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Tender

## **Design and Build of Solar PV Farms and Nethermaines, Kilwinning and Shewalton, Irvine**

North Ayrshire Council

F02: Contract notice

Notice identifier: 2022/S 000-017929

Procurement identifier (OCID): ocids-h6vhtk-034caf

Published 30 June 2022, 4:08pm

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

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

North Ayrshire Council

Cunninghame House, Friars Croft

Irvine

KA12 8EE

#### **Contact**

William Tomelty

#### **Email**

[procurement@north-ayrshire.gov.uk](mailto:procurement@north-ayrshire.gov.uk)

#### **Telephone**

+44 1294324354

#### **Country**

United Kingdom

**NUTS code**

UKM93 - East Ayrshire and North Ayrshire mainland

**Internet address(es)**

Main address

<http://www.north-ayrshire.gov.uk>

Buyer's address

[http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00337](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00337)

**I.3) Communication**

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

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/web/login.html>

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/web/login.html>

**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**

Design and Build of Solar PV Farms and Nethermains, Kilwinning and Shewalton, Irvine

Reference number

NAC/5094

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

- 45200000 - Works for complete or part construction and civil engineering work

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

Works

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

North Ayrshire Council invites tenders for the design and build of two solar PV farms – one at Nethermains, Kilwinning and the other at Shewalton, Irvine as detailed in the Invitation to Tender.

The tender will be split into 3 lots, as detailed below, and North Ayrshire Council intend to award either Lots 1 and 2 or Lot 3. The award will be based on what is affordable and best value for North Ayrshire Council.

Lot 1 Nethermains, Kilwinning

Lot 2 Shewalton, Irvine

Lot 3 Nethermains, Kilwinning & Shewalton, Irvine

Tenderers who wish to bid for both Lot 1 and Lot 2 and encouraged to also submit a bid under Lot 3.

The contract period will be 64 months (up to 6 months for design, up to 10 months for build, 12 months operation and 48 months maintenance). Design and build must be completed by April 2024 for both sites in order to meet grid connection.

The anticipated start date is 4th January 2023 until 28th April 2028 with the option to extend operation by up to 6 months until 31st October 2028, and maintenance by up to 16

years until 29th April 2044. Operation and maintenance will run together in year one and potentially year two if the operation extension is utilised, thereafter maintenance will run as a standalone element. Extensions will be at the sole discretion of NAC and subject to satisfactory performance and funding.

The contract(s) will be let under the NEC4 Design, Build and Operate Contract.

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

Value excluding VAT: £14,686,818

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

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

#### **II.2.1) Title**

Nethermain, Kilwinning

Lot No

1

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

- 09300000 - Electricity, heating, solar and nuclear energy
- 09330000 - Solar energy
- 09331000 - Solar panels
- 09331200 - Solar photovoltaic modules
- 09332000 - Solar installation

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

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

Main site or place of performance

Kilwinning

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

North Ayrshire Council invites tenders for the design and build of a solar PV Farm at Nethermains, Kilwinning.

Lot 1, if awarded, will be for a period of 64 months (up to 6 months for design, up to 10 months for build, 12 months operation and 48 months maintenance). Design and build must be completed by April 2024 for both sites in order to meet grid connection.

Lot 1 will be split into two phases – phase 1 is for the design aspect and phase 2 is for the build, operation and maintenance aspects. North Ayrshire Council reserve the right to award one or all phases, subject to budget and satisfactory completion of each stage. For evaluation purposes pricing for all phases will be considered and awarded to the most economically advantageous tenderer (depending on which lot(s) are awarded).

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

Quality criterion - Name: Solar PV Design and Equipment / Weighting: 15

Quality criterion - Name: Solar PV Programme of Works / Weighting: 12

Quality criterion - Name: Operation and Maintenance / Weighting: 9

Quality criterion - Name: Health and Safety / Weighting: 4

Price - Weighting: 60

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

Value excluding VAT: £8,636,640

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

Duration in months

64

This contract is subject to renewal

Yes

Description of renewals

There is an option to extend operation by up to 6 months and maintenance by up to 16 years. Extensions will be at the sole discretion of North Ayrshire Council and subject to satisfactory performance and funding.

