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Tender

## **Orkney Harbours Masterplan Phase 1 - Scapa Deep Water Quay (SDWQ)**

Orkney Islands Council (Harbour Authority)

F05: Contract notice – utilities

Notice identifier: 2023/S 000-018257

Procurement identifier (OCID): ocids-h6vhtk-03836f

Published 27 June 2023, 2:18pm

The closing date and time has been changed to:

**18 August 2023, 12:00pm**

See the [change notice](#).

### **Section I: Contracting entity**

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

Orkney Islands Council (Harbour Authority)

Council Offices, School Place

Kirkwall

KW15 1NY

#### **Contact**

David Custer

#### **Email**

[david.custer@orkney.gov.uk](mailto:david.custer@orkney.gov.uk)

**Telephone**

+44 1856873535

**Country**

United Kingdom

**NUTS code**

UKM65 - Orkney Islands

**Internet address(es)**

Main address

<http://www.orkneyharbours.com>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11522](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11522)

**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)

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.6) Main activity**

Port-related activities

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## **Section II: Object**

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

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

Orkney Harbours Masterplan Phase 1 - Scapa Deep Water Quay (SDWQ)

Reference number

1004185

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

- 45241100 - Quay construction work

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

Works

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

This procurement is for the design and construction of Scapa Deep Water Quay a new multi-use facility on the coastline of Mainland Orkney between Kirkwall and Holm, offering more than 600m of quayside and water depth of between 15m and 20m below Chart Datum: not only contributing to the need for laydown but also providing deep water access and berths that can accommodate the larger vessels coming on stream in the offshore wind industry.

The facility is located on the east side of Scapa Flow, one of the largest natural deep water harbours in Northern Europe encompassing 125 square miles of sheltered water, a unique area that lends itself to wet storage, which is becoming a key requirement for floating turbine integration.

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

Value excluding VAT: £200,000,000

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

This contract is divided into lots: No

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

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

- 45241100 - Quay construction work
- 45241000 - Harbour construction works
- 45244000 - Marine construction works
- 45252124 - Dredging and pumping works

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

NUTS codes

- UKM65 - Orkney Islands

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

This procurement is for the appointment of a Main Contractor to provide Early Contractor Involvement (ECI) pre-construction services including, developing design, progressing key statutory consents and building up detailed construction costs. ECI pre-construction services is likely to be administered through via a NEC4 Professional Services Contract. Following completion of the ECI pre-construction stage, the contract may, at the sole discretion of the Authority, proceed to an optional Contract Stage 2, which will include the construction stage of the contract under either a design and build contract likely to be under a NEC4 Engineering and Construction Contract (main Option A) or a “Build-Operate-Transfer” (“BoT”) type structure, pursuant to which the successful tenderer (or possibly a corporate joint venture vehicle formed between the Authority and the successful tenderer) would be granted a long lease of the land and marine assets, enter into a development and operation agreement relating to the project with the Authority, as well as agreement(s) for the provision of finance and the construction contract for construction of the project.

The envisaged scope of the construction contract will be to deliver all works associated with the construction of a new deep water quay on the east side of Scapa Flow on the site of agricultural lands some 4km south of the existing Scapa Pier and approx. 1.1km west of the existing A961 public road. The works include land creation and reclamation, bulk earthworks cut/fill, new deep water quay construction, piling and reinforced concrete construction, dredging to -15mCD and -20mCD, pier fit out and all ancillary works to complete the development.

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

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £200,000,000

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

Duration in months

36

This contract is subject to renewal

No

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

Envisaged minimum number: 3

Maximum number: 5

Objective criteria for choosing the limited number of candidates:

As outlined in SPD and SPD Appendix A.

**II.2.10) Information about variants**

Variants will be accepted: Yes

**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**

Further information on the project is available from <https://orkneyharboursmasterplan.com/>

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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

The relevant selection criteria will be included in the SPD Scotland module.

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

Selection criteria as stated in the procurement documents

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

Selection criteria as stated in the procurement documents

#### **III.1.6) Deposits and guarantees required**

Financial Bond for 10% of contract value and Parent Company Guarantee for Contractor. Collateral Warranties required for all designers and designing sub-contractors.

#### **III.1.7) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Interim Payments are made after some work has been accomplished but before final delivery and acceptance.

#### **III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

The Council reserves the right to require a group of economic operators which is awarded the contract to assume a specific legal form for the purpose of the award of the contract, such legal form being a limited company or limited liability partnership

### **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

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## **Section IV. Procedure**

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

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

Competitive dialogue

#### **IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

#### **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: [2022/S 000-031950](#)

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

Originally published as:

Date

28 July 2023

Local time

12:00pm

Changed to:

Date

18 August 2023

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**

25 August 2023

**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: 3 (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

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 Public Contracts (Scotland) Regulations may bring proceedings in the Sheriff Court of 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=729141](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=729141).

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:

The examples provided should describe how your organisation has delivered community benefits on previous projects and how they addressed the following issues:-

- (a) generating employment and training opportunities for long-term unemployed people;
- (b) providing training opportunities;

(c) development of trade skills in your existing workforce;

(d) equal opportunities recruitment procedures; and

(e) delivering environmental benefits

(SC Ref:729141)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=729141](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=729141)

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

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

Kirkwall Sheriff Court

Watergate

Kirkwall

KW15 1PD

Country

United Kingdom