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Tender

## **Provision of Soft FM Services**

National Galleries of Scotland

F02: Contract notice

Notice identifier: 2024/S 000-015315

Procurement identifier (OCID): ocds-h6vhtk-04597a

Published 14 May 2024, 2:46pm

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

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

National Galleries of Scotland

National Galleries of Scotland, 73 Belford Road

Edinburgh

EH4 3DS

#### **Contact**

Linda Dewar

#### **Email**

[ldewar@nationalgalleries.org](mailto:ldewar@nationalgalleries.org)

#### **Telephone**

+44 1316246374

#### **Country**

United Kingdom

**NUTS code**

UKM75 - Edinburgh, City of

**Internet address(es)**

Main address

<http://www.nationalgalleries.org>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11042](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11042)

**I.3) Communication**

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

<https://www.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.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

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

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

Body governed by public law

**I.5) Main activity**

Recreation, culture and religion

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## **Section II: Object**

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

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

Provision of Soft FM Services

Reference number

EST/SFM/2024

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

- 79993000 - Building and facilities management services

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

Services

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

National Galleries Scotland (NGS) "The Authority" wish to award a term contract for the Provision of Soft FM Services to a single Contractor.

The Facilities Management provider will deliver Soft FM Services across NGS estate which comprises of 4 public gallery building and storage facilities across the city of Edinburgh.

Whilst NGS will retain overall strategic control, NGS shall delegate the day-to-day management and delivery of the specified Soft FM Services. The Contractor shall manage the Services in support of NGS's business aims and objectives.

The Contractor shall have full responsibility for the delivery of all Services whether by directly employed personnel or sub-contracted personnel.

Services included within the contract scope may include (but are not limited to) routine and periodic cleaning, waste management, pest control and portering. Please refer to the document 'Draft Soft FM Scope – May 2024' uploaded to the portal for further details.

Stage 2 Tender documents are provided for INFORMATION, GUIDANCE & TRANSPARENCY ONLY. Stage 2 documents are in draft and may be subject to change prior to Invitation to Tender.

The Contractor must have a clear understanding of the contract requirements and the organisational needs of NGS.

NEC4 Term Service Contract will be used.

It is a requirement that the Contractor as a minimum, hold or commit to obtain prior to the award of contract, a valid Cyber Essentials Basic Certificate (or equivalent) in place throughout the duration of the contract.

Baseline Personnel Security Standards are required under the contract. All operatives who will be working on NGS sites will be required to hold valid basic disclosure certification.

There is no commitment to a minimum spend over the duration of the contract. Under this agreement, no minimum spend is guaranteed.

The agreement will be non-exclusive i.e., NGS reserves the right, in certain circumstances, to procure out with the Contract Agreement, as and when required.

In the event of unsatisfactory performance by the successful Contractor and the termination of the contract by either party, NGS reserves the right to negotiate the continuance of the services with the second and third placed Contractors.

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

This contract is divided into lots: No

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

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

- 90500000 - Refuse and waste related services
- 90514000 - Refuse recycling services
- 90900000 - Cleaning and sanitation services
- 90911200 - Building-cleaning services
- 90911300 - Window-cleaning services
- 90919200 - Office cleaning services
- 90922000 - Pest-control services
- 98341120 - Portering services

- 90910000 - Cleaning services
- 79993100 - Facilities management services
- 42933100 - Sanitary vending machines
- 42968200 - Sanitary dispensing machines
- 44411000 - Sanitary ware
- 33141123 - Sharps containers
- 90690000 - Graffiti removal services

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

NUTS codes

- UKM75 - Edinburgh, City of

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

The procurement will be conducted through the use of the Restricted Procedure. The SPD will be used as a downsizing tool in this procedure.

It is the intention of NGS to shortlist a maximum of 5 Contractors but NGS reserves the right to invite in excess of this number of Contractors in the event of a tie.

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.

The objective criteria for shortlisting candidates is detailed under section III of this Contract Notice.

Stage 1 Bidder Instructions have been uploaded to the portal for Bidder assistance.

DRAFT Stage 2 Tender documents have been uploaded to the portal. This is for INFORMATION, GUIDANCE & TRANSPARENCY ONLY as to the requirements of the contract and the procurement process. This information is draft and may be subject to change prior to Invitation to Tender.

Bidders should satisfy themselves that they can fulfil the contract requirements prior to completing the SPD.

Note that it is the opinion of NGS that TUPE may apply to the award of the Contract. Further TUPE information will be provided during Stage 2 of the tender competition.

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

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

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

Duration in months

60

This contract is subject to renewal

Yes

Description of renewals

The Contract duration will be for an initial 60-month period, with the option to extend by a variable period of up to an additional 24 months, resulting in a maximum possible Contract duration of 84 months.

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

Maximum number: 5

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The nature of Facilities Management can be complex, variable and in flux. There may be a need over the Contract term to allow NGS to remove, amend or change the buildings and structures of their estate including on a temporary, emergency and short/medium term basis and therefore, vary the contract accordingly, including the overall value of the Contract.

