

UK-Bristol: adhesives  
OJ S 105/2012 05/06/2012  
Contract notice  
Supplies

Directive 2009/81/EC

## Section I: Contracting authority/entity

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### I.1. Name and addresses

Official name: Medical & General Supplies Team, DE&S

Postal address: #4226, Elm 2B, Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

Contact person: Ann Fowler

E-mail: [Ann.Fowler507@mod.uk](mailto:Ann.Fowler507@mod.uk)

Telephone: +44 3067983557

**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

Ministry or any other national or federal authority, including their regional or local subdivisions

### I.3. Main activity

Defence

### I.4. Contract award on behalf of other contracting authorities/entities

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

Supply of Adhesives, Tapes and Sealants.

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

Supplies

Purchase

#### II.1.3. Information about framework agreement

The procurement involves the establishment of a framework agreement

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

Framework agreement with a single operator

#### Duration of the framework agreement

Duration in years: 6

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

Adhesives. Glues. Adhesive tape. Insulators and insulating fittings. Sealants. Resin products. Reflective tape. This Contract Notice, published under the Restricted Procedure, is for a six year framework for the supply of a range of approximately 450 adhesives, tapes and sealants with an option to extend the duration by one year to 7 years. Deliveries will be required to MoD warehouses.

Ordering, receipting and invoicing will be electronic via DECS P2P (details at [www.d2btrade.com](http://www.d2btrade.com)), payment by BACS.

Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed on 1 Aug 11. LCS is determining the future strategy for all commodities and services within its remit and may, in the future, place a contract for the supply of services which may include the provision of articles (or services) which are covered by this notice. In this event, the Authority may satisfy its requirements from the LCS service contract and no further orders will be placed against any framework arising from this notice. Supplier selection will be by Pre Qualification Questionnaire. The Authority reserves the right to seek clarification to PQQ responses.

The mandatory exclusion and discretionary exclusion criteria at section III.2.1 are shown below.

1 List of Convictions for Mandatory Exclusion (Article 39(1)):

- (a) participation in a criminal organisation, as defined in Article 2 of Joint Action 98/733/JHA (1) of 21 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union (OJ L 351, 29.12.1998, p. 1);
- (b) corruption, as defined in Article 3 of the Act of 26 May 1997(2) drawing up, on the basis of Article K.3 (2) (c) of the Treaty on European Union, the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union (OJ C 195, 25.6.1997, p. 1) and Article 2(1) of Framework Decision 2003/568 /JHA;
- (c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities (OJ C 316, 27.11.1995, p. 49. (1);
- (d) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). (2) respectively, or inciting, aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
- (e) money laundering and terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing(OJ L 309, 25.11.2005, p. 15).

2 List of Misconduct for Discretionary Exclusion (Article 39(2)).

- (a) is bankrupt or is being wound up, where its affairs are being administered by a court, where it has entered into an arrangement with creditors, where it has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by a court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning its professional conduct, such as, for example, infringement of existing legislation on the export of defence and/or security equipment;
- (d) has been guilty of grave professional misconduct proven by any means which the

- contracting authority/entity can supply, such as a breach of obligations regarding security of information or security of supply during a previous contract;
- (e) has been found, on the basis of any means of evidence, including protected data sources, not to possess the reliability necessary to exclude risks to the security of the Member State;
  - (f) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority/entity;
  - (g) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority/entity;
  - (h) is guilty of serious misrepresentation in supplying the information required under this Section, or has not supplied such information.

Additional pass/fail criteria provided in the PQQ will be Economic and Financial Standing and Quality Accreditation.

The Applicant's financial ability to meet this requirement will be assessed on a risk basis and the Applicant's financial accounts will be evaluated the Authority. Factors that will be taken into consideration when evaluating the accounts include: Turnover; Profitability; Liquidity and Working Capital; Debt; Cashflow. The MOD will also examine the financial health of any holding company or subsidiary of the applicant company where it is part of a group. When assessing the financial health of an organisation the Authority will also taken into consideration any Auditor's opinion, for example Qualifications or Emphasis of Matter Statements. The Authority's opinion may be validated using financial credit agencies such as Company Watch and Dunn and Bradstreet. If examination of the financial accounts exposes the potential for an applicant to experience financial difficulty, then the Authority will determine the level of risk that it is willing to bear in fulfilling the requirement. Evaluation of the accounts will attract an acceptable or non-acceptable risk marking. A non-acceptable risk marking will constitute a fail and the applicant's PQQ response will not be considered further.

The pass/fail criterion for Quality Accreditation is certification by an accredited body to BS EN 9001:2008 or equivalent.

Applicants that are successful with regard to the pass/fail criteria will be downselected if necessary to a maximum of 6 bidders using a scored evaluation of the following criteria, listed in no particular order: Sustainability; Performance Management; Innovation; Supply Chain Management; Collaborative Working; and Capability.

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

24911200 Adhesives, 24910000 Glues, 44424200 Adhesive tape, 44111500 Insulators and insulating fittings, 39812500 Sealants, 24327400 Resin products, 44424300 Reflective tape

#### **II.1.7. Information about subcontracting**

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

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

This contract is divided into lots: yes  
Tenders may be submitted for one or more lots

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

Variants will be accepted: no

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

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

Estimated value excluding VAT:

Range: between 25 000 000 and 45 000 000 GBP

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

Options: yes

Description of options: Option to extend the duration of the contract by one year from 6 to 7 years.

