

**United Kingdom-Inverness: Forestry services**

OJ S 212/2019 04/11/2019

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Forestry and Land Scotland  
Postal address: 1 Highlander Way, Inverness Retail Park  
Town: Inverness  
NUTS code: UKM Scotland  
Postal code: IV2 7GB  
Country: United Kingdom  
E-mail: [procurement@forestryandland.gov.scot](mailto:procurement@forestryandland.gov.scot)  
Telephone: +44 31313705179

**Internet address(es):**

Main address: <http://https://forestryandland.gov.scot/>  
Address of the buyer profile: [https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA30371](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30371)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.publictendersscotland.publiccontractsscotland.gov.uk>

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Environment

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Woodland Establishment across Scotland through a Dynamic Purchasing System (DPS)  
Reference number: FW0049

**II.1.2. Main CPV code**

77200000 Forestry services

### **II.1.3. Type of contract**

Services

### **II.1.4. Short description**

The Authority (FLS) has established a Dynamic Purchasing System (DPS) for Woodland Establishment across Scotland. The DPS comprises 2 lots: commercial and amenity and planting and maintenance.

This DPS shall be open from the 1.11.2019 until the 31.10.2024 (validity period).

New applications shall be evaluated and the decision communicated within 10 working days.

### **II.1.5. Estimated total value**

Value excluding VAT: 12 500 000,00 GBP

### **II.1.6. Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

Single DPS agreement for Lots 1 and 2.

## **II.2. Description**

### **II.2.1. Title**

Commercial and Amenity Woodland Establishment, Contractor will be the Forest Works Manager (FWM)

Lot No: 1

### **II.2.2. Additional CPV code(s)**

77200000 Forestry services

### **II.2.3. Place of performance**

NUTS code: UKM Scotland

### **II.2.4. Description of the procurement**

Commercial and amenity woodland establishment, contractor will be the Forest Works Manager (FWM), circa 1 500 hectares and approximately 9 000 000 GBP.

The authority expects the Contractor to undertake all the establishment work that will be required to deliver the overall specification in the land management plan and associated documents: this will include appropriate ground preparation, vegetation control, sourcing appropriate provenances of the tree species specified in the land management plan, planting, maintenance, protection of the crop from damaging agents, and effective communication throughout the life of the contract.

### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

### **II.2.6. Estimated value**

Value excluding VAT: 9 000 000,00 GBP

### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 60

This contract is subject to renewal: yes

Description of renewals:

DPS validity period will be for 5 years, a retender would need to be published within approximately 12 months before the end date.

**II.2.9. Information about the limits on the number of candidates to be invited**

Maximum number: 999  
Objective criteria for choosing the limited number of candidates:  
There is no limit to the number of Contractors that can be appointed to the DPS.

**II.2.10. Information about variants**

Variants will be accepted: no

**II.2.11. Information about options**

Options: no

**II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

**II.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

**II.2. Description**

**II.2.1. Title**

Planting and Maintenance Woodland Establishment on Sites where the Authority is the Forestry Works Manager (FWM)  
Lot No: 2

**II.2.2. Additional CPV code(s)**

77200000 Forestry services

**II.2.3. Place of performance**

NUTS code: UKM Scotland

**II.2.4. Description of the procurement**

Planting and maintenance woodland establishment on sites where the authority is the Forestry Works Manager (FWM), circa 700 hectares, of which 100 hectares is for slope stabilisation and approximately 3 500 000 GBP.

Contractors will be expected to undertake forest establishment operations which will include tree planting, beating-up to replace any dead or missing trees, chemical weeding and hand weeding operations. Further operations that may be required such as tree protection with the application individual tree protectors or control noxious weeds will be detailed in invitations to tender.

**II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

**II.2.6. Estimated value**

Value excluding VAT: 3 500 000,00 GBP

**II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 60

This contract is subject to renewal: yes

Description of renewals:

DPS validity period will be for 5 years, a retender would need to be published within approximately 12 months before the end date.

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Maximum number: 999 Objective criteria for choosing the limited number of candidates:

There is no limit to the number of Contractors that can be appointed to the DPS.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:

no

#### **II.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

ESPD Specific Question 4b.5.1, 5.2 and 5.3

(Question) The bidder confirms they already have or can commit to obtain, prior to the commencement of a call-off Contract that they are awarded, the levels of insurance cover indicated in the relevant contract notice.

Minimum level(s) of standards possibly required:

(Statement)

Employer's (compulsory) liability insurance = minimum 5 000 000 GBP.

Public liability insurance = minimum 5 000 000 GBP for any one incident and unlimited in total.

<http://www.hse.gov.uk/pubns/hse40>.

##### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

ESPD Specific Question 4c.1.2

(Question) For public supply and public service contracts only, please provide relevant examples of supplies and/or services carried out during the last 3 years as specified in the contract notice.