#### **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) Description**

#### **II.2.1) Title**

Shewalton, Irvine

Lot No

2

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

- 09300000 - Electricity, heating, solar and nuclear energy
- 09330000 - Solar energy
- 09331000 - Solar panels
- 09331200 - Solar photovoltaic modules
- 09332000 - Solar installation

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

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

Main site or place of performance

Irvine.

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

North Ayrshire Council invites tenders for the design and build of a solar PV farm at Shewalton, Irvine.

Lot 2, if awarded, will be for a period of 64 months (up to 6 months for design, up to 10 months for build, 12 months operation and 48 months maintenance). Design and build must be completed by April 2024 for both sites in order to meet grid connection.

Lot 2 will be split into two phases – phase 1 is for the design aspect and phase 2 is for the build, operation and maintenance aspects. North Ayrshire Council reserve the right to award one or all phases, subject to budget and satisfactory completion of each stage. For evaluation purposes pricing for all phases will be considered and awarded to the most economically advantageous tenderer (depending on which lot(s) are awarded).

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

Quality criterion - Name: Solar PV Design and Equipment / Weighting: 15

Quality criterion - Name: Solar PV Programme of Works / Weighting: 12

Quality criterion - Name: Operation and Maintenance / Weighting: 9

Quality criterion - Name: Health and Safety / Weighting: 4

Price - Weighting: 60

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

Value excluding VAT: £6,050,178

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

Duration in months

64

This contract is subject to renewal

Yes

Description of renewals

There is an option to extend operation by up to 6 months and maintenance by up to 16 years. Extensions will be at the sole discretion of North Ayrshire Council and subject to satisfactory performance and funding.

#### **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) Description**

#### **II.2.1) Title**

Nethermain, Kilwinning & Shewalton, Irvine

Lot No

3

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

- 09300000 - Electricity, heating, solar and nuclear energy
- 09330000 - Solar energy
- 09331000 - Solar panels
- 09331200 - Solar photovoltaic modules
- 09332000 - Solar installation

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

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

Main site or place of performance



Kilwinning and Irvine.

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

North Ayrshire Council invites tenders for the design and build of two solar PV farms – one at Nethermain, Kilwinning and the other at Shewalton.

Lot 3, if awarded, will be for a period of 64 months (up to 6 months for design, up to 10 months for build, 12 months operation and 48 months maintenance). Design and build must be completed by April 2024 for both sites in order to meet grid connection.

Lot 3 will be split into 3 phases – phase 1 is for the design aspect (of both farms), phase 2 is for the build, operation and maintenance aspects of the Nethermain site and phase 3 is for the build, operation and maintenance aspects of the Shewalton site. North Ayrshire Council reserve the right to award one or all phases, subject to budget and satisfactory completion of each stage. For evaluation purposes pricing for all phases will be considered and awarded to the most economically advantageous tenderer (depending on which lot(s) are awarded).

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

Quality criterion - Name: Solar PV Design and Equipment / Weighting: 15

Quality criterion - Name: Solar PV Programme of Works / Weighting: 12

Quality criterion - Name: Operation and Maintenance / Weighting: 9

Quality criterion - Name: Health and Safety / Weighting: 4

Price - Weighting: 60

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

Value excluding VAT: £14,686,818

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

Duration in months

64

This contract is subject to renewal

Yes

#### Description of renewals

There is an option to extend operation by up to 6 months and maintenance by up to 16 years. Extensions will be at the sole discretion of North Ayrshire Council and subject to satisfactory performance and funding.

#### **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

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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

If required, bidders are required to be enrolled in the relevant professional or trade registers within the country in which they are established.

Bidders must confirm if they hold the particular authorisation or memberships.

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

List and brief description of selection criteria

Bidders will be required to have the minimum general turnover detailed below for the last 3 years in the business area covered by the contract.

12,816,000 GBP for Lot 1 Nethermain, Kilwinning

8,980.000 GBP for Lot 2 Shewalton, Irvine

16,332,000 GBP for Lot 3 Nethermain, Kilwinning & Shewalton, Irvine

North Ayrshire Council reserve the right to review the bidders financial information including information from credit reference agencies at tender stage and throughout the life of the contract, and seek clarifications if necessary. If clarifications are not satisfactory the bidder may be excluded from the tender process.

Bidders who cannot meet the required level of turnover will be excluded from this tender.

Where turnover information is not available for the time period requested, the bidder will be required to state the date which they were set up or started trading.

