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Tender

Land Agency Consultancy Services for Forestry and Land Scotland

Forestry and Land Scotland

F02: Contract notice

Notice identifier: 2021/S 000-012888

Procurement identifier (OCID): ocds-h6vhtk-02b9c9

Published 9 June 2021, 9:55am

Section I: Contracting authority

I.1) Name and addresses

Forestry and Land Scotland

1 Highlander Way, Inverness Retail Park

Inverness

IV2 7GB

Email

procurement@forestryandland.gov.scot

Telephone

+44 3000676000

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<https://forestryandland.gov.scot>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30371

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Environment

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Land Agency Consultancy Services for Forestry and Land Scotland

Reference number

C0197

II.1.2) Main CPV code

- 70120000 - Buying and selling of real estate

II.1.3) Type of contract

Services

II.1.4) Short description

Forestry and Land Scotland (FLS) has a requirement to procure Land Agency Consultancy Services as part of the process of managing the national forest estate. The Land Agency Consultancy Services requirements are varied and include: disposals, acquisitions, excambions, servitudes, wayleaves, leases, agreements, valuations, other estates development and negotiations.

II.1.5) Estimated total value

Value excluding VAT: £339,500

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 70122000 - Land sale or purchase services
- 70122100 - Land sale services
- 70122200 - Land purchase services

- 70320000 - Land rental or sale services
- 70321000 - Land rental services
- 70123000 - Sale of real estate
- 77300000 - Horticultural services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland
- UKM6 - Highlands and Islands

II.2.4) Description of the procurement

FLS has a requirement for Land Agency Services. The Land Agency Services requirements are varied and include disposals, acquisitions, excambions, servitudes, wayleaves, leases, agreements, valuations, other estates development work and negotiations. Expressly excluded from this Framework Agreement is: the disposal of and forestry management of woodland property, strategic planning advice on retained assets, and advice in relation to minerals and telecoms.

II.2.5) Award criteria

Quality criterion - Name: Resource Delivery Team / Weighting: 22

Quality criterion - Name: Service Continuity and Deadlines / Weighting: 20

Quality criterion - Name: Service Quality / Weighting: 23

Quality criterion - Name: Working in Remote Areas (Outdoor Environment) / Weighting: 10

Quality criterion - Name: Managing Complaints and Conflict / Weighting: 5

Quality criterion - Name: Conflicts of Interest / Weighting: 10

Quality criterion - Name: Sustainability and Environmental Protection / Weighting: 5

Quality criterion - Name: Fair Work First / Weighting: 5

Quality criterion - Name: Living Wage / Weighting: 0

Price - Weighting: 45

II.2.6) Estimated value

Value excluding VAT: £339,500

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start date

5 October 2021

End date

17 April 2023

This contract is subject to renewal

Yes

Description of renewals

With the option to extend for three further three month periods.

II.2.10) Information about variants

Variants will be accepted: No

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.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

Bidders must be registered with the Royal Institute of Chartered Surveyors (RICS). Where the Contractor is not currently registered with RICS they must be registered by the Framework Agreement Start date.

III.1.2) Economic and financial standing

List and brief description of selection criteria

List and brief description of selection criteria:

4B.5.1a The bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated in the relevant Contract Notice (Employer's (Compulsory) Liability Insurance)

4B.5.1b The bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated in the relevant Contract Notice (For other insurances)

Minimum level(s) of standards possibly required

Employers Liability Min GBP 5m per claim (This is a legal requirement. There are a small number of exceptions. Please refer to HSE Guidance HSE 40 Employers Liability Compulsory Insurance Act 1969)

Public Liability Min GBP 5m per claim

Professional Indemnity Insurance Min GBP 1m per claim

III.1.3) Technical and professional ability

List and brief description of selection criteria

Selection criteria as stated in the procurement documents

SPD 4C.6 Bidders will be required to confirm that they and/or the service provider have the relevant education and professional qualifications set out in the minimum level(s) of standards below.

