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Tender

## **Supply and Delivery of Civic Supplies**

Scotland Excel

F02: Contract notice

Notice identifier: 2023/S 000-036144

Procurement identifier (OCID): ocds-h6vhtk-03bc6c

Published 7 December 2023, 4:57pm

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Contact**

Ewen Macluskie

#### **Email**

[ewen.macluskie@scotland-excel.org.uk](mailto:ewen.macluskie@scotland-excel.org.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

### **Internet address(es)**

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10383](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383)

### **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

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/esop/pts-host/public/pts/web/login.html>

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/esop/pts-host/public/pts/web/login.html>

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

Body governed by public law

### **I.5) Main activity**

General public services

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## **Section II: Object**

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

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

Supply and Delivery of Civic Supplies

#### **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**

This Contract Notice is in relation to a renewal framework opportunity for the Supply & Delivery of Civic Supplies.

It will provide a mechanism for local authorities so that they can procure a range of alcoholic & associated beverages which will include,

but is not limited to, draught beer, draught cider, packaged beer, packaged cider, wines, spirits, RTDs, and soft drinks & mixers.

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

Value excluding VAT: £5,000,000

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

This contract is divided into lots: No

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

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

- 15900000 - Beverages, tobacco and related products
- 15910000 - Distilled alcoholic beverages
- 15911000 - Spirituous beverages
- 15911100 - Spirits

- 15911200 - Liqueurs
- 15930000 - Wines
- 15931000 - Unflavoured wines
- 15931100 - Sparkling wine
- 15931200 - Table wine
- 15940000 - Cider and other fruit wines
- 15941000 - Cider
- 15960000 - Malt beer
- 15961000 - Beer
- 15980000 - Non-alcoholic beverages

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Throughout Scotland.

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

This Contract Notice is in relation to a renewal framework opportunity for the Supply and Delivery of Civic Supplies.

It will provide a mechanism for local authorities so that they can procure a range of alcoholic & associated beverages which will include, but is not limited to, draught beer, draught cider, packaged beer, packaged cider, wines, spirits, RTDs, and soft drinks & mixers.

Tenderers will be able to bid for one, any, or all local authority areas.

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

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

### **II.2.6) Estimated value**

Value excluding VAT: £5,000,000

### **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

The framework will run for an initial 36 month period, with the option to extend for up to an additional 12 month period.

### **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. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

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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

1. SPD (Scotland) Question 4B.5: Insurance Requirements

2. SPD (Scotland) Question 4B.6: Other Economic & Financial Requirements

Minimum level(s) of standards possibly required

1. SPD (Scotland) Question 4B.5

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded

contract, the types and levels of insurance indicated below:

SPD (Scotland) Question 4B.5.1

Employer's (Compulsory) Liability Insurance - maintain a minimum indemnity limit of GBP 10 million in respect of each claim, and

without limit to the number of claims.

SPD (Scotland) Question 4B.5.2

Public Liability Insurance - maintain a minimum indemnity limit of GBP 5 million in respect of each claim, and without limit to the

number of claims.

Product Liability Insurance - maintain a minimum indemnity limit of GBP 5 million in the aggregate.

Motor Vehicle Insurance - maintain a minimum indemnity limit of GBP 5 million for Property Damage, and unlimited in respect of Third

Party Injury.

For bidders who will subcontract parts of the business, the bidder should provide a letter signed by a person of appropriate authority

confirming that the bidder has ongoing arrangements in place to ensure that subcontractors' vehicles are appropriately insured and

maintained.

## 2. SPD (Scotland) Question 4B:6 Other Economic and Financial Requirements

A search of the bidder against Equifax's Protect must not return a 'Warning' or 'Caution' returnable code or any neutral code, unless the

bidder confirms that it can provide any other document which Scotland Excel considers appropriate to prove to Scotland Excel (acting

within its permitted discretion under the applicable public procurement rules) that the bidder does / would not represent an unmanageable

risk should it be appointed on to the proposed Framework Agreement.

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

List and brief description of selection criteria

1. SPD (Scotland) Question 4C.10: Subcontracting
2. SPD (Scotland) Question 4D.1: Quality Assurance Schemes
3. SPD (Scotland) Question 4D.1: Health & Safety Procedures
4. SPD (Scotland) Question 4D.2: Environmental Management Standards

Minimum level(s) of standards possibly required

1. SPD (Scotland) Question 4C.10: Subcontracting

Bidders will be required to confirm whether they intend to subcontract and, if so, for what proportion of the contracts to be called-off under

the proposed framework agreement.

2. SPD (Scotland) Question 4D.1: Quality Assurance Schemes

The bidder must have the following:

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

A documented policy regarding quality management. The policy must set out responsibilities for quality management demonstrating that

the bidder has and continues to implement a quality management policy that is authorised by their Chief Executive, or equivalent, and is

periodically reviewed at a senior management level. The policy must be relevant to the nature and scale of the work to be undertaken and

set out responsibilities for quality management throughout the organisation.

