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Tender

## **Multiple Supplier Framework Agreement for Maritime Consultancy Services**

Transport Scotland

F02: Contract notice

Notice identifier: 2021/S 000-014095

Procurement identifier (OCID): ocds-h6vhtk-02be82

Published 21 June 2021, 4:55pm

The closing date and time has been changed to:

**11 August 2021, 12:00pm**

See the [change notice](#).

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

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

Transport Scotland

Buchanan House, 58 Port Dundas Road

Glasgow

G4 0HF

#### **Contact**

Caroline Gregory

#### **Email**

[Caroline.Gregory@transport.gov.scot](mailto:Caroline.Gregory@transport.gov.scot)

**Telephone**

+44 1412727100

**Country**

United Kingdom

**NUTS code**

UKM82 - Glasgow City

**Internet address(es)**

Main address

<http://www.transport.gov.scot>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00099](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00099)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

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

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

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)

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

National or federal Agency/Office

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

Other activity

Transport

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## **Section II: Object**

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

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

Multiple Supplier Framework Agreement for Maritime Consultancy Services

Reference number

TS/AMFC/SER/2021/01

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

- 72224000 - Project management consultancy services

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

Services

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

Provision of Consultancy Services to support a number of maritime transport projects over the life of the framework agreement.

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

Value excluding VAT: £2,000,000

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

This contract is divided into lots: No

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

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

- 79410000 - Business and management consultancy services

- 79411000 - General management consultancy services

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

NUTS codes

- UKM - Scotland

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

Scottish Ministers Vision for Scotland's transport system is set out in the National Transport Strategy (2020), The Vision states "We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors". The Vision is underpinned by Priorities and Outcomes and is the basis upon which decisions on Scotland's transport policies will be made and evaluated.

The four Priorities to deliver the Nations Transport Strategy Vision are: reduces inequalities;

takes climate action; helps deliver inclusive economic growth; and improves health and wellbeing.

The Employer has identified a continuing need for the provision of maritime transportation consultancy services to assist the Scottish Ministers acting through Transport Scotland in the provision of Maritime Services.

It is anticipated that the Framework Agreement will be used predominantly by the Transport Scotland Ferries Unit but it will be available for use by all directorates of Transport Scotland, to assist in the delivery of various transport projects.

It is envisaged that the Framework Agreement will comprise two main areas, namely: Maritime Transportation and Economic and Financial Advice and support; Maritime Procurement and Contract Management Advice and Support. However, the Scottish Ministers may require other alternative, varied or additional services to be undertaken from time to time during the term of the Framework Agreement.

Typical services which may be required are as follows:

1. Maritime Transportation and Economic and Financial Advice and Support. This includes the provision of economic and financial advice in the maritime area. For example, this may include: support for strategy and policy development; supporting Transport Scotland in delivery of e.g. NTS, STPR2, ICP, CCP; modelling and analysis; assessment of transport markets and competition; demand analysis and forecasting; measurement of

benefits and monitoring and evaluation of transport services; costing and revenue studies; application of the Scottish Transport Appraisal Guidance in a maritime context; advice on maritime operations and timetabling; consideration of vessel design options and harbour infrastructure requirements (including environmental impacts); consultation events, workshops and presentations with or on behalf of Transport Scotland.

2. Maritime Procurement and Contract Management Advice and Support. For example, Procurement support including the drafting of technical and commercial maritime related procurement and contract clauses; assisting in the writing or editing of government policy, legislation, technical standard or specification on a maritime related subject; identifying, assessing and managing risks; supporting consultation processes and procedures.

The supplier will be procured through the restricted procedure, a competitive tender procedure under the Public Contracts (Scotland) Regulations 2015. This is a two-stage procedure, comprising a prequalification stage and a tender stage. Section II.2.9 of this Contract Notice describes the criteria for choosing the limited number of candidates.

