

**United Kingdom-Welwyn Garden City: Batteries**

OJ S 213/2016 04/11/2016

Contract notice

Supplies

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Hertfordshire County Council — Herts FullStop

Postal address: Mundells

Town: Welwyn Garden City

Postal code: AL7 1FT

Country: United Kingdom

Contact person: Strategic Procurement Group — Anita Shipman

For the attention of: Chris Mulhall — Herts FullStop

E-mail: [chris.mulhall@hertsfullstop.co.uk](mailto:chris.mulhall@hertsfullstop.co.uk)

Telephone: +44 01707281571

**Internet address(es):**General address of the contracting authority: [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)Address of the buyer profile: [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.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: yes

Official name: Hampshire County Council

**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**

HCC Nov 2016 — The Supply of Batteries.

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

Supplies

Purchase

NUTS code UKJ33 Hampshire CC, UKH23 Hertfordshire

**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**

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

Hertfordshire County Council (the Contracting Authority) acting on behalf of the Participants is leading on the procurement process to establish a Framework Agreement for the Supply of (hereinafter referred to as 'Goods') and is seeking suitably qualified Contractor(s) to supply the Goods under any Agreement resulting from this tendering exercise.

A list of the Goods required is given in the Specification (Schedule 1) of the tender documents. The authorities that are participating in this tender exercise and any subsequent Agreement are listed below:

Hampshire County Council

Hertfordshire County Council

The Contracting Authority reserves the right however to include any other Consortium member, affiliate or associate who may wish to join this arrangement at a future date.

The requirement is for the Supply of Batteries for delivery in bulk to the central stores of the participating authorities stated below.

The anticipated annual joint expenditure, for the Participating Authority's on these Goods is presently circa 105 000 GBP per annum, however the estimated annual range is between 100 000 to 300 000 GBP The estimated annual spend by each participating Authority can be broken down as follows -

Hampshire 50 000 GBP

Hertfordshire 55 000 GBP

The Contract will be for a core period of two (2) years unless terminated in accordance with the provisions of this Contract or extended at the sole discretion of the Council for a period of up to two (2) further years on an annual basis by giving at least six (6) months' prior notice in writing. Please note that the Contract requirements will subject to available financial resources, supplier performance and flexibility to meet changing demands.

To access this procurement opportunity please visit [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk) and follow the on-screen guidance.

This procurement is an Open (one stage) process. Suppliers wishing to take part in this project are invited to express interest which will give access to the full procurement documents in the e-tendering system.

To be considered as a bidder you must complete and submit a Bid by 12 noon on the Tender submission date. Please allow sufficient time to make your return as late Bids will not be permitted by the system.

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

31440000 Batteries, 31420000 Primary batteries, 31411000 Alkaline batteries, 31422000 Battery packs

#### **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 estimated total range of the Framework Agreement is between 400 000 GBP and 1 200 000 GBP and is for the core period inclusive of the approximate value for extensions. For the avoidance of doubt, the estimated annual value of the Framework Agreement will be approximately a range between 100 000 GBP and 300 000 GBP

The Framework Agreement will be awarded for a core period of two years, with the option to extend this up to two further years.

Please note that the requirements of the Framework Agreement will be subject to available financial resources, supplier performance and flexibility to meet changing demands. In addition, there will be no form of exclusivity or volume that is guaranteed under the resultant Framework Agreement and the Council and other participating authorities will be entitled to enter into other Contracts and arrangements with other suppliers for the provision of any, or all, of the requirements which are the same as, or similar to those specified under the established Framework Agreement.

As part of the Council's commitment to partnership working the Council is acting as a Central Purchasing Body as defined by the EU Procurement Directive (2014/24/EU) and this is a joint collaboration between the members of the Central Buying Consortium (CBC).

The current participating members are Hertfordshire County Council and Hampshire County Council. Details of the current participating member authorities' requirements for delivery of supplies will be stated in the procurement documents.

During the Framework Agreement period there is a possibility that other public sector bodies may wish to participate. In addition to the organisations listed above, the Framework Agreement is open to all public sector bodies.

Also, the Framework Agreement is open to member authorities of the Regional Improvement and Efficiency Partnership (RIEP) for the East of England (including any successor body) and a current list of member authorities can be found on their website using the following link: <http://www.improvementeast.gov.uk/>.

No fixed list of organisations is set out within the tender exercise and no guarantee can be given as to the exact amount of business which may result from this tender exercise. However, the contractor will be expected to supply the goods to any organisation identified above, including their customers and affiliates, which is authorised by the Council. Any organisation that utilises this Framework Agreement shall do so under the terms and conditions of this agreement.

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

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

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

Start 1.2.2017. Completion 31.1.2019

## **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**

Please refer to the Invitation to Tender Documents.

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

Please refer to the Invitation to Tender Documents.

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

Please refer to the Invitation to Tender Documents.

**III.1.4. Contract performance 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**

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

**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**

**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**

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**

**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**

HCC1609006

**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**

5.12.2016 - 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**

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

## **Section VI: Complementary information**

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

### **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**

Hertfordshire County Council has worked closely with its Districts and Partners to create a joint procurement portal called Supply Hertfordshire. This portal provides an eTendering system which is run by In-Tend.

To access this procurement opportunity please visit [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk) and follow the on-screen guidance.

#### **Open Procedure**

This is a one stage procurement process. Therefore, if you wish to be considered as a tenderer you must complete and submit a tender by the Closing date and time. Tenders cannot be uploaded after the closing date/time.

Any clarifications regarding this opportunity must be raised through Correspondence area in the eTendering system.

If you are experiencing problems In-Tend offer a help section which includes a dedicated UK Support Desk which can be contacted via email [support@in-tend.com](mailto:support@in-tend.com) or telephone +44 (0)114 407 0065 for any website / technical questions. Monday to Friday 8:30 — 17:30.

The Council reserves the right at any time to cease the procurement process and not award a contract or to award only part of the opportunity described in this notice. If the Council takes up this right then they will not be responsible for, or pay the expenses or losses, which may be incurred by any tenderer as a result.

The Council undertakes to hold confidential any information provided in the proposal submitted, subject to the Council's obligations under the law, including the Freedom of Information Act 2000. If the applicant considers that any of the information submitted in the proposal should not be disclosed because of its sensitivity then this should be stated with the reason for considering it sensitive. The Council will then endeavour to consult with the applicant about such sensitive information when considering any request received under the Freedom of Information Act 2000 before replying to such a request.

The Council reserves the right to carry out additional financial checks on all companies tendering for this Contract at any time during the procurement process, to ensure that they continue to meet the Council's requirements and remain financially viable to perform the Contract.

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

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

Official name: See V1.4.2

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

Precise information on deadline(s) for review procedures: The Contracting Authority will incorporate a minimum 10 calendar day (when using electronic means) standstill period at the point information on the award of the contract is communicated to tenderers. This period allows unsuccessful tenderers to challenge the decision to award a contract before a contract is executed/signed (as appropriate). The Public Contracts Regulations 2015 ('Regulations') provide for aggrieved parties who have been harmed or at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought promptly and within the time limits as defined in the above regulations. Where a contract has not been entered into the court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If the contract has been entered into the court has the options to award damages and/or to shorten or order the contract ineffective.

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

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

31.10.2016