

This notice in TED website: <https://ted.europa.eu/udl?uri=TED:NOTICE:477721-2019:TEXT:EN:HTML>

**United Kingdom-London: Food, beverages, tobacco and related products
2019/S 197-477721**

Contract notice

Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1) Name and addresses

NHS Supply Chain: Food is operated by Foodbuy Europe Ltd, as agent, for and on behalf of Supply Chain Coordination Ltd ('SCCL')
c/o Skipton House, 80 London Road
London
SE1 6LH
United Kingdom
E-mail: strategicsourcingdoh@supplychain.nhs.uk
NUTS code: UK

Internet address(es):

Main address: <https://www.gov.uk/government/organisations/department-of-health>
Address of the buyer profile: <https://www.gov.uk/government/organisations/department-of-health/about/>

I.2) Information about joint procurement

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://procurement.supplychain.nhs.uk/ISS/>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted to the abovementioned address

I.4) Type of the contracting authority

National or federal agency/office

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

Fresh Food — Fruit and Vegetables

II.1.2) Main CPV code

15000000

II.1.3) Type of contract

Supplies

II.1.4) Short description:

NHS Supply Chain: Food seeks to establish a non-exclusive framework agreement for the supply to trusts within the NHS (the customer(s)) via the direct route of the supply supply of fresh fruit and vegetables.

The framework will cover but not limited to fruit and vegetables including prepared fruit, prepared salads, prepared vegetables, fresh fruit, salads, fresh vegetables and par-cooked frozen potatoes and chips in the core range (evaluated product lines) and all other varieties in the additional lines.

II.1.5) **Estimated total value**

Value excluding VAT: 20 753 584.00 GBP

II.1.6) **Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

II.2) **Description**

II.2.1) **Title:**

Fruit and Vegetables

Lot No: 1

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

15310000

15330000

II.2.3) **Place of performance**

NUTS code: UK

Main site or place of performance:

Various locations in the UK.

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

The framework will cover prepared fruit, prepared salads, prepared vegetables, fresh fruit, salads, fresh vegetables and par-cooked frozen potatoes and chips.

The value for the first 12 months is anticipated to be 5 188 396 GBP and 20 753 584 GBP for the full 48 months (if extended).

Important information:

It is a mandatory requirement that applicants tender for all the product lines in Lot 1. Failure to do so will result in the applicant's tender submission for all submitted product lines for Lot 1 not being evaluated further.

For applicants tender submissions to be evaluated in Step 3 and 4, all product lines in Lot 1 must also meet the specification and product line descriptions to be evaluated further.

This lot will be evaluated on a lot basis. Applicants must meet or exceed a hurdle of 50 % for the lot to be awarded.

II.2.5) **Award criteria**

Criteria below

Quality criterion - Name: Non-financial questions / Weighting: 30

Price - Weighting: 70

II.2.6) **Estimated value**

Value excluding VAT: 20 753 584.00 GBP

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

Duration in months: 24

This contract is subject to renewal: no

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

The framework agreement will have an initial term of 24 months with an option to extend incrementally for up to a further 24 months.

II.2.12) **Information about electronic catalogues**

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**

Section III: Legal, economic, financial and technical information

III.1) **Conditions for participation**

III.1.1) **Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Applicants should refer to II.2) of this contract notice for further details in respect of appointment to the framework agreement. Applicants may bid for 1, more than 1, or all lots and applicants should refer to the invitation to tender for more information in respect of this. The term of contracts formed under the framework agreement may continue beyond the end of the term of the framework agreement itself.

NHS Supply Chain: Food expects to provide successful suppliers with the opportunity to offer additional savings to customers through the provision of discounted pricing, value added offerings and commitment initiatives.

Please refer to Section 9 of the ITT in respect to this.

NHS Supply Chain: Food will share savings information in order to assist its customers with making informed procurement decisions. NHS Supply Chain intends to enter into arrangements under which it will be entitled to purchase supplies and/or services which it will make available for purchase by:

- 1) Any NHS Trust;
- 2) Any other NHS entity;
- 3) Any government department, agency or other statutory body (for the avoidance of doubt including local authorities); and/or
- 4) Any private sector entity active in the UK healthcare sector.

Only NHS Supply Chain: Food can order from the framework agreement and enter into contracts under it. Electronic ordering will be used and electronic invoicing will be accepted and electronic payment will be used. For the

Avoidance of doubt and notwithstanding the estimate indicated at II.1.4) and II.1.5).

NHS Supply Chain: Food does not guarantee any level of purchase through the framework and advises applicants that the framework shall be established on a non-exclusive basis. Tenders and all supporting documentation for the contract must be priced in sterling and written in English. Any agreement entered into will be considered a contract made in England according to English law and will be subject to the exclusive jurisdiction of the English Courts.

NHS Supply Chain: Food is not liable for any costs (including any third party costs fees or expenses incurred by those expressing an interest, participating or tendering for this contract opportunity.

