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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): ocids-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](mailto: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](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11522)

**I.6) Main activity**

Port-related activities

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**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.

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## **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](#)

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## **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](mailto:tenders@harpermacleod.co.uk)

Telephone

+44 1412279411

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

Internet address

[www.harper.macleod.co.uk](http://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

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## **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](mailto: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](mailto: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](mailto:kirkwall@scotcourts.gov.uk)

Telephone

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