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Contract

## **Enterprise Contract – External Technical/Commercial advisory services**

North Lanarkshire Council

F03: Contract award notice

Notice identifier: 2023/S 000-005761

Procurement identifier (OCID): ocds-h6vhtk-03ac9f

Published 28 February 2023, 9:31 am

### **Section I: Contracting authority**

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

North Lanarkshire Council

Civic Centre, Windmillhill Street

Motherwell

ML1 1AB

#### **Email**

[enterpriseproject@northlan.gov.uk](mailto:enterpriseproject@northlan.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM84 - North Lanarkshire

#### **Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00010](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00010)

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

Regional or local authority

#### **I.5) Main activity**

General public services

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## **Section II: Object**

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

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

Enterprise Contract – External Technical/Commercial advisory services

Reference number

NLC-NTP-22-135

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

- 71311300 - Infrastructure works consultancy services

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

Services

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

This is a Contract Award Notice related to North Lanarkshire Councils (the 'Council') requirement for the services of specialist external technical/commercial advice for the Enterprise Project, as it relates to the procurements for Housing and Corporate Maintenance and Investment Services (the 'Housing Contract') and Roads & Infrastructure Maintenance & Improvement Services (the 'Roads Contract').

This notice is to advise that the Council has entered into a contract with Optimum Professional Solutions Limited.

The Contract is for an initial period of 6 months anticipated to commence February 2023. The Council reserves the right to extend the Contract for a further period or periods of up to 14 months. The maximum contract period being 20 months.

The estimated value of the Contract is GBP 440,000 exclusive of VAT.

Services to be provided include (but not limited to);

(1) specialist technical roads and infrastructure advice; and

(2) specialist commercial advice.

The Council's existing strategic partnerships for Housing & Corporate and Roads & Infrastructure expire January 2024 and June 2024 respectively. The Council created an Enterprise Project team (the Project Team) to manage the delivery of the Enterprise Project, the delivery of the successor contracts for Housing & Corporate and Roads & Infrastructure are component parts of phase 1 of the Enterprise Project. A number of enabling contracts have been procured to supplement inhouse capacity and capability to support the successful and timely delivery of the Enterprise Project – the requirement set out in this Contract Award Notice being the latest enabling contract now required.

#### **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: £440,000

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

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

- 71311210 - Highways consultancy services
- 71311300 - Infrastructure works consultancy services
- 71530000 - Construction consultancy services
- 71621000 - Technical analysis or consultancy services
- 72224000 - Project management consultancy services

- 79412000 - Financial management consultancy services

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

NUTS codes

- UKM84 - North Lanarkshire

Main site or place of performance

Across the geographical boundary of the North Lanarkshire Council area.

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

The Council has awarded this contract under the conditions of regulation 33.1.b(ii) of the Public Contracts (Scotland) Regulations.

Optimum Professional Solutions Ltd ('OPS') was originally commissioned to provide support to the Roads and Infrastructure contract. The contract with OPS was awarded in June 2022. It has become apparent that the level of support, in terms of scope and value, required from OPS would exceed the original estimate. The original contract value has now been reached and a range of support from OPS continues to be required, both directly to the service area and in addition to the Project Team.

Commission summary

1. finalisation of the overall commercial strategy/tactics for the service(s) in terms of the desired commercial emphasis, approach to risk, pricing options/payment mechanisms, and incentivisation;
2. developing the performance regime(s), including the drafting of a strategic maturity matrix (including pricing maturity) and appropriate KPIs;
3. proposing a service credit (deductions) model(s) linked to (2);
4. drafting the pricing and price evaluation models and associated pricing submission sheets;
5. proposing the inflationary indices/indexation approach(es) to be used;
6. ensuring selected approaches in 1-5 provides evidence to demonstrate VFM;
7. in relation to the Housing Contract ensuring selected approaches in 1-5 provides evidence to demonstrate VFM in the context of the procurement; and

8. providing wider ad hoc advice and input including linking the commercial considerations into legal/contract advice provided by the other project advisors.

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

Quality criterion - Name: Direct Award via Use of the negotiated procedure without prior publication / Weighting: 100

Price - Weighting: 0

### **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.

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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 services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The works, supplies or services can be provided only by a particular economic operator for the following reason: absence of competition for technical reasons.

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

The procurement is covered by the Government Procurement Agreement: Yes

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

### **Contract No**

NLC-NTP-22-135

A contract/lot is awarded: Yes

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

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

17 February 2023

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

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 1

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

**V.2.3) Name and address of the contractor**

Optimum Professional Solutions Ltd

363a Brindle Road Bamber Bridge

Preston

PR5 6AP

Telephone

+44 7500019255

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Total value of the contract/lot: £440,000

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## **Section VI. Complementary information**

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

The Authority has determined that the application of multiple lots will not be utilised for this Procurement. The decision not to utilise multiple lots is justified as follows;

(i) delivery of inter-linked consultancy service provision is best delivered through a single provider;

(ii) the cost of procurement is likely to be higher if lotting is used;

(iii) the cost of contract management is also likely to be higher; and

(v) lotting may lose potential economies of scale and therefore value of delivering the service provision.

(SC Ref:723819)

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

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

Scottish Courts

Edinburgh

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 may bring proceedings in the Sheriff Court or the Court of Session.