NHS Supply Chain: Food reserves the right to terminate the procurement process (or part of it), to change the basis of and the procedures for the procurement process at any time or to procure the subject matter of the contract by alternative means if it appears that it can be more advantageously procured

by alternative means. The most economically advantageous or any tender will not automatically be accepted. All communications must be made through NHS Supply Chain's eTendering portal at <http://procurement.supplychain.nhs.uk/ISS/> using the message centre facility linked to this particular contract notice. Please note that the maximum number of suppliers as set out in IV.1.3) is an estimate only.

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

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

Minimum level(s) of standards possibly required:

The contracting authority reserves the right to require groupings of entities to take a particular form, or to require one party to undertake primary legal liability or to require that each party undertakes joint and several liability.

III.1.5) **Information about reserved contracts**

III.2) **Conditions related to the contract**

III.2.2) **Contract performance conditions:**

The framework agreement includes obligations with respect to environmental issues and a requirement for successful suppliers to comply with the NHS Supply Chain code of conduct.

III.2.3) **Information about staff responsible for the performance of the contract**

Section IV: Procedure

IV.1) **Description**

IV.1.1) **Type of procedure**

Open procedure

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 35

IV.1.4) **Information about reduction of the number of solutions or tenders during negotiation or dialogue**

IV.1.6) **Information about electronic auction**

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

The procurement is covered by the Government Procurement Agreement: yes

IV.2) **Administrative information**

IV.2.1) **Previous publication concerning this procedure**

Notice number in the OJ S: [2019/S 155-381662](https://ted.europa.eu/2019/S/2019/S/155-381662)

IV.2.2) **Time limit for receipt of tenders or requests to participate**

Date: 12/11/2019

Local time: 15:00

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

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

English

IV.2.6) **Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 7 (from the date stated for receipt of tender)

IV.2.7) **Conditions for opening of tenders**

Date: 13/11/2019

Local time: 09:00

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: yes

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information:

Submission of expression of interest and procurement specific information: this procurement exercise will be conducted on the NHS Supply Chain eTendering portal at <http://procurement.supplychain.nhs.uk/ISS/>

Candidates wishing to be considered for this contract must register their expression of interest and provide additional procurement-specific information (if required) through the NHS Supply Chain eTendering portal as follows:

Registration:

1) Use URL <http://procurement.supplychain.nhs.uk/ISS/> to access the NHS supply chain procurement portal;

2) If not yet registered:

— click on the 'Not Registered Yet' link to access the registration page,

— complete the registration pages as guided by the mini guide found on the landing page.

Portal access:

If registration has been completed:

— login with URL <http://procurement.supplychain.nhs.uk/ISS/>

— click on the 'Supplier Dashboard' icon to open the list of new procurement events.

Expression of interest:

— view contract notice content by clicking on the 'View notice' button for the procurement event. This opens a PDF document,

— express an interest by clicking on the 'Express interest' button,

— to start the response process after the expression of interest has been done, select the 'My Active Opportunities' option and click on the 'Apply' button,

— select the procurement event from the list by clicking on the description,

— in the detail view click on the orange coloured 'Framework Agreement' button to start responding to the tender.

Header level requirements:

— applicants are required to read all framework header documents which can be accessed using the 'NHS Supply Chain header documents' button, which is located in the 'Select framework' tab,

— applicants are required to upload the documents requested using the 'Supplier header documents' button, which is located in the 'Select framework' tab,

— the 'Framework Questionnaire' tab has no requirement for completion for this tender. Therefore, there is no requirement to complete this,

— a preview of the lot line details can be viewed using the 'Lot header' tab, by selecting the lot and using the 'Lot line information' button. In order to respond to a lot, applicants must select the relevant lot and then use the 'Express intent' button. This expression of intent does not place any obligation on the applicant to respond, the action unlocks the ability to respond,

— applicants are required to upload the documents requested at lot level using the 'Supplier lot documents' button after selecting the lot in the 'Lot header' tab,

— complete price offers per line for the lot by completing the required fields for the lines the applicant wants to include in the bid using the 'Lot line detail' tab. There are a number of mandatory fields to complete on a product line basis; these are highlighted in yellow in the 'Lot line detail' tab,
— applicants are required to answer all mandatory lot specific questions found in the 'Lot evaluation criteria' tab,
— applicants are then required to click on the 'Terms and conditions' button in the 'Submit individual lot response(s)' tab to view and accept the ISS terms and conditions,
— accept the ISS 'Terms and conditions' button to access this function,
— submit lot response, by clicking on the 'Submit response to selected lot' button in the 'Submit individual lot response(s)' tab to submit response for the lot. Each lot must be submitted independently,
— applicants are able to view their submission using the 'Supplier submission report' button, found in the 'Submit individual lot response(s)' tab. Please refer to Section III.1.1) for additional information.

VI.4) **Procedures for review**

VI.4.1) **Review body**

N/a

N/a

United Kingdom

VI.4.2) **Body responsible for mediation procedures**

VI.4.3) **Review procedure**

Precise information on deadline(s) for review procedures:

Appeals to be logged in accordance with the Public Contracts Regulations 2015 (as amended).

VI.4.4) **Service from which information about the review procedure may be obtained**

VI.5) **Date of dispatch of this notice:**

08/10/2019