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Tender

## **Provision of Nursery Operator Services**

Orkney Islands Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2025/S 000-010244

Procurement identifier (OCID): ocids-h6vhtk-045a62

Published 19 March 2025, 4:58pm

The closing date and time has been changed to:

**22 April 2025, 12:00pm**

See the [change notice](#).

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

#### **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 01856873535

**Fax**

+44 01856876158

**Country**

United Kingdom

**NUTS code**

UKM65 - Orkney Islands

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00369](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00369)

**I.3) Communication**

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.publiccontractsscotland.gov.uk](http://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](http://www.publiccontractsscotland.gov.uk)

**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**

Provision of Nursery Operator Services

Reference number

OIC/PROC/1806

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

- 80110000 - Pre-school education services

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

Services

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

Orkney Islands Council seeks submissions from providers / concessionaires who are interested in providing up to 51 places for children aged 0-5 years old, within a newbuild Council owned purpose built nursery setting.

0-5 childcare

#### **II.1.5) Estimated total value**

Value excluding VAT: £6,452,367

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

This contract is divided into lots: No

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

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

- 85312110 - Child daycare services
- 80110000 - Pre-school education services

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

NUTS codes

- UKM65 - Orkney Islands

Main site or place of performance

Kirkwall

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

Orkney currently has no private or third sector nursery provider. The council has been running a small temporary day care service for children aged 0-3 since August 2021 in an effort to meet the childcare needs of working families.

In June 2020, Orkney Islands Council agreed to build a new 51 place 0-5 nursery provision next UHI Orkney in Kirkwall. It was agreed that the running of this provision would be tendered, creating a new opportunity for an interested operator. With the building project entering the next phase, with an anticipated completion of Mid April 2025, the newly built nursery will be, fit for purpose, high quality, and have impactful learning environments. The new service will replace an emergency childcare provision for children aged 0-3 operated by the council out of temporary premises. The provider will deliver the service in the setting and will provide childcare for children aged 0-5 with the option of being in partnership with the Local Authority to provide funded early learning and childcare for eligible children aged 2-5.

The services will be registered with the Care Inspectorate as day care of children services.

The contract will be a concession contract for a period of four (4) years with the option of four one-year extensions.

### **II.2.6) Estimated value**

Value excluding VAT: £6,452,367

### **II.2.7) Duration of the contract or the framework agreement**

Duration in months

### **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 will be for an initial 4 yr term with 4 x 12 months extensions available at the sole discretion of the Authority. The estimated value has been updated from original estimate in the Prior Information Notice and now based on existing level of fees for the Authority's interim nursery, however it will be up to individual bidders to decide on fees to be charged upon successful award.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.4) Objective rules and criteria for participation**

List and brief description of rules and criteria

Bidders are required to be suitably qualified and experienced to operate the nursery provision as described in this notice and in the subsequent tender documentation to be release following the selection process as detailed in the SPD.

### **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

Reference to the relevant law, regulation or administrative provision

Registration requirements as required by the Care Inspectorate and Scottish Social Services Council requirements for Practitioners for Day Care for Children.

#### **III.2.2) Contract performance conditions**

To be 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

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## **Section IV. Procedure**

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

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

Restricted procedure

#### **IV.1.11) Main features of the award procedure**

To be detailed in the tender documentation.

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2025/S 000-004752](#)

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

Originally published as:

Date

21 April 2025

Local time

12:00pm

Changed to:

Date

22 April 2025

Local time

12:00pm

See the [change notice](#).

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## **Section VI. Complementary information**

### **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**

Please note that this is a restricted procurement procedure which means that following the evaluation of the completed SPD, successful bidders will be issued with the Invitation to Tender Documentation at Stage Two of the process. Bidders will be provided with details of the service to be provided and bidders will be required to submit a detailed proposal in response. 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 Concession Contracts (Scotland) Regulations 2016 may bring proceedings in the Sheriff Court or 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=793779](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=793779).

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](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.

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

This service is not suitable for sub-contracting as a main service operator required

Community benefits are included in this requirement. For more information see:  
<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

A summary of the expected community benefits will include but not be limited to the following;

- a) Additional services to be provided to children and their parents / carers
- b) Partnership working with Orkney College
- c) Providing apprenticeships, supervised work placements and work experience opportunities where appropriate
- d) Providing parent groups or activities to improve parents / carers experiences
- e) Intergenerational working

(SC Ref:793779)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=793779](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=793779)

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

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

Kirkwall Sheriff 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.4.2) Body responsible for mediation procedures**

Kirkwall Sheriff 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 Sheriff Court

Watergate

Kirkwall

KW15 1DP

Email

[kirkwall@scotcourts.gov.uk](mailto:kirkwall@scotcourts.gov.uk)

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