SPD 4C.10 Bidders will be required to confirm whether they intend to subcontract and, if so, for what proportion of the Contract. A separate SPD will require to be submitted for each subcontractor that you intend to use, prior to that subcontractor commencing any work under the Contract.

Minimum level(s) of standards possibly required

SPD 4C.6

Confirm that;

- All Lone workers must be trained to a minimum of Emergency First Aid at Work (+F).
- All staff and those of any sub-Contractors appointed by the supplier must hold a valid First Aid at work or Emergency First Aid at Work (+F) certificate

See our First Aid Policy for those that work on our land for further details, available at:

<https://forestryandland.gov.scot/business-and-services/procurement/first-aid-policy>

Or

Confirm that all staff on site will have the above certificates prior to the Contract Start date.

III.2) Conditions related to the contract

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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

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: [2015/S 104-189236](#)

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

Date

9 July 2021

Local time

12:00pm

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

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Tender must be valid until: 8 November 2021

IV.2.7) Conditions for opening of tenders

Date

9 July 2021

Local time

12:00pm

Information about authorised persons and opening procedure

By a Regulated Procurement Officer using PCS Tender

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

The Price:Quality ratio on which this tender is 45% price (commercial), 55% quality (technical). The quality criterion outlined in section II.2.5 make up 100% of the 55% quality score. Further information how scores will be calculated is available in the tender documents available on PCS-T.

SPD evaluation will be scored as pass/fail. Technical Criteria and Weightings are included in the Evaluation and Award Criteria Document within PCS-T.

Where the bidder relies on the capacities of other entities in order to meet the selection criteria they must provide a separate SPD for each entity. Please read the instructions on the SPD section 2C.1 for full details.

If the bidder intends to subcontract any share of the contract, then the bidder will be required to submit a separate SPD (Part II A&B, and Part III A&B only) for each subcontractor.

FLS reserves the right to modify the Contract within the scope permitted under Regulation 72(1) of the Public Contracts (Scotland) Regulations 2015. Operational reasons for modification may include, but are not limited to:

- Changes to operational programs which may increase or decrease land agency services;
- Changes to in-house capacity resulting in the need to outsource additional Land Agency;
- A drive from the Scottish Government or a change in government policy/priorities leading to new infrastructure projects, changes in budget for FLS, and a shift in priorities;
- Impact of a pandemic or any other event or occurrence which is outside the reasonable

control of the Authority;

- Changes in guidelines and industry standards;
- Unforeseen changes to budgets that may increase or decrease the availability of budgets for surveys;
- Suitability of land coming to market or offered off market;
- Community interest through CATS;
- The volume of boundary adjustments due to the recent completion of the voluntary registration of the FLS whole land holding;
- The completion of outstanding work at the end of the Framework Agreement.
- The volume of assets being declared surplus and brought forward by Forest Regions.

Question Scoring Methodology for Technical Criteria:

0 - Unacceptable - Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.

25 - Poor - Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.

50 - Acceptable - Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

75 - Good - Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

100 - Excellent - Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Any Bidder that receives a score of zero for one or more Technical criteria will be excluded from the tender.

Any bidder that receives a total Technical score below 50% out of 100% will be excluded from the tender.

The FLS guide to PCS-T can be found here:

<https://forestryandland.gov.scot/images/researchandresources/procurement/Procurement-Supplier-Guidance-for-PCS-Tender.pdf>

The Supplier Developer Programme is available to assist Suppliers with public procurement including training events:

<https://www.sdpscotland.co.uk/region/public-bodies-forestry-commission/>

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18712. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

(SC Ref:654257)

VI.4) Procedures for review

VI.4.1) Review body

The Inverness Justice Centre

Longman Road

Inverness

IV1 1AH

Email

inverness@scotcourts.gov.uk

Telephone

+44 1463230782

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014 , may bring proceedings in the Sheriff Court or the Court of Session.

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

Court of Session

Parliament House

Edinburgh

EH1 1RQ

Email

supreme.courts@scotcourts.gov.uk

Telephone

+44 1312252595

Country

United Kingdom