

UK-Bodmin: hire of construction and civil engineering machinery and equipment with operator

OJ S 236/2012 07/12/2012

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: CORMAC Solutions Limited

Postal address: Head Office, Castle Canyke Road

Town: Bodmin

Postal code: PL31 1DZ

Country: United Kingdom

For the attention of: Supply Chain & Support Services Manager

E-mail: tenders@cormacltd.co.uk

Telephone: +44 1872323313

Fax: +44 1872324554

Internet address(es):

General address of the contracting authority: www.cornwall.gov.uk/cormac

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

Body governed by public law

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

II.1. Description

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

Hire of Operated Lorries, Plant & Equipment.

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

Services

Service category No 27: Other services

Main site or place of performance: CORMAC Solutions Ltd and Cornwall Council buildings, depots and work sites.

NUTS code UKK3 Cornwall and Isles of Scilly

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

Maximum number Envisaged maximum number of participants to the framework agreement
: 999

Duration of the framework agreement

Duration in years: 2

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

Estimated value excluding VAT: 5 000 000,00 GBP

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

Hire of Operated Lorries, Plant & Equipment.

II.1.6. CPV code(s)

45500000 Hire of construction and civil engineering machinery and equipment with operator,
45520000 Hire of earthmoving equipment with operator, 60180000 Hire of goods-transport
vehicles with driver, 60181000 Hire of trucks with driver

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

The procurement is covered by the Government Procurement Agreement: no

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 appointed suppliers will be required to supply operated lorries, plant and equipment to CORMAC Solutions Ltd, all directorates of Cornwall Council, and potentially to other public sector organisations and bodies (including Schools) in Cornwall and the Isles of Scilly, who may at a later date adopt the terms and conditions of this framework arrangement. Whilst there is no guaranteed quantity or spend, the estimated value is likely to be in the region of 2 500 000 GBP per annum. The potential estimated total value is likely to exceed this range of spend if other organisations decide to participate. The intention is to let a one year framework arrangement with the option of a one year extension.

Mini competitions will be take place for situations where it is economically advantageous. This will include long term hires and specific schemes for contracts work.

There will be no limit on the number of suppliers appointed on the framework agreement.

Estimated value excluding VAT: 5 000 000,00 GBP

II.2.2. Information about options

Options: yes

Description of options: 1 year contract with Option of extending the contract by a further 12 months to a maximum of 2 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: 24 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

No deposits will be required but where applicable the successful tenderer (or in the case of a consortium bid, each member of the consortium) may be required to provide a parent company guarantee or alternative performance bond.

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

These conditions will be provided in 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

Joint and several.

III.1.4. Contract performance conditions

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

Description of particular conditions: The Framework will be subject to CORMAC Solutions Limited Terms and Conditions of Contract.

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: Parties will be provided with detailed instructions concerning the information they must provide. This will be contained in the Invitation to Tender (ITT) document. Consideration will only be given to those contractors who complete and return the ITT by the required date.

Economic operators subject to any of the following [may/will] not be considered where the said operator.

(a) is bankrupt or is being wound up, where their affairs are being administered by the court, where they have entered into an arrangement with creditors, where they have 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 the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;

(c) has been convicted by a final judgment 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 any 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 they are 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 they are established or with those of the country of the contracting authority;

(g) is guilty of 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 26.6.1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;
- (j) has been the 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 Council Directive 91/308/EEC of 10.6.1991 on prevention of the use of the financial system for the purpose of money laundering.

The deadline for receipt of the ITT is 15:00 hours on 24.1.2013.

III.2.2. Economic and financial ability

List and brief description of conditions: May include, but shall not be limited to.

- (a) a completed Pricing Schedule
- (b) an assessment of Company financial standing

Minimum level(s) of standards possibly required: Please refer to the Invitation to Tender document.

III.2.3. Technical and professional ability

List and brief description of conditions:

May include, but shall not be limited to.

- (a) the completion and submission of CORMAC Solution's Health and Safety Questionnaire;
- (b) an inventory of the plant or technical equipment available to the service provider or contractor for carrying out the contract;
- (c) insurance certificates drawn up by official brokers or agencies.
- (d) the criteria listed in III.2.1; and
- (e) any other information or documents referred to in the Invitation to Tender document

Minimum level(s) of standards possibly required:
Please refer to the Invitation to Tender document.

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

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

CSL2012.002.01F

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: 25.1.2013 - 15:00

Payable documents: no

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

25.1.2013 - 15:00

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 months: 3 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

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

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: At the point at which tenderers and candidates are notified of the contract award decision a minimum 10 calendar day standstill period will apply during which the unsuccessful tenderers and candidates will have the opportunity to appeal against the decision to award before the contract is concluded.

If an appeal regarding the award of the contract has not been successfully resolved, the Public Contracts (Amendment) Regulations 2009 provide for aggrieved parties who have been harmed or believe they are 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 may take the form of an application for an order to set aside the award decision, suspend the procedure or amend a document, or if the contract has been entered into a claim for a declaration of contract ineffectiveness and/or a claim for damages.

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

VI.5. Date of dispatch of this notice

5.12.2012