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Award

## **Castle of Light Event Production Partner**

Historic Environment Scotland

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-005652

Procurement identifier (OCID): ocds-h6vhtk-03ac0e

Published 27 February 2023, 10:21 am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Historic Environment Scotland

Longmore House, Salisbury Place

Edinburgh

EH9 1SH

#### **Email**

[iain.johnston@hes.scot](mailto:iain.johnston@hes.scot)

#### **Telephone**

+44 1316688866

#### **Fax**

+44 1316688877

#### **Country**

United Kingdom

**NUTS code**

UKM75 - Edinburgh, City of

**Internet address(es)**

Main address

<http://historicenvironment.scot>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00164](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00164)

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

Other type

Non-Departmental Public Body

**I.5) Main activity**

Other activity

Tourism, Built Environment, Conservation

## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Castle of Light Event Production Partner

Reference number

HES/C/4013

#### **II.1.2) Main CPV code**

- 79952000 - Event services

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

Services

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

Notice is to advise that Historic Environment Scotland intend to extend our current Castle of Light Event Production Partner HES/C/4013 for 1 further year.

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

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £1,400,000

### **II.2) Description**

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

- 79952100 - Cultural event organisation services
- 79952000 - Event services

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

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

Edinburgh Castle

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

Historic Environment Scotland is seeking to extend our current Castle of Light Event Production Partner HES/C/4013 for 1 additional year (2023 event).

#### **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

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Modification of a contract under Regulation 72(1)(e) (not substantial) of the Public Contracts (Scotland) Regulations 2015.

Justification for selected award procedure:

The original contract was for a production partner to run a 21-night event and was to subsist from May 2019 until 31 January 2020. The contract allowed for two extensions to cover the events in the coming two years, and for a maximum period of 3 years, which extensions were exercised to cover the events in 2021 and 2022.

The performance of the contract has been severely impacted by the Covid pandemic, such that:-

- i) 2019 event took place prior to any pandemic restrictions;
- ii) 2020 event was cancelled;
- iii) 2021 event was disrupted due to the restrictions in place at the time;
- iv) 2022 event took place without restrictions.

Historic Environment Scotland has therefore concluded that the extension of the contract to cover the 2023 event is not substantial in terms of Regulation 72(1)(e) for the following reasons:-

- The extension does not render the contract materially different in character from the one initially procured. There will be no change to the scope of the services, only a short term extension to cover the 2023 event.
- It does not introduce conditions which would have allowed for the admission of candidates other than those initially selected, allowed for acceptance of a tender other than that originally accepted or attracted additional participants in the procurement procedure.
- Given the disruption faced by the contractor during the period of the contract (outlined above), it does not change the economic balance of the contract in favour of the contractor. The extension will allow for a commercial evaluation of three undisrupted events, as had originally been planned under the original contract;
- it does not extend the scope of the contract considerably given that the extension covers one additional year in a three year contract, during which period a fresh procurement will take place for future events

#### **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: [2019/S 068-159882](#)

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## **Section V. Award of contract/concession**

### **Contract No**

HES/C/4013

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

17 February 2023

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

War Productions Ltd

5/6 Broughton Place Lane, Edinburgh

Edinburgh

eh1 3rs

Telephone

+44 01315583824

Fax

+44 01315583665

Country

United Kingdom

NUTS code

- UKM75 - Edinburgh, City of

The contractor/concessionaire is an SME

Yes

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £1,400,000

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## **Section VI. Complementary information**

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

The total value of contract covering April 2019 to January 2024 will be GBP 1400000, the contract extension period covering March 2023 to January 2024 value is GBP 350000.

Historic Environment Scotland intend to tender this contract late 2023 for the Castle of Light Event in 2024 and beyond.

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=723285](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=723285).

(SC Ref:723285)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom