPD Standard Statements) for the Operation that they are tasked.

SPD 4D.1 Quality Assurance standards

Health and Safety Procedures)

(Statement) - See FW0049 Appendix 1 - SPD Standard Statements in PCS-T

SPD 4D.2 Environmental Management Systems

(Statement) - See FW0049 Appendix 1 - SPD Standard Statements in PCS-T.

## **Section IV. Procedure**

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

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

Open procedure

#### **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: [2019/S 159-392762](#)

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

Date

30 October 2029

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: 31 October 2029

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

Date

31 October 2029

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: DPS validity period will be for 5 years, a retender would need to be published within approximately 12 months before the end date.

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

Only Contractors admitted onto the DPS will be invited to tender for the relevant Lot.

SPD evaluation will be scored as pass/fail. Should any question be scored 'fail' the entire bid shall be set aside.

Where the bidder relies on the capacities of other entities/consortium member in order to meet the selection criteria they must provide a

separate SPD for each entity. Please read the bidders instructions on the SPD section 2C.1 for full details.

If the bidder intends to subcontract any share of the contract to third parties, then the bidder will be required to submit a separate SPD (Part II A&B, and Part III A&B only) for each subcontractor.

Please read the bidder's instructions on the SPD section 2D.1 & 2D.1.2.

Where changes are made with the agreement of FLS DPS Manager during the period of the DPS to the other entities that the bidder relies

on in order to meet the selection criteria they must provide a separate SPD for each new/replacement member to the FLS DPS Manager.

The SPD will be reviewed by FLS to determine the appropriateness of the new/replacement member. FLS's decision on whether or not to

allow the change/addition will be final

Contracts will be awarded using weightings in section II.2.5, the Authority reserves the right to amend weightings by up to  $\pm 20\%$  where it is deemed appropriate.

The Supplier Developer Programme is available to assist suppliers with public procurement including training events:

<https://www.sdpscotland.co.uk>

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 14254. For more information see:

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

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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:

Monitoring and enforcing its application would put an unreasonable burden on all the parties.

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:

Community Benefits will be required for contracts with a value greater than 1,000,000 (Lot 1) or 500,000 (Lot 2) (GBP, ex VAT). Community Benefits may also be required below these values.

(see tender documents for full detail):

- Targeted recruitment and vocational training initiatives;
- Supporting Educational initiatives;
- Support or Funding for Community and/or Environmental initiatives;
- Supported Business, third sector and voluntary initiatives;
- Support and development opportunities delivered to disadvantaged groups.
- Support for Equality and diversity initiatives to encourage inclusiveness;

(SC Ref:781610)

## **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

Internet address

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

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

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