

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/002211-2023>

Tender

Provision of Legal Advice for the Orkney Harbour Masterplan Projects

Orkney Islands Council

F05: Contract notice – utilities

Notice identifier: 2023/S 000-002211

Procurement identifier (OCID): ocds-h6vhtk-039a4d

Published 24 January 2023, 4:52pm

Section I: Contracting entity

I.1) Name and addresses

Orkney Islands Council

Council Offices, School Place

Kirkwall

KW15 1NY

Contact

Rosemary Colsell

Email

rosemary.colsell@orkney.gov.uk

Telephone

+44 1856873535

Country

United Kingdom

NUTS code

UKM65 - Orkney Islands

Internet address(es)

Main address

<http://www.orkneyharbours.com>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11522

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

www.publiccontractsscotland.gov.uk

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.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

www.publiccontractsscotland.gov.uk

I.6) Main activity

Port-related activities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of Legal Advice for the Orkney Harbour Masterplan Projects

Reference number

OIC/PROC/1645

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

Orkney Islands Council (OIC) has a requirement for legal advice services in relation and at this stage specifically to potential developments at Hatston (Orkney Logistics Base), Scapa Flow (Scapa Deep Water Quay) and Lyness (Lyness Storage Facility) as the projects move towards detailed design and construction, noting that the Orkney Harbour Masterplan Phase 1 contains other projects.

II.1.5) Estimated total value

Value excluding VAT: £500,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79111000 - Legal advisory services

II.2.3) Place of performance

NUTS codes

- UKM65 - Orkney Islands

Main site or place of performance

Orkney Main Island

II.2.4) Description of the procurement

Orkney Islands Council (OIC) has a requirement for legal advice in relation and at this stage specifically to potential developments at Hatston (Orkney Logistics Base), Scapa Flow (Scapa Deep Water Quay) and Lyness (Lyness Storage Facility) as the projects move towards detailed design and construction, noting that the Orkney Harbour Masterplan Phase 1 contains other projects. Work will include providing advice on these potential developments only i.e: Scapa Deep Water Quay, Hatston (Orkney Logistics Base) and Lyness (Lyness Storage Facility). Workload and timing will be dependent on the progression of each project through the development of ScotWind offshore windfarm construction programmes, consenting and internal Council approval processes.

The Council seeks a suitably qualified and experienced legal services contractor to undertake this Legal Advisor role.

II.2.5) Award criteria

Quality criterion - Name: Project Understanding / Weighting: 10

Quality criterion - Name: Project Methodology / Weighting: 40

Quality criterion - Name: Contract Management / Weighting: 30

Price - Weighting: 20

II.2.6) Estimated value

Value excluding VAT: £500,000

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

Duration in months

96

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

Given the nature of the projects involved, it is possible that unforeseen additional work may arise during the course of this service contracts, or that the requirements are reduced particularly if projects do not achieve planning consent. This may give rise to a requirement for a variation in agreed works or a contract extension however this option will be at the sole discretion of the Authority and subject to availability of funding.

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

The contract duration is for an initial 24 mths with an option at the Authority's discretion (subject to approval by the Council of funding beyond the first 12 mths of the initial two year period) option to extend by a further 3 x 24 mths to end in March 2031 with a total value of up to a max of 500000 GBP Details of approved funding contained in the tender documentation.

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

As detailed in the tender documentation.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

III.2) Conditions related to the contract

III.2.1) Information about a particular profession

Execution of the service is reserved to a particular profession

III.2.2) Contract performance conditions

As detailed in the tender documentation.

III.2.3) 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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

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

Date

24 February 2023

Local time

12:00pm

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

IV.2.7) Conditions for opening of tenders

Date

24 February 2023

Local time

2:00pm

Place

TEAMS

Information about authorised persons and opening procedure

Tender Opening carried out by 3 Officers with Delegated Procurement Authority including the Procurement Service Manager

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

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

Orkney Islands Council reserves the right to cancel the procurement at any stage and not award a Contract. The expenditure, work or effort undertaken by bidders prior to the award of any Contract is accordingly a matter solely for the commercial judgement of bidders. Late tenders will not be considered by the Council and all questions are to be submitted via the Questions and Answers section of this contract

advertisement on PCS. An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the

Public Contracts (Scotland) Regulations may bring proceedings in the Sheriff Court of Court of Session.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=718306.

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

(SC Ref:718306)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=718306

VI.4) Procedures for review

VI.4.1) Review body

Kirkwall Sherriff Court

Watergate

Kirkwall

KW15 1PD

Email

kirkwall@scotcourts.gov.uk

Telephone

+44 1856872110

Country

United Kingdom

Internet address

<http://www.scotcourts.gov.uk>