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Tender

Fresh Butchermeat and Meat Sundries

The Common Services Agency (more commonly known as NHS National Services Scotland) (NSS)

F02: Contract notice

Notice identifier: 2024/S 000-036067

Procurement identifier (OCID): ocds-h6vhtk-04b4a3

Published 7 November 2024, 12:24pm

Section I: Contracting authority

I.1) Name and addresses

The Common Services Agency (more commonly known as NHS National Services Scotland) (NSS)

1 South Gyle Crescent

Edinburgh

EH12 9EB

Email

loraine.hartley@nhs.scot

Telephone

+44 1312756000

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

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

www.publictendersscotland.gov.uk

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.publictendersscotland.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

www.publictendersscotland.gov.uk

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Fresh Butchermeat and Meat Sundries

Reference number

NP7782025

II.1.2) Main CPV code

- 15100000 - Animal products, meat and meat products

II.1.3) Type of contract

Supplies

II.1.4) Short description

Tender for the national framework (reference NP778)To provide NHSS with a range of fresh butchermeat & meat sundries.

The framework shall be for 3 years with the option to extend for 2 x 6 month periods.

II.1.5) Estimated total value

Value excluding VAT: £10,000,000

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

NHS Ayrshire & Arran

Lot No

1

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £1,059,936

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with

option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Borders

Lot No

2

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority.

II.2.4) Description of the procurement

A range of chilled fresh butcher meat and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi ranked supplier framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £231,948

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including optional extension periods. The framework period shall be 3 years

with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Dumfries & Galloway

Lot No

3

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Main site or place of performance:

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi ranked supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £548,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Fife

Lot No

4

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £393,508

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Grampian

Lot No

5

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £1,651,940

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Greater Glasgow & Clyde

Lot No

6

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £3,033,016

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Highland

Lot No

7

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £721,100

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Lanarkshire

Lot No

8

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £362,928

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Lothian

Lot No

9

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £1,451,140

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with

option to extend for 2 x 6 months

II.2) Description

II.2.1) Title

NHS Tayside

Lot No

10

II.2.2) Additional CPV code(s)

- 15100000 - Animal products, meat and meat products

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland

Any or all locations of all NHS Scotland Health Boards, all NHS Scotland Special Health Boards, and/or the Authority

II.2.4) Description of the procurement

A range of chilled fresh butcher meat products, and fresh meat sundries to be used for patients, staff and visitors across Scotland , multi supplier ranked framework, up to 3 suppliers will be awarded on a ranked basis. The

Framework Agreement may be used by all mainland and island NHS Scotland Health Boards and Special Boards

(including the Common Services Agency) and by all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e.

all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisations established pursuant to the NHS

(Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the new Public Bodies (Joint Working) Scotland Act 2014.

All Scottish Hospices

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £701,700

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

2 x 6 months

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

Total value shown is for duration of the framework including the optional extension periods. The framework period shall be 3 years with option to extend for 2 x 6 months

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

See contract/tender documentation which incorporates requirements of the SPD

(Scotland) and the financial period for reporting is the previous 3 financial years

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

A copy of a valid certificate issued within the last 12 months, certified by a UKAS accredited Certification Body confirming that the economic operators holds a relevant certificate to one of the following standards as

applicable:

BRC Global Standard for Food Safety (Issue 9);

BRC Global Standard for Storage and Distribution (Issue 4);

STS Code of Practice for Suppliers to the Public Sector (Version 11 or above)

SALSA (Issue 6) with additional bolt on which must include criteria for Listeria monocytogenes; detection of all pathogens

Certification to any of the above standards must be maintained by suppliers at all times during the Framework agreement.

Our Supplier Assessment Agents, Micron2, will facilitate the management of certification and audits

III.2) Conditions related to the contract

III.2.3) Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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

Envisaged maximum number of participants to the framework agreement: 30

IV.1.6) Information about electronic auction

An electronic auction will be used

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

16 December 2024

Local time

10:30am

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

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

16 December 2024

Local time

10:30am

Place

Gyle Square,

South Gyle Crescent,

Edinburgh

EH12 9EB

Information about authorised persons and opening procedure

Carried out by NSS National Procurement

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

The indicative total contract value shown is based on a circa 2 500 000 GBP per annum over a 3 year contract plus 2 x 6 month optional

extension period

up to 3 suppliers will be awarded on a ranked basis per lot.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 27883. For more information see:

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

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

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:

The Statement of Requirements will detail the Community Benefit background and objectives.

The contract will mandate that suppliers

Respond in its tender outlining current Community Benefits and proposals if successful and mandating that they support the overall

Community Benefit concept and process including a contract and supplier management process post award

(SC Ref:781684)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Telephone

+44 1312252525

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The authority will notify economic operators who submitted a tender or (where no deselection notification has previously been

made) applied to be selected to tender, of its decision to award the framework agreement which notification will contain among other

information, a summary of the reasons why the economic operator was unsuccessful. The notification will

incorporate a 'standstill period' of a

minimum of 10 clear calendar days (or a minimum of 15 if the communication method used is

not electronic) between the date on which

the authority despatches the notice(s) and the date on which the authority proposes to conclude the relevant framework agreement.

The bringing of court proceedings against the authority during the standstill period will automatically continue the prohibition on entering

into the framework agreement until the court proceedings are determined, discontinued or disposed of, or the court, by interim order, brings

to an end the prohibition. The remedies that may be awarded by the courts before the framework agreement has been entered into include

the setting aside of the decision to award the framework agreement to the winning tenderer(s). The bringing of court proceedings against

the authority after the framework agreement has been entered into will not affect the framework

agreement unless grounds for the imposition

of special penalties under the Public Contracts (Scotland) Regulations 2015 can be established. Otherwise the remedies that may be

awarded by the courts where the framework agreement has been entered into are limited to

the award of damages. Economic operators are

entitled to write to the authority after receipt of the notification should they require further clarification. The authority will respond within

15 days of such a written request, but it should be noted that receipt by the authority of

such

request during the standstill period may not

prevent the authority from awarding the framework agreement following the expiry of the standstill period. Economic operators should

approach the contracting authority in the first instance. However, the only formal remedy is

to apply to the courts:

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

Country

United Kingdom