In order to be considered for the prequalification stage, economic operators are required to complete and submit an SPD, which can be downloaded via the Public Contracts Scotland portal ([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk))

It is anticipated that a total of up to 5 economic operators will be invited to tender stage.

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

Quality criterion - Name: Quality criterion: Staff and/or Resources; Approach to service delivery; Risk management; Community Benefits, and Fair working practices. / Weighting: 60

Price - Weighting: 40

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

Value excluding VAT: £2,000,000

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

Duration in months

48

This contract is subject to renewal

No

## **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates:

It is intended that a total of 5 economic operators be invited to tender stage for this Contract. The selection criteria is set out below, (i) to (vi) inclusive.

These economic operators shall be those who have:

- (i) submitted a compliant submission, comprising the completed SPD;
- (ii) satisfied the relevant selection criteria under the exclusion grounds;
- (iii) (a) Minimum Standards of Eligibility—provided evidence of working on specified types

of projects over a specified value;

(b) Technical or Professional Ability—provided evidence demonstrating an acceptable level of technical or professional ability; and

(c) Human Resources—possess the necessary human resources, qualified appropriately to perform the requirement.

(iv) quality, environmental and health and safety management systems and appropriate sustainability measures attributing significantly to the requirement put in place;

(v) satisfied minimum standards of economic and financial standing;

(vi) achieved the first, second, third, fourth or fifth highest combined weighted scores in respect of technical or professional ability calculated in accordance with the responses to Statements (c), (d), (e) and (f) (refer to Section III.1.3).

However, if an economic operator has not submitted a compliant submission as described in (i) above, failed in respect of either (ii), (iii), (iv) or (v) above, then that economic operator shall be excluded from the ranking of scores described in (vi) as above.

In terms of the Public Contracts (Scotland) Regulations 2015, there will be a requirement on economic operators to provide proof of economic and financial standing and of technical and professional ability prior to proceeding to the next stage of the competition and contract award and the tender documents will contain specific provisions requiring tenderers to inform Transport Scotland of any changes to their economic and financial standing or technical and professional ability during the procurement competition.

Further, Transport Scotland reserves the right to undertake further verification to ensure continuing compliance with the selection criteria at any time prior to contract award, including during any standstill period. If means of proof does not satisfy Transport Scotlands' selection criteria and/or if an economic operator no longer meets the requirements set out in the tender documents it shall be excluded from this procurement competition. If this follows tender evaluation, including during any standstill period, the next ranked most economically advantageous tenderer shall be requested to provide proof of economic and financial standing and technical and professional ability with a view to contract award.

#### **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 who do not meet: selection criteria as set out in this contract notice; requirements leading to exclusion otherwise set out in the tender documents or who would otherwise be excluded automatically under Reg 58(1)-(3) of the PCS Regs 2015 or at the discretion (if exercised so as to exclude) of TS under Regs 58(4) or 58(8), shall be excluded from this procurement competition.

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## **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

Management Systems:

Under SPD, Question Ref. 4C.7 economic operators shall be required to demonstrate that they have in place appropriate quality, environmental and health and safety management systems.

Quality Management System. This may be European Foundation Quality Model (EFQM) or equivalent; BS EN ISO 9001:2015 (Quality Management Systems); other accredited management system; or own non-accredited management system.

Health and Safety Management System. This may be BS OHSAS 18001:2007 (Occupational Health and Safety Management Systems) and associated standards; other accredited management system; or own non-accredited management system.

Environmental Management System. This may be BS EN ISO 14001:2015 (Environmental Management Systems); other accredited management systems; or own non-accredited management system.

Economic operators should specify their recognised accredited system or own non-

accredited system, which shall ultimately be adopted under the Framework Agreement. Responses shall each be assessed on the basis of PASS or FAIL. Economic operators who obtain a FAIL in any of their responses shall be excluded from this procurement competition.

### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

Economic operators shall be required to satisfy minimum standards of economic and financial standing. To determine these standards, economic operators shall:

- a) in response to SPD, Question Ref 4B1a provide the specified annual turnover for the last two years of trading, or for the period which is available if trading for less than two years;
- b) in response to SPD Question Ref 4B6 provide the name, range and score of nine financial criteria for each year for the last two years of trading, or for the period which is available if trading for less than two years; and
- c) in response to SPD Question Ref 4B5a, b and c confirm they already have or can commit to obtain, prior to commencement of the contract the required levels of insurance.

In addition to the information requested under (a) to (c), economic operators must provide a link/ copies of the associated annual accounts as filed at Companies House (or equivalent if not a UK registered company). For the avoidance of doubt, if an economic operator fails to provide accounts relating to its last two full years of trading that are due to have been filed, that economic operator will be excluded from this procurement competition.

Where Economic Operators have not yet been trading for a full two year period, such that filed accounts are not yet due and available, and limited only to that circumstance, the required information to support (a) to (c) above may take the form of appropriate third party / statements setting out turnover, profit and loss, cashflow (current and forecast) and the economic operator's credit facility position. Note there will, however, be a negative scoring implication as noted below and in the Additional Documents.

This above information is requested to enable Transport Scotland to perform their own assessment and confirm the financial ratios submitted. Ultimately, ensuring the correct score is allocated, and to ensure no misinterpretation. Where there exist differences in ratios, between those provided and those calculated by Transport Scotland, clarification will be sought.

Insurance (Question Ref. 4B.5)

In response to Question Ref. 4B5 a, b and c economic operators must confirm they already have or can commit to obtain, prior to the commencement of the framework agreement, the following levels of insurance:

Employer's (Compulsory) Liability Insurance = 10 million GBP

Public Liability Insurance = 5 million GBP

Professional Indemnity Insurance = 5 million GBP

In responding to Question Ref 4B.5 a, b and c, where the economic operator responds "No, and I cannot commit to obtain it" they shall be marked as FAIL and shall be excluded from this procurement competition.

Minimum level(s) of standards possibly required

Evaluation Criteria Ratios (Question Ref. 4B6)

The following nine evaluation criteria shall be scored, for each year for the last two years of trading, or for the period which is available if trading for less than two years:

1. Acid Test Ratio
2. Cash Interest Cover Ratio
3. Return on Capital Employed
4. Operating Profit Ratio
5. Net Worth
6. Gearing
7. Annual Contract Value to Turnover
8. Filed Accounts
9. Audit Report

The scoring mechanism can be downloaded via the Additional Documents, located within the Additional Notice Options of the Public Contracts Scotland portal ([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)). For the purpose of calculating the Annual Contract Value to Turnover ratio the estimated value in II.2.6 of this Contract Notice shall be adopted. Similarly, the duration of the framework agreement shall be 4 years. This

equates to an estimated value of 500,000 GBP per annum.

The nine evaluation criteria will be individually scored and given a total aggregated score, out of a possible 50 marks, for each year of trading. Subsequently, each year's score will be weighted, with the most recent ("Year 1") weighted at 2/3rds and the previous ("Year 2") weighted at 1/3rd, and then aggregated to form an overall score for the two years out of 50 marks.

If the economic operator is trading for less than 2 years, their financial ratios for the most recent full year of trading will be weighted at 2/3rds scored out of the total 50 marks. If the economic operator is trading for less than 1 year the information provided under III.1.2) b), will be prorated up to 1 year to calculate financial ratios for the full year and this will be weighted at 2/3rds and scored out of the total 50 marks.

A submission shall be marked as a FAIL and will not be considered further if the score achieved by an economic operator (either a single economic operator or a group of economic operators) is less than 25 marks, out of the potential total aggregated score of 50 marks.

A submission shall be marked as a FAIL and will not be considered further if the economic operator is unable to provide appropriate information to enable the calculation of the financial ratios.

Where the submission has been submitted by a group of economic operators, the information submitted by each group member will be evaluated in the proportion of the percentage shareholdings or percentage equity/interest of each group member and a score determined for such group of economic operators on that basis.