It is also a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Employer's Liability Insurance = 5,000,000 GBP in respect of any one event for Lot 1, 2 & 3.

Public Liability Insurance 10,000,000 GBP in respect of any one event for Lot 1 and 2 and 20,000,000 GBP for Lot 3.

Product Liability Insurance 10,000,000 GBP in the aggregate for Lot 1 and 2 and 20,000,000 GBP for Lot 3.

Professional Indemnity Insurance 10,000,000 GBP in respect of any one event for Lot 1 and 2 and 20,000,000 GBP for Lot 3.

Third-Party Motor Vehicle Insurance.

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

List and brief description of selection criteria

Bidders are required to provide 2 examples of works carried out in the past 5 years that demonstrates they have the relevant experience to deliver the works described in the Contract Notice. Example one must include the design and build of a similar solar PV farm, whilst example two can either be another design and build of a similar solar PV farm or can be a large-scale energy renewable project. Unsatisfactory experience will result in a fail and exclusion from the tender process.

Bidders must also provide 2 satisfactory references for the same 2 contracts on the reference templates provided. References should be completed and signed by previous customers. If any of the referees score the bidder less than 2 the bidder will be excluded

from the tender process.

Completed experience and reference templates must be zipped and uploaded at question 4C.1 of the qualification envelope.

Bidders who intend to use a supply chain to deliver the requirements detailed in the Contract Notice, must confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. This will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly and effectively, and provide evidence when requested of:

a) their standard payment terms.

b) 95% of all supply chain invoices being paid on time (in accordance with the terms of contract) in the last financial year.

Bidders unable to confirm (b) must provide an improvement plan, signed by their Director, which improves payment performance.

Bidders are also required to confirm whether they intend to subcontract and, if so, for what proportion of the contract.

Bidders who intend to subcontract more than 25% to any individual organisation must ensure the SPD (Scotland) - Subcontractors Supplier Response is completed and uploaded at question 2C.1 of the qualification envelope.

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

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

Community benefit delivery and prompt payments within the supply chain will be monitored over the duration of the contract. In addition, bidders attention is drawn to the Contract Performance Measures for Nethermains and the Contract Performance Measures for Shewalton - both of which have been uploaded to PCS-Tender.

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

Date

9 September 2022

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**

Duration in months: 4 (from the date stated for receipt of tender)

#### **IV.2.7) Conditions for opening of tenders**

Date

9 September 2022

Local time

12:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.3) Additional information**

#### **Quality Management Procedures**

1. The bidder must hold a UKAS (or equivalent) accredited independent third-party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent) or a documented policy regarding quality management, see attachment at SPD question 4D.1.

#### **Health and Safety Procedures**

1. The bidder must hold a UKAS (or equivalent) accredited independent third-party certificate of compliance in accordance with BS OHSAS 18001 or ISO 45001 (or equivalent) or have, within the last 12 months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum or the bidder must have a regularly reviewed and documented policy for Health and Safety management, see attachment at SPD question 4D.1.

#### **Environmental Management Procedures**

1. The bidder must hold a UKAS (or equivalent) accredited independent third-party certificate of compliance in accordance with BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate or the bidder must have a regularly reviewed documented policy regarding environmental management, see attachment at SPD question 4D.2.

Bidders 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 buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 45026. For more information see:

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

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:

North Ayrshire Council anticipates that contractors will have their own pre-qualified

supplier to call upon/utilise.

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:

Community benefits will be required on a mandatory basis for:

1. Fair Work: promotion of job opportunities within North Ayrshire; employability targets for specific priority groups.
2. Upskilling (including curriculum development): work experience placements; taster sessions; training opportunities; work within education establishments.
3. Entrepreneurial, Inclusive and Sustainable Economy: monitoring spend within North Ayrshire; with micro, small and medium enterprises; and the Third Sector.
4. Wish List: delivery of community and Third Sector requests for support from the NAC Community Benefit Wish List.  
(<http://northayrshire.community/community-benefits-wishlist-application-form/>)

(SC Ref:698462)

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

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

Kilmarnock Sheriff Court

Sheriff Court House, St Marnock Street

Kilmarnock

KA1 1ED

Email

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

Telephone

+44 1563550024

Country

United Kingdom

Internet address

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