

**United Kingdom-Bristol: Transport services (excl. Waste transport)**

OJ S 197/2013 10/10/2013

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Movement Support services, DE&amp;S

Postal address: Cedar 3a, #3338,, MOD Abbey Wood South, Filton

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

Contact person: DES Commodities MSS-Comrcl-2

For the attention of: Mags Lambert

E-mail: [descommoditiesmss-Comrcl-2@mod.uk](mailto:descommoditiesmss-Comrcl-2@mod.uk)

Telephone: +44 3067981039

**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**

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**

Provision of a Freight Transportation Service to and from the UK Mainland and Northern Ireland

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

Services

Service category No 27: Other services

NUTS code UK United Kingdom

**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 a single operator

**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: 1 019 251 GBP

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

Transport services (excl. Waste transport). Road transport services. The Provision of a Freight Transportation Service to and from the UK Mainland and Northern Ireland

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

60000000 Transport services (excl. Waste transport), 60100000 Road transport 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**

The requirement is for a transportation service to and from the UK Mainland and Northern Ireland. The requirement is to move stores, vehicles, equipment, ammunition under UN classes 1-9 and boxed personal effects by surface routes to and from the UK mainland and Northern Ireland. Due to the security implications of the service to be provided, all contractor and sub-contractor personnel employed under this requirement must be Security Cleared by DVA.

Estimated value excluding VAT: 1 019 251 GBP

**II.2.2. Information about options**

Options: no

**II.2.3. Information about renewals**

**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**

The Authority reserves the right to request a Bank or Parent Company Guarantee if the supplier does not meet the required standard for Economic and Financial Standing

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

Tenders are to be priced in pounds Sterling. Payment will be made in pounds Sterling or any other currency to be adopted by the UK.

Payment shall follow satisfactory delivery of the Service and conditions relating to Finance and

payment will be specified in the contract documentation. The MOD has implemented an electronic purchasing system called Purchase to Payment (P2P) which is operated over the Defence Electronic Commerce Service (DECS). Any resultant Contract shall require the supplier to trade via the P2P system. The performance of the contract shall be subject to monitoring and management and a continuous improvement regime through an agreed process.

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

If a group of economic operators submits a bid, the group shall be required to nominate a lead partner with whom the Authority can lawfully contract or form themselves into a single entity before the contract is awarded.

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

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

Description of particular conditions: Please note that Contractor to Contractor Transfer of Undertakings (Protection of Employment) Legislation (TUPE) may apply to this requirement and that the current contractor is: G.A. Newsome (Haulage) Ltd, Green Lane, Wardle, Nr Nantwich, Cheshire, CW5 6BJ.

## **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 Authority will apply all the offences listed in Article 39(1) of Directive 2009/18/EC (implemented as Regulation 23(1) of the Defence Security Public Contract Regulations (DSPCR) 2011 in the UK) and all of the professional misconducts listed at Article 39(2) of Directive 2009/18/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 are registered overseas, will need to declare if any offences/misconduct under own countries EU equivalent laws, where these laws are equivalent to the Regulation 23 lists.

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 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**

List and brief description of conditions: (a) Appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance

(b) The presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established

(c) A statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available

The Applicant's (individual companies or members of potential alliances) financial ability to

meet this requirement will be assessed on a risk basis (low, medium, high) evaluated by the Cost Assurance and Analysis Service's (CAAS) Financial Analysts, and if considered too high a risk, the applicant will be excluded regardless of the overall score. Factors that will be taken into consideration when evaluating the accounts include: Turnover; Profitability; Liquidity and Working Capital; Debt; Cash flow. The MOD will also examine the financial health of any holding company or subsidiary of the applicant where it is part of a Group. When assessing the financial health of an organisation the Authority will also take 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 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. Failure to provide accounts will constitute a failure of this element of the PQQ.

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

List and brief description of conditions:

- (b) a list of the principal deliveries effected or the main services provided in the past 3 years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given: - where the recipient was a contracting authority, in the form of certificates issued or countersigned by the competent authority, - where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator
- (c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work
- (d) A description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities
- (e) Where the products or services to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier or service provider is established, subject to that body's agreement, on the production capacities of the supplier or the technical capacity of the service provider and, if necessary, on the means of study and research which are available to it and the quality control measures it will operate
- (f) The educational and professional qualifications of the service provider or contractor and/or those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work
- (g) For public works contracts and public services contracts, and only in appropriate cases, an indication of the environmental management measures that the economic operator will be able to apply when performing the contract
- (h) A statement of the average annual manpower of the service provider or contractor and the number of managerial staff for the last three years
- (i) A statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contract
- (j) An indication of the proportion of the contract which the services provider intends possibly to subcontract

### **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: PASS/FAIL criteria shall be assessed first.

Those PQQ submissions that pass the initial PASS/FAIL criteria and Financial Risk Assessment shall then be scored using the AMBER weighting factor.