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

Under SPD, Question Ref. 4C.1.2 economic operators shall be required to insert suitable responses to Statements (a) to (g) set out below, demonstrating that they have the required minimum standards of eligibility and technical and professional ability under Statements (a) and (b). Answers to statements (a) to (g) shall be answered by Single Economic Operators and by Groups of Economic Operators (Group Members should not respond individually).

The responses to Statement (a), (b) and (g) shall be assessed on the basis of PASS or FAIL. Economic Operators who fail to satisfy these minimum standards (if they either answer 'No' or fail to provide an acceptable answer) shall be excluded from the procurement competition.

The responses provided in response to Technical and Professional Ability Statements (c) to (f) shall be evaluated using the following scoring mechanism:

0 = Unacceptable

Nil response or response is irrelevant to the evaluation category to enable an assessment of previous experience/capacity/capability relevant to the criterion.

1 = Inadequate

Inadequate response. The response fails to demonstrate a basic understanding of the evaluation category described, and lacks sufficient evidence to demonstrate previous experience/capacity/capability relevant to the criterion

2 = Acceptable

Response is generally relevant and demonstrates an adequate understanding of the evaluation category. The response

contains some detail and/or explanation demonstrating previous experience/capacity/capability relevant to the

criterion, but information is limited.

3 = Good

Response is relevant and demonstrates a good understanding of the evaluation category. The response contains detail and/or explanation demonstrating previous experience/capacity/capability relevant to the criterion, but is not comprehensive, and in certain areas lacks some information

4 = Very Good

Response is relevant and demonstrates a very good understanding of the evaluation category. The response is well detailed and/or contains clear and unambiguous explanation demonstrating previous experience/capacity/capability relevant to the criterion. It is comprehensive and contains the general requisite information.

5 = Excellent

Response is completely relevant and demonstrates an excellent understanding of the evaluation category. The response is fully detailed and/or contains clear and unambiguous explanation demonstrating previous experience/capacity/capability relevant to all criterion. It is fully comprehensive and contains all the requisite

information.

A submission shall be marked as a FAIL and will not be considered further if the score for Statements (c) to (f) is less than 2 'Acceptable'.

Where a response to Statements (c),(d),(e) and (f) is equal to or above 2, all 4 Statements shall be weighted in order to calculate a score out of 100.

The responses to Statements (a), (b) and (g) shall be assessed on the basis of PASS or FAIL. Single Economic Operators or Group of Economic Operators who have no Quality Management system in use as noted in question (g) will not be considered for this contract.

Minimum level(s) of standards possibly required

Statement (a) - Within the last 3 years have you carried out a research or consultancy task providing economic or financial advice for a maritime transport related project with a cost of at least 30,000 GBP. If YES, please provide a description including name, address and contact details of client and client project director responsible, identify the contractor / parties involved and the exact role of the single Economic Operator/ Group Member/ other entity (including the scope of the works and services carried out, Dates and value of contract (including both tendered and outturn price where relevant).

Statement (b) - Provide information on up to 5 "reference projects" reflecting similar services in terms of scope, size and/ or complexity to the services required under the Framework Agreement, carried out within the last 3 years, detail your role and the scope of the services performed. Include name of project, provide a project description and include, name, address and contact details of client and client project director responsible and identify the contractor/ parties involved and the exact role of the Single Economic Operator/ Group Member/ other entity (including the scope of the works and services carried out, Dates (actual completion) and Value of Contract (including both tendered and outturn price where relevant).