### 3. SPD (Scotland) Question 4D.1: Health & Safety Procedures

The bidder must have the following:

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.

Whilst it is a criteria for suppliers to hold accredited independent third party certificate of compliance in accordance with BS OHSAS

18001 (or equivalent), it is important to note that due to the recent release of ISO 45001, this will now be withdrawn. Therefore, bidders are

also required as part of their submission to specify that they will commit to migrate to the new standard by March 2021;

OR

a. a regularly reviewed and documented policy for Health & Safety (H&S) management, endorsed by the Chief Executive Officer, or

equivalent. The policy must be relevant to the nature and scale of your operations and set out your company's responsibilities for H&S

management and compliance with legislation. (Not applicable to organisations with fewer than five employees)

b. Documented arrangements for providing the bidder's workforce with training and

information appropriate to the type of work which the

organisation is likely to bid. This must provide evidence that the bidder has in place and implements, training arrangements to ensure that

its workforce has sufficient skills and understanding to discharge the various duties. This will provide details of staff health and safety

training arrangements and how relevant information is communicated to staff. This must also include a description of arrangements for

keeping the workforce updated on legislation and good H&S practice applicable throughout the organisation.

#### 4. SPD (Scotland) Question 4D.2: Environmental Management Standards

The bidder must have the following:

The bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 14001 (or

equivalent) or a valid EMAS (or equivalent) certificate;

OR

A regularly reviewed documented policy regarding environmental management, authorised by the Chief Executive, or equivalent. This

policy must include and describe the bidder's environmental emergency response procedures including the preparedness and response

procedures for potential accidents and emergency response situations that give rise to significant environmental impacts (for example

hazardous substance spill control).

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

For full details of the conditions relevant to the proposed Framework, and contracts to be called-off there under (to the extent known or settled at this stage), please see the Procurement Documents (details of how to access these being set out in section "1.3 (Communication"of this Contract Notice)

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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 a single operator

#### **IV.1.6) Information about electronic auction**

An electronic auction will be used

Additional information about electronic auction

Please note that whilst an electronic auction will not be used in the procurement process to award places onto this proposed framework agreement, tenderers should be aware that the contracting authorities permitted to call-off contracts under this proposed framework agreement may do so via an electronic auction.

#### **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: [2023/S 000-009810](#)

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

Date

17 January 2024

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**

Duration in months: 5 (from the date stated for receipt of tender)

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

Date

17 January 2024

Local time

12:00pm

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## **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**

Scotland Excel as a central purchasing body, may procure this framework on behalf of the following contracting authorities (and successor bodies):

- the 32 local authorities in Scotland listed at <http://www.scotland-excel.org.uk/home/aboutus/Ourmembers/Local-authorities.aspx>;

- Scotland Excel associate members listed at <http://www.scotland-excel.org.uk/home/Aboutus/Ourmembers/Associate-members.aspx>;

- Advanced Procurement for Universities and Colleges (APUC Ltd) and their member organisations across the higher and further education

sector in Scotland and their associated and affiliated bodies;

The above is subject to each contracting authority entering into and maintaining a relevant membership agreement or other access

agreement with Scotland Excel.

Tenderers are advised that the envisaged maximum number of participants that might be appointed to the proposed framework agreement set out in section IV.1.3 of this contract notice is purely indicative. Scotland Excel reserves the right to appoint more or less bidders than the envisaged number to the proposed Framework Agreement.

Tenderers are advised that whether electronic ordering, invoicing and payment will be used or accepted is at the discretion of each

contracting authority entitled to use this proposed framework agreement. This will be settled by them during call-off of a contract under this proposed framework agreement.

Further information regarding the operation of the framework can be found within the tender documentation which is available in the

relevant PCS-T project for this procurement exercise.

In line with Regulation 72 of the Public Contracts (Scotland) Regulations 2015, Contract and Framework agreements may be modified

without a new procurement procedure in accordance with this Part in some cases. Further details of the cases this is permitted can be found in the document "0623 Regulation 72 Guidance", within the "Information & Instructions" folder in the "Buyer Attachments"

area of the PCS-T project for this procurement.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 50474. 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:

In accordance with section 25(3) of the Procurement Reform (Scotland) Act 2014 note that, Scotland Excel intends to include community

benefit requirements. As part of your response within the Technical Envelope, bidders will be requested to commit to delivery of

community benefits in accordance with the methodology outlined in the tender documents

(SC Ref:752170)

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

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

Court of Session

Edinburgh

EH1 1RQ

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 (SSI2015/446) (as amended) may bring proceedings in the Sheriff Court or the Court of Session.