NGS reserve the right to award a public contract following the negotiated procedure without prior publication in terms of Regulation 33(8) of the Public Contracts (Scotland) Regulations 2015. Further information is included in the Invitation to Tender (ITT)

document.

NGS reserves the right to issue a contract modification in terms of Regulation 72 of the Public Contracts (Scotland) Regulations 2015.

### **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**

All Stage 2 Tenderers will be invited to provide a tender presentation. Full details will be provided in the Invitation to Tender (ITT) document.

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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

Q4A1a 'Enrolment in a Relevant Professional Register', Q4A1b 'Enrolment in a Trade Register', Q4A.2a 'Authorisation of Particular Organisation Needed' and Q4A.2b 'Membership of a Particular Organisation Needed' have been included in the SPD. Bidders must confirm whether this is applicable to them.

If applicable, each question will be scored on a Pass/Fail basis. If the Bidder is required by their country of establishment, to have enrolment in a Professional Register, Trade Register, authorisation and/or membership of a particular organisation that the Bidder has not attained, the response will be deemed a 'Fail'. Any Bidder scoring a 'Fail' mark will be disqualified from the competition.

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

List and brief description of selection criteria

Q4B5a - Insurance - Professional Risk Indemnity

Q4B5b - Insurance - Employer's (Compulsory) Liability

Q4B5c - Insurance - Public Liability Insurance & Cyber Liability Insurance

#### Q4B6 - Other Economic or Financial Requirements

Minimum level(s) of standards possibly required

Q4B5a - Professional Risk Indemnity at 10,000,000 GBP for any one occurrence or series of occurrences arising out of any one event.

Q4B5b - Employer's (Compulsory) Liability at 10,000,000 GBP for any one occurrence or series of occurrences arising out of any one event.

Q4B5c - Public Liability Insurance at 10,000,000 GBP for any one occurrence or series of occurrences arising out of any one event.

Q4B5c - Cyber Liability Insurance (First & Third Party cover) at 1,000,000 GBP in the aggregate.

N.B. We recognise there has been a hardening of the insurance market and accordingly may be willing to consider alternative insurance provisions/conditions. If Bidders cannot commit to obtain the insurance requirements outlined in the SPD, they must complete the 'Notification of Alternative Insurance Provisions' form uploaded to the Portal and return prior to the Stage 1 deadline.

The Bidder's Stage 1 insurance commitments cannot be later amended at any stage in the tender competition or contract award.

Q4B6 (i) Provision of Financial Ratio: Profit before interest and taxation (factual and identified within financial statements. Ratio to be greater than 1GBP. Bidders are to submit evidence of calculation.

Q4B6 (ii) Provision of Financial Ratio: Net Current Assets (current assets divided by current liabilities). Ratio to be greater than 1:1 i.e. must be positive. Bidders are to submit evidence of calculation.

Q4B6 (iii) Bidders shall include copies of their filed accounts (full details provided with in the online SPD).

Q4B6 (iv) Parent Company Guarantee or Performance Bond (full details provided with in the online SPD). Requirement only required in the event a Bidder should fail in relation to the financial ratios or be unable to provide any of the information required.

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

List and brief description of selection criteria



Bidders must refer to the document 'Stage 1 - Technical & Professional Scored Selection Criteria' uploaded to the portal.

The document contains the objective scored criteria which will be used to shortlist Stage 1 Bidders.

The document contains questions in respect of Technical & Professional Ability for which Bidders must provide a response.

There are three sections containing scored questions:

Section 1 - Evidence of Capability & Performance - Weighting 60%

Section 2 - People & Management - Weighting 30%

Section 3 - Service Approach - Weighting 10%

Each section contains individual questions. A minimum score is applied to some questions. Please refer to the 'Stage 1 - Technical & Professional Scored Selection Criteria' for full details.

Q4D.1 Quality Assurance (including Health & Safety Procedures) & Q4D.2 Environmental Management of the SPD are included under selection criteria in the SPD.

The five highest scoring Bidders will be shortlisted to the Invitation to Tender (Stage 2).

Minimum level(s) of standards possibly required

All information including question scoring methodology is contained in the 'Stage 1 - Technical & Professional Scored Selection Criteria' document uploaded to the portal.

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

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

As detailed in the tender and contract documents.

### **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.1.8) 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**

Date

19 June 2024

Local time

12:00pm

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

7 August 2024

#### **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: 9 (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: Yes

Estimated timing for further notices to be published: NGS may re-let this this Contract prior to the end of the initial 5 year period. A Contract Notice will be published circa 12-18 months prior to the end of the initial period. If not, the option to extend will be used.

### VI.3) Additional information

National Galleries Scotland reserves the right to cancel the procurement at any time and not award a Contract. The expenditure, work or effort undertaken by Bidders prior to the Award of Contract is accordingly a matter solely for the commercial judgement of Bidders.

Late SPDs and Tenders may not be considered by National Galleries Scotland.

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=766535](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=766535).

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:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

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

Tenderers will be required to provide a Community Benefits Statement outlining their approach to community benefits they intend to deliver over the duration of the Contract.

(SC Ref:766535)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=766535](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=766535)

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

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

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

EDINBURGH

EH1 1LB

Telephone

+44 1312252525

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>