Statement (c) – Contract Performance (weighting 30%) - From your reference projects, provide details on how you have maintained the availability of experienced and qualified key personnel to deliver the services required by the Employer on a series of projects, to the required standards, timescales and budgets. (max. 1000 words)

Statement (d) – Communication and Engagement (weighting 30%)

From your reference projects provide details, of your approach to communication and engagement with key stakeholders and the Employer including the use of reliable and efficient methods of communication, appropriate reporting structures, knowledge sharing and skills transfer and flexibility of approach. The response should detail how the

approach assisted project delivery and value for money. (max. 1000 words)

Statement (e) – Risk Management and Mitigation (weighting 20%) –

With reference to your reference projects, provide details of your approach to risk identification, management and mitigation in relation to the provision of consultancy services, demonstrating your experience of managing risk, your understanding of the key risks for the client and various stakeholders, specific mitigation measures adopted and the benefits or overall outcomes as a result of your approach. (max. 1000 words)

Statement (f) - Project management (Weighting 20%) - From your reference projects, demonstrate the implementation of project management and quality controls to ensure the Services are delivered in accordance with the Employer's requirements and best practice. (max. 1000 words)

Statement (g) - Quality Management System. This may be European Foundation Quality Model (EFQM) or equivalent; BS EN ISO 9001:2015 (Quality Management Systems); Other accredited management system; or Own non-accredited management system.

## **III.2) Conditions related to the contract**

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

It is the Employer's policy to measure the performance of each Consultant on a regular basis.

In the event that the Consultant's performance falls below a satisfactory level, the Consultant will be invited to determine a means of rectifying the situation. Repeated or continual service failures shall result in suspension or termination of 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

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## **Section IV. Procedure**

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

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

Restricted 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 several operators

Envisaged maximum number of participants to the framework agreement: 5

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

Originally published as:

Date

21 July 2021

Local time

12:00pm

Changed to:

Date

11 August 2021

Local time

12:00pm

See the [change notice](#).

**IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

2 August 2021

**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**

Duration in months: 6 (from the date stated for receipt of tender)

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**Section VI. Complementary information**

**VI.1) Information about recurrence**

This is a recurrent procurement: No

**VI.3) Additional information**

For full additional information please refer to document - VI.3) Supplementary Additional Information saved in additional documents.

The Scottish Ministers shall not evaluate any SPD submission received past the specified deadline, unless the delay is caused by a situation out with the control of the economic operator, the determination of which shall be at the sole discretion of the Scottish Ministers. Compliance in achieving the specified deadline is the sole responsibility of the economic operator. 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.

Economic operators which alter their composition after making a submission or whose position has materially changed will be the subject of re-evaluation. Transport Scotland reserves the right, at any point, to request current and up-to-date information to enable re-evaluation of any economic operator. As set out in accordance with section II.2.9 above, an economic operator who no longer has the requisite: technical or professional ability; human resources; or economic and financial standing, as required under this Contract Notice shall be excluded from this procurement competition.

Any request by economic operator's for clarification of any part of the documentation shall be made using the Question and Answer feature on the Public Contract Scotland portal. If the query is commercially sensitive then it should be made to the following email

address:

[Caroline.Gregory@transport.gov.scot](mailto:Caroline.Gregory@transport.gov.scot).

The decision whether a request for clarification shall be considered commercially sensitive or not rests solely at the absolute discretion of the Scottish Ministers. The deadline to submit questions relating to the submission is 12:00 noon GMT on 6 July 2021.

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=623459](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=623459).

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.

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

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

Community benefits are included in this requirement. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

The Supplier will be required to deliver Community Benefits including:

- employment opportunities for young people, the unemployed and disadvantaged groups;
- educational and training opportunities, including but not limited to, work experience, vocational training and educational initiatives with schools, further and higher education establishments;
- subcontracting opportunities and supply chain initiatives for SME's, supported businesses and the third sector
- community enhancement for community groups and projects
- All site-based employment opportunities (including those with sub-Contractors) are to be notified to job centres (both local and national)

job centres (Jobcentre Plus)).

(SC Ref:623459)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=623459](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=623459)

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

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

Sheriff Clerk's Office

PO Box 23, 1 Carlton, Place

Glasgow

G5 9DA

Email

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

Country

United Kingdom