ESPD Specific Question 4c.4 (Modern Slavery Act)

(Question) Please provide a statement of the relevant supply chain management and/or tracking systems used:

ESPD Specific Question 4c.6

(Question) The following educational and professional qualifications are held by the service provider or the contractor itself:

ESPD 4D.1 Quality Assurance standards

(Health and Safety Procedures)

(Question) Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required Health and Safety standards?

ESPD 4D.2 Environmental Management Systems

(Question) Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required environmental management systems or standards?

Minimum level(s) of standards possibly required:

ESPD Specific Question 4c.1.2

(Statement) For each lot, bidders are required to provide at least 1 example using the template in the document FW0049 Appendix 1a - 4C-1-2 Technical Experience that demonstrates relevant experience to deliver the requirement for the lot described as detailed in the document FW0049 DPS Specification.

ESPD Specific Question 4c.4 (Modern Slavery Act)(Statement)

Bidders with a turnover greater than 36 000 000 GBP are required to comply with the Modern Slavery Act 2015 and must provide a link to their online statement setting out the steps they have taken to ensure there is no modern slavery in their own business or their supply chains to ensure that slavery and human trafficking is not taking place in any part of its own business.

<http://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted>

Bidders with a turnover less than 36 000 000 GBP may give a brief explanation of what steps if any you are taking to ensure that slavery and human trafficking is not taking place in any part of its own business.

ESPD Specific Question 4c.6

(Statement) Bidders will be required to confirm that they and/or the service provider have the following relevant educational and professional qualifications:

Please confirm that operators will have the relevant certificates ((Statement) — See FW0049 Appendix 1 — ESPD Standard Statements) for the Operation that they are tasked.

ESPD 4D.1 Quality Assurance standards

(Health and Safety Procedures)

(Statement) See FW0049 Appendix 1 — ESPD Standard Statements in PCS-T.

ESPD 4D.2 Environmental Management Systems

(Statement) See FW0049 Appendix 1 — ESPD Standard Statements in PCS-T.

## Section IV: Procedure

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### IV.1. Description

#### IV.1.1. Type of procedure

Restricted procedure

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

The procurement involves the setting up of a dynamic purchasing system

#### IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

### IV.2. Administrative information

#### IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2019/S 159-392762](#)

#### IV.2.2.

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

Date: 31/10/2024 Local time: 12:00

### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 31/10/2024

### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

## **Section VI: Complementary information**

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

This is a recurrent procurement: yes

Estimated timing for further notices to be published:

DPS validity period will be for 5 years, a retender would need to be published within approximately 12 months before the end date.

### **VI.3. Additional information**

Only contractors admitted onto the DPS will be invited to tender for the relevant lot.

ESPD evaluation will be scored as pass/fail. Should any question be scored 'fail' the entire bid shall be set aside.

Where the bidder relies on the capacities of other entities/consortium member in order to meet the selection criteria they must provide a separate ESPD for each entity. Please read the bidders instructions on the ESPD section 2C.1 for full details.

If the bidder intends to subcontract any share of the contract to third parties, then the bidder will be required to submit a separate ESPD (Part II A&B, and Part III A&B only) for each subcontractor.

Please read the bidder's instructions on the ESPD Section 2D.1 and 2D.1.2.

Where changes are made (with the agreement of FLS DPS Manager during the period of the DPS to the other entities that the bidder relies on in order to meet the selection criteria they must provide a separate ESPD for each new/replacement member to the FLS DPS Manager. The ESPD will be reviewed by FLS to determine the appropriateness of the new/replacement member. FLS's decision on whether or not to allow the change/addition will be final.

Contracts will be awarded using weightings in Section II.2.5), the authority reserves the right to amend weightings by up to  $\pm 20\%$  where it is deemed appropriate.

The FLS guide to PCS-T here:

<https://forestryandland.gov.scot/images/researchandresources/procurement/Procurement-Supplier-Guidance-for-PCS-Tender.pdf>

The supplier developer programme is available to assist suppliers with public procurement including training events:

<https://www.sdpscotland.co.uk/region/public-bodies-forestry-commission/>

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 14254

For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The contracting authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

Monitoring and enforcing its application would put an unreasonable burden on all the parties.

Community benefits are included in this requirement. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:  
Community benefits will be asked in mini-competitions with a value greater than 1 000 000 (Lot 1) or 500 000 (Lot 2) (GBP, ex VAT), the authority may ask for community benefits below these values (see tender documents for full detail):

- targeted recruitment and vocational training initiatives,
- supporting educational initiatives,
- support or funding for community and/or environmental initiatives,
- supported business, third sector and voluntary initiatives,
- support and development opportunities delivered to disadvantaged groups,
- support for equality and diversity initiatives to encourage inclusiveness.

(SC Ref:600004)

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

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

Official name: Forestry and Land Scotland  
Postal address: 1 Highlander Way, Inverness Retail Park  
Town: Inverness  
Postal code: IV2 7GB  
Country: United Kingdom  
E-mail: [procurement@forestryandland.gov.scot](mailto:procurement@forestryandland.gov.scot)  
Telephone: +44 1313705179  
Internet address: <http://https://forestryandland.gov.scot/>

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

30/10/2019