

UK-Newcastle-under-Lyme: horticultural services

OJ S 182/2012 21/09/2012

Contract notice

Services

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

Official name: Newcastle-under- Lyme Borough Council

Postal address: Civic Offices, Merrial Street

Town: Newcastle-under-Lyme

Postal code: ST5 2AG

Country: United Kingdom

For the attention of: Steve Middlehurst (Community Manager)

E-mail: [steve.middlehurst@newcastle-staffs.gov.uk](mailto:steve.middlehurst@newcastle-staffs.gov.uk)

Telephone: +44 1782744639

Fax: +44 1782710368

#### Internet address(es):

General address of the contracting authority: [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.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

Weed control contract.

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

Services

Service category No 27: Other services

NUTS code UKG23 Stoke-on-Trent

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

The notice involves a public contract

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

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

The service will include the application of a glyphosate based herbicide to carriageway channels, footpaths, highway verges, hard standing areas, parks and public open spaces.

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

77300000 Horticultural services, 77312000 Weed-clearance services, 77312100 Weed-killing services

#### **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**

Quantities and scope of the service are included as part of the PQQ and tender documents.

Estimated value excluding VAT:

Range: between 280 000 and 340 000 GBP

#### **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**

Start 1.4.2013. Completion 31.3.2018

## **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**

Any information relevant to deposits or guarantees will be contained in the tender documents.

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

Staged payments will be made on the successful completion of each element of the weed control programme, information of which is contained in the tender pack.

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

No special legal form is required by the grouping of providers but each provider will be required to become jointly and severally responsible for the contract before acceptance.

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

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

Description of particular conditions: Any tender may be rejected from a company/organisation who interalla:

- (a) Is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) Is the subject to proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or an arrangement with creditors or any other similar proceedings under national laws and regulations;
- (c) Has been convicted by a judgement which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) Has been guilty of grave professional misconduct proven by means which the contracting authorities can demonstrate;
- (e) Has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) Has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) Is guilty of a serious misrepresentation in supplying the information required under this Section or has not supplied such information;
- (h) Has been the subject of a conviction for participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (i) Has been the subject of a conviction for corruption, as defined in article 3 of the Council Act of 26.5.1997 and Article 3(1) of Council Joint Action 98/742/JHA respectively;
- (j) Has been subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (k) Has been the subject of a conviction for money laundering, as defined in Article 1 of the Council Directive 91/308/EEC of 10.6.1991 on prevention of the use of the financial system for the purpose of money laundering, please refer to Regulation no 23 of the Public Procurement Regulations 2006 (SI No 5) for additional rejection criteria (see link).  
<http://www.opsi.gov.uk/si/si2006/20060005.htm>.

## **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: Parent organisation guarantees and/or performance bonds may be required subject to the Council's assessment of the financial status legal structure and capabilities of the service provider and the risks associated with the contract and to assess economic and technical standards which will be set out in the ITT which must be completed and returned with the expression of interest (PQQ) no later than 17.00 hours on the 19.10.2012 and tender if shortlisted on the 7.1.2013. The questionnaire together with supporting information can be obtained from Steve Middlehurst, contact details of which can be found in Section 1.1.

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

List and brief description of conditions: Information required from service providers concerning their own position and to assess economic and financial capacity will be set out in the tender (PQQ) pack. Completed packs to be returned no later than 17.00 hours on the 19.10.2012.

### **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**

Restricted

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

Envisaged minimum number 5

Objective criteria for choosing the limited number of candidates: Some sections of the PQQ involve a numerical scoring system whilst others require a Pass or Fail decision. If any bidder receives a Fail mark in any of the sections, they will be eliminated from the next stage of the process. Further information can be found in the PQQ and tender packs.

#### **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**

#### **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: 1.10.2012 - 17:00

Payable documents: no

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

19.10.2012 - 17:00

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

26.11.2012

**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**

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

Date: 8.1.2013 - 12:00

Place:

Newcastle-under-Lyme Borough Council, Civic Offices.

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

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**Section VI: Complementary information**

**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**

Completion of the ITT is the first stage in a possible three-stage process. The ITT will be analysed and assessed on receipt and the Council will produce a short-list of applicants. Some sections of the ITT involve a numerical scoring system whilst others require a Pass or Fail decision. If any bidder receives a Fail mark in any of the sections, they will be eliminated from the next stage of the process. All applicants will be advised of their status and those short-listed will be advised of the requirements and timescales of further stages. Short-listed applicants will then enter the final stage of the selection process, which may require them to deliver a presentation or to support a site visit from the Councils evaluation team to support their tender submission.

The contract period is 3 years plus the possibility to extend for a further 2 times 1 year periods on should the successful service provider deliver a satisfactory (assessed by the Council) service in the initial contract term. The indicative value in this contract notice is estimated for the full contract term i.e. 5 years.

**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**

17.9.2012