### **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: 72 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Adhesives - Henkel

#### **1) Short description**

Supply of adhesives proprietary to Henkel Ltd.

#### **2) CPV code(s)**

24911200 Adhesives, 24910000 Glues

#### **3) Quantity or scope**

Approximately 120 types of adhesive. Some items may have requirements specific to the Authority - details will be provided in the Invitation to Tender.

#### **4) Indication about different time frame or duration**

#### **5) Additional information about lots**

Lot No: 2

Lot title: Adhesives - Monks Crane

#### **1) Short description**

Supply of adhesives proprietary to Monks and Crane Industrial Group Ltd.

#### **2) CPV code(s)**

24911200 Adhesives, 24910000 Glues

#### **3) Quantity or scope**

Approximately 10 types of adhesive. Some items may have requirements specific to the Authority - details will be provided in the Invitation to Tender.

#### **4) Indication about different time frame or duration**

#### **5) Additional information about lots**

Lot No: 3

Lot title: Adhesives - general

#### **1) Short description**

Adhesives and resin products, including some proprietary adhesives, but excluding the adhesives in Lots 1 and 2. Includes some proprietary products.

#### **2) CPV code(s)**

24911200 Adhesives, 24910000 Glues, 24327400 Resin products

**3) Quantity or scope**

Approximately 120 types of adhesive and 5 resin products. Some items may have requirements specific to the Authority - details will be provided in the Invitation to Tender.

**4) Indication about different time frame or duration**

**5) Additional information about lots**

Lot No: 4

Lot title: Tapes

**1) Short description**

Tapes, including general purpose, insulating, reflective and pressure tapes. Includes some proprietary tapes.

**2) CPV code(s)**

44424200 Adhesive tape, 44424300 Reflective tape, 44111500 Insulators and insulating fittings

**3) Quantity or scope**

Approximately 100 types of tape. Some items may have requirements specific to the Authority - details will be provided in the Invitation to Tender.

**4) Indication about different time frame or duration**

**5) Additional information about lots**

Lot No: 5

Lot title: Sealants

**1) Short description**

Sealants for a variety of applications. Includes some proprietary sealants.

**2) CPV code(s)**

39812500 Sealants

**3) Quantity or scope**

Approximately 100 types of sealant. Some items may have requirements specific to the Authority - details will be provided in the Invitation to Tender.

**4) Indication about different time frame or duration**

**5) Additional information about lots**

**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**

Payment on delivery in pound sterling.

**III.1.3.**

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

Single legal entity.

### **III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

### **III.1.5. Information about security clearance**

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

### **III.2.1. Personal situation**

#### **Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: The Authority will apply all the offences listed in Article 39(1) of Directive 2009/81/EC (implemented as Regulation 23(1) of the Defence and Security Public Contract Regulations (DSPCR) 2011 in the UK) and all of the professional misconducts listed at Article 39(2) of Directive 2009/81/EC (see also Regulation 23(2) in the DSPCR 2011) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.contracts.mod.uk/delta/project/reasonsForExclusion.html#dspr>.

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process.

Candidates who have been convicted of any of the offences under Article 39(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest (including defence and security factors) for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 39 (2) may be excluded from being selected to bid at the discretion of the Authority.

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

### **III.2.3. Technical and/or professional capacity**

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

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

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

### **III.3.2. Information about staff responsible for the performance of the contract**

## **Section IV: Procedure**

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

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

Restricted

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

Envisaged minimum number 3 and Maximum number 6

Objective criteria for choosing the limited number of candidates: Sustainability; Performance Management; Innovation; Supply Chain Management; Collaborative Working; and Capability.

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

## **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 has been used: yes

Additional information about electronic auction: Yes. A Reverse Auction, conducted using electronic means, may be used as part of the procurement process for this requirement.

Specific relevant information on Reverse Auction usage will be given in the Invitation to Tender.

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

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

MedGS/0098

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

no

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

Payable documents: no

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

2.7.2012 - 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**

## **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**

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. Suppliers interested in working with the Ministry of Defence should register on the MOD Supplier Information Database (SID) Register, available at [www.contracts.mod.uk](http://www.contracts.mod.uk). The MOD SID is a database of active and potential suppliers available to all MOD and UK Defence procurement personnel, and is the main supplier database of MOD Procurement organisations. Please note: the registration and publication of a company profile on the MOD SID does not mean or imply that the supplier has in any way been vetted or approved by the MOD. Suppliers wishing to compete for advertised MOD contracts must respond to

any specific call for competition by submitting a separate expression of interest in accordance with the instructions of the purchasing organisation.

Advertising Regime OJEU:- This contract opportunity is published in the Official Journal of the European Union (OJEU), the MoD Defence Contracts Bulletin and [www.contracts.mod.uk](http://www.contracts.mod.uk) GO Reference: GO-2012531-DCB-3962933.

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: Medical & General Supplies Team, DE&S

**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**

31.5.2012