

**UK-Oldbury: Bitumen and asphalt**  
**OJ S 63/2013 29/03/2013**  
**Contract notice**  
**Supplies**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Sandwell MBC  
Postal address: Procurement Services, Sandwell Council House  
Town: Oldbury  
Postal code: B69 3DB  
Country: United Kingdom  
For the attention of: Lisa Poole  
E-mail: [tspcm\\_team@sandwell.gov.uk](mailto:tspcm_team@sandwell.gov.uk)  
Telephone: +44 1215693815

**Internet address(es):**

General address of the contracting authority: [www.sandwell.gov.uk](http://www.sandwell.gov.uk)  
Address of the buyer profile: [www.sandwell.gov.uk](http://www.sandwell.gov.uk)

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address

**I.2. Type of the contracting authority**

Regional or local authority

**I.3. Main activity**

General public services

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

The supply of instant road repair & mortar materials.

**II.1.2. Type of contract and place of performance or delivery**

Supplies  
Purchase  
NUTS code UKG34 Dudley and Sandwell

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

#### **II.1.4. Information about framework agreement**

Framework agreement with several operators

Number Envisaged maximum number of participants to the framework agreement: 3

#### **Duration of the framework agreement**

Duration in years: 4

#### **Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT:

Range: between 280 000,00 and 350 000,00 GBP

#### **II.1.5. Short description of the contract or purchase(s)**

Sandwell MBC has an identified requirement for the supply of instant road repair and mortar materials and as a result, Sandwell MBC invites interested parties (Tenderers) to participate in a tender exercise to establish a Framework Agreement for the reliable supply of instant road repair and mortar materials (the ITT) . The Council will generally require bulk pallet deliveries to specified delivery locations. In delivering the goods the successful Tenderer shall be required to adhere at all times to any health and safety regulations in force including the Control of Substances Hazardous to Health Regulations 2002 (COSHH).

#### **II.1.6. CPV code(s)**

44113600 Bitumen and asphalt, 44113610 Bitumen, 44113620 Asphalt, 35322400 Mortars

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **II.1.8. Lots**

This contract is divided into lots: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

### **II.2. Scope of the procurement**

#### **II.2.1. Total quantity or scope**

#### **II.2.2. Information about options**

Options: no

#### **II.2.3. Information about renewals**

This contract is subject to renewal: no

### **II.3. Duration of the contract or time limit for completion**

Duration in months: 48 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions:

#### **III.2. Conditions for participation**

##### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: The Council shall treat as ineligible and shall not shortlist a Tenderer if the Council has actual knowledge that the Tenderer or its directors or any other person who has powers of representation decision or control of the Tenderer has been convicted of any of the offences detailed within Regulation 23 of The Public Contracts Regulations 2006 which implements Article 45 1 of the 2004 EU Public Sector Procurement Directive. The successful Tenderer is required to demonstrate that it is of reliable standing having no directors whom have been involved in an organisation that has been liquidated or gone into receivership have no outstanding claims or litigation against the organisation had no contractual damages financial penalties levied against it as a result of failure to perform in accordance with Contract or Framework Agreement conditions in the last 5 years had no Contract or Framework Agreement terminated within the last 5 years or withdrawn from a Contract or Framework Agreement prematurely within the last 5 years.

##### **III.2.2. Economic and financial ability**

List and brief description of conditions: Tenderers shall prove to the Council that they are of sufficient stature and have sufficient financial standing to perform the requirements of the Framework Agreement and all Call Off Contracts construed under it Minimum levels of insurance cover are required.

The Council will obtain an independent financial report for all private limited or public limited companies that have registered trading accounts with Companies House from ICC Information Ltd a business information service provider who undertake assessments of trading accounts that were registered at Companies House. The Council where appropriate and if necessary in the event of a Tenderer expressing its intention to rely upon the capacities of other entities or members in the group of companies may obtain an independent financial report on such entity or member to determine their ability to provide the necessary resources for performance of Contracts construed under the Framework Agreement. The Council reserves the right to be provided with an undertaking from the entity or member being relied upon. The Council shall consider such information as it considers appropriate to determine the economic and financial standing of a Tenderer as set out in the Public Contract Regulations 2006 The ICC business report provides a procurement limit value. The procurement limit provides information relating to a companys financial strength which is determined by its tangible net worth taken from the latest financial accounts. It provides an indication of the strength of the organisation to cope with adverse trading periods. Tangible net worth is defined as shareholder funds less any intangible assets.

Minimum level(s) of standards possibly required: The required procurement credit limit for this Framework Agreement has been set at 70000. Minimum levels of insurance cover are required. The levels of insurance cover required for the Framework Agreement are as follows:

- Public Products Liability Cover 5 Million per claim;
- Employers Liability Cover 5 Million per claim.

##### **III.2.3. Technical and professional ability**

##### **III.2.4. Information about reserved contracts**

### **III.3. Conditions specific to services contracts**

#### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

#### **III.3.2. 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: no

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

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

Open

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

SCC128

#### **IV.3.2. Previous publication concerning this procedure**

no

#### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Time limit for receipt of requests for documents or for accessing documents: 7.5.2013 - 17:00  
Payable documents: no

#### **IV.3.4. Time limit for receipt of tenders or requests to participate**

13.5.2013 - 12:00

#### **IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

#### **IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

Duration in days: 120 (from the date stated for receipt of tender)

#### **IV.3.8. Conditions for opening of tenders**

Persons authorised to be present at the opening of tenders: no

### **Section VI: Complementary information**

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

This is a recurrent procurement: no

#### **VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

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

If the Council decides to source goods through the Framework Agreement then it may Call Off those goods covered within the schedule of rates submitted as part of the tender submissions in accordance with the terms laid down in the Invitation to Tender.

Standard goods Call Off orders will be awarded utilising the criteria set out in the Framework Agreement which the successful Contractors will be required to complete should they be appointed under this Tender. In the event of the Council identifying additional instant road repair & mortar goods (including new and innovative products being introduced into the market by the Contractors under the framework agreement) not yet identified or covered within the schedule of rates submitted as part of the tender submissions in accordance with the terms laid down in the Invitation to Tender the Council will ensure fair and open competition to all successful Tenderers under the Framework Agreement. Additional goods Contracts will be awarded utilising the criteria set out in the Framework Agreement. This tender exercise is being executed electronically in conjunction with a company called Enrich (incorporating eThree) via their externally hosted web server. If you are interested in participating in this tender exercise you will need to register on Enrich's (eThrees) website at the following address <http://e-three.force.com/supplierzone> Then follow the registration procedure. There are self help registration guides and videos to assist you. Should you have any problems at this stage Enrich (eThree) provide both email and telephone support. Links and numbers are listed on the registration page. Following registration please confirm by email to [tspcm\\_team@sandwell.gov.uk](mailto:tspcm_team@sandwell.gov.uk) in order for your company to be invited to participate.

If you have any technical queries relating to the electronic tendering process please contact the eSourcing Team at the following email address or contact them directly:

[tspcm\\_team@sandwell.gov.uk](mailto:tspcm_team@sandwell.gov.uk)

Sam Tuner:

Tel: +44 1215693619;

Anita Patel:

Tel: +44 1215693809.

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

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

##### **VI.4.2. Review procedure**

##### **VI.4.3. Service from which information about the review procedure may be obtained**

#### **VI.5. Date of dispatch of this notice**

27.3.2013