The pass/fail subjects in the PQQ will be: Grounds for Mandatory Rejection: Conviction for offences relating to Conspiracy, Involvement with serious Organised Crime, Corruption, Bribery, Fraud, Money Laundering, Terrorist Offences, Drug Trafficking or any offence within the meaning of Article 39(1) of the Defence and Security Procurement Directive 2009/81/EC or as defined by the national law of any relevant State submission, or for any other reason will fail this element of the PQQ.

Grounds for Discretionary Rejection: The Authority will ask a series of questions relating to; Bankruptcy, Insolvency Administration, Convictions of a Criminal Offence, Professional Misconduct, failure to pay Social Security and or Taxes, Misrepresentation under regulation 38 or 39 of Defence and Security Public Contract Regulations 2011, or on any other subjects contained within paragraph III.2.1 of this notice. Failure to provide an acceptable response to any of the questions posed by the Authority will constitute a failure of this element of the PQQ.

Economic and Financial Standing: The Applicant's (individual companies or members of potential alliances) financial ability to meet this requirement will be assessed on a risk basis (low, medium, high) evaluated by the Cost Assurance and Analysis Service's (CAAS) Financial Analysts, and if considered too high a risk, the applicant will be excluded regardless of the overall score. Factors that will be taken into consideration when evaluating the accounts include: Turnover; Profitability; Liquidity and Working Capital; Debt; Cash flow. The MOD will also examine the financial health of any holding company or subsidiary of the applicant where it is part of a Group. When assessing the financial health of an organisation the Authority will also take 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 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. Failure to provide accounts will constitute a failure of this element of the PQQ. The Authority requires that companies hold Employers Liability Insurance of at least GBP 5M. Failure to provide this will constitute a failure of this element of the PQQ. Project Questions: The Authority requires that companies hold a Goods Vehicle Operators Licence or EU equivalent, Certificate(s) of Professional Competence for Road Person(s) or EU equivalent. Failure to provide confirmation of these will constitute a failure of this element of the PQQ. The Authority requires that any

company and their sub-contractors have Certificate(s) of Professional Competence for road person(s) or Eu equivalent. Failure to provide confirmation of these will constitute a failure of this element of the PQQ. Quality Accreditation: Companies or alliances must fulfil the quality accreditation requirements of BS EN ISO 9001:2008 issued by a UKAS recognised 3rd Party Certification Body or EU equivalent. In the event that they do not meet these requirements then this will constitute a failure of this element of the PQQ. Health and Safety at Work: Companies or alliances must have a written Health & Safety at Work policy/process /procedure. In the event that they do not meet this requirement then this will constitute a failure of this element of the PQQ. The following elements will attract a score multiplied by a weighting factor which will be decided based on the importance of the question: Experience and Contract examples; Professional Qualifications; Supplier Performance Assessment Scheme; Technical capability to perform the contract; Details of company size, security, safety measures and workload; Environmental Management. Interested suppliers are invited to apply for a Pre-Qualification Questionnaire (PQQ) by contacting the Authority with their Expression of Interest in response to this Contract Notice. PQQs shall be issued after the advert has closed. Potential suppliers are required to send the Authority a completed PQQ providing information that allows the Authority to evaluate the supplier's capacity and capability against the selection criteria as expanded within the PQQ. Those companies or alliances that fail on any of the pass/fail criteria stated in the PQQ will not be scored and therefore will not progress to the down-selection phase. The minimum acceptable weighted score shall be detailed in the PQQ and companies that achieve the minimum weighted score shall be invited to tender.

#### **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 will be 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**

MSS/2005

##### **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**

6.11.2013 - 23:59

##### **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**

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

## **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. Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed on 1 August 2011. 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 requirement from the LCS service contract and no further orders will be placed against any framework arising from this notice. Alternatively, the Authority may appoint a Managing Agent to operate the framework/contract arising from this notice; novate the Agreement to a Managing Agent or third party; or assign the benefit of the Agreement to a Managing Agent. Further details will be provided in the tender documentation.

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). Any selection of tenderers, however, 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.

It is to be noted that this requirement is subject to UK Government policy on transparency and that the PQQ, Tender documents and any subsequent Contract Documents may be subject to publication in a redacted format on the following website where guidance on the scope can be found; [www.contractsfinder.businesslink.gov.uk](http://www.contractsfinder.businesslink.gov.uk)

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-2013731-DCB-4998795. GO Reference: GO-2013930-DCB-5164057

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: Movement Support services, DE&S

Postal address: Cedar 3a, #3338, MOD Abbey Wood South, Filton

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

E-mail: [descommodities-mss-comrcl-2@mod.uk](mailto:descommodities-mss-comrcl-2@mod.uk)

Telephone: +44 3067981039

**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**

30.9.2013