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Contract

Provision of Legal Advice for the Orkney Harbour Masterplan Projects

Orkney Islands Council

F06: Contract award notice – utilities

Notice identifier: 2025/S 000-008227

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

Published 6 March 2025, 3:09pm

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.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.1.6) Information about lots

This contract is divided into lots: No

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

Value excluding VAT: £500,000

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.2.11) Information about options

Options: Yes

Description of options

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 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.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-002211](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

12 April 2023

V.2.2) Information about tenders

Number of tenders received: 6

Number of tenders received from SMEs: 0

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

Number of tenders received from tenderers from non-EU Member States: 6

Number of tenders received by electronic means: 6

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

V.2.3) Name and address of the contractor

Harper Macleod LLP

The Ca'd'oro, 45 Gordon Street

Glasgow

G1 3PE

Email

tenders@harpermacleod.co.uk

Telephone

+44 1412279411

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

Internet address

www.harper.macleod.co.uk

The contractor is an SME

No

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

Total value of the contract/lot: £500,000

V.2.6) Price paid for bargain purchases

Value excluding VAT: £500,000

Section VI. Complementary information

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.

(SC Ref:784279)

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>

VI.4.2) Body responsible for mediation procedures

Kirkwall Sherriff Court

Watergate

Kirkwall

KW15 1DP

Email

kirkwall@scotcourts.gov.uk

Telephone

+44 1856872110

Country

United Kingdom

Internet address

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

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

Kirkwall Sherriff Court

Watergate

Kirkwall

KW15 1DP

Email

kirkwall@scotcourts.gov.uk

Telephone

+44 1856872110

Country

United Kingdom

Internet address

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