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Tender

Intellectual Property Services

APUC LIMITED

F02: Contract notice

Notice identifier: 2023/S 000-018590

Procurement identifier (OCID): ocds-h6vhtk-03dda5

Published 29 June 2023, 4:57pm

Section I: Contracting authority

I.1) Name and addresses

APUC LIMITED

Unit 27, Stirling Business Centre, Wellgreen

STIRLING

FK82DZ

Contact

Ola Margasinska

Email

omargasinska@apuc-scot.ac.uk

Telephone

+44 1314428968

Country

United Kingdom

Region code

UKM - Scotland

Companies House

SC314764

Internet address(es)

Main address

<http://www.apuc-scot.ac.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10402

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

<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

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Intellectual Property Services

Reference number

PFB1034 AP

II.1.2) Main CPV code

- 79120000 - Patent and copyright consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

The Authority is seeking Contractor(s) for the provision of Intellectual Property (IP) Services to the Scottish Higher and Further Education sector including IP protection services, patent renewals, IP consultancy services and patent searching and other IP analytics tools.

II.1.5) Estimated total value

Value excluding VAT: £12,000,000

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

IP Protection Services

Lot No

1

II.2.2) Additional CPV code(s)

- 79120000 - Patent and copyright consultancy services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

The Authority is seeking to appoint Contractors to provide patent, trademarks and designs protection across all academic fields, and including preliminary patentability review, filing, prosecution and IP advice and covering UK, European and International applications.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 70

Price - Weighting: 30

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Framework Agreement is anticipated to commence on the 1st of October 2023 for a period of 36 months and expire on the 30th of September 2026.

The Authority reserves the right to extend the Framework Agreement for a further 12-month period subject to satisfactory performance and continued Institutions requirements.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2) Description

II.2.1) Title

IP Patent Renewals

Lot No

2

II.2.2) Additional CPV code(s)

- 79120000 - Patent and copyright consultancy services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

The Authority is seeking Contractor(s) for the provision of IP patent renewal services

including renewal tracking and monitoring, renewal payment services, record maintenance and reporting.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Framework Agreement is anticipated to commence on the 1st of October 2023 for a period of 36 months and expire on the 30th of September 2026.

The Authority reserves the right to extend the Framework Agreement for a further 12-month period subject to satisfactory performance and continued Institutions requirements.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2) Description

II.2.1) Title

IP Consulting

Lot No

3

II.2.2) Additional CPV code(s)

- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

The Authority is seeking Contractor(s) for the provision of IP consultancy services including: IP strategy development, IP portfolio management, IP valuation and due diligence, IP licensing and commercialisation (developing strategies for IP assets commercialisation).

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 60

Price - Weighting: 40

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Framework Agreement is anticipated to commence on the 1st of October 2023 for a

period of 36 months and expire on the 30th of September 2026.

The Authority reserves the right to extend the Framework Agreement for a further 12-month period subject to satisfactory performance and continued Institutions requirements.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2) Description

II.2.1) Title

Patent Searching & Other IP Analytics Tools

Lot No

4

II.2.2) Additional CPV code(s)

- 48460000 - Analytical, scientific, mathematical or forecasting software package

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

The Authority is seeking Contractor(s) for the provision of:

- standalone patent searching tool allowing for a comprehensive search and analysis of patent databases to determine the patentability, and licensing opportunities;

- and other IP analytical tools supporting institutions in: identifying trends and patterns in IP data, analysing IP portfolio, assessing patentability and commercial opportunities, identifying competitors and potential partners, assessing IP portfolio value.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 50

Price - Weighting: 50

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The Framework Agreement is anticipated to commence on the 1st of October 2023 for a period of 36 months and expire on the 30th of September 2026.

The Authority reserves the right to extend the Framework Agreement for a further 12-month period subject to satisfactory performance and continued Institutions requirements.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Minimum level(s) of standards possibly required

Please refer to the "Qualification Envelope" of the ITT within PCS-T to answer the selection criteria.

Please refer to Part IV Selection Criteria: Questions within 4B.5 of the SPD

Tenderers must confirm they can provide the following supporting evidence prior to award:

For Lot 1:

Employer's (Compulsory) Liability Insurance = GBP 5 Million

Public Liability Insurance = GBP 5 Million

Professional Risk Indemnity Insurance = GBP 10 Million

For Lot 2 & 4:

Employer's (Compulsory) Liability Insurance = GBP 5 Million

Public Liability Insurance = GBP 5 Million

For Lot 3:

Employer's (Compulsory) Liability Insurance = GBP 5 Million

Public Liability Insurance = GBP 5 Million

Professional Risk Indemnity Insurance = GBP 1 Million

With reference to SPD question 4B.6 - The successful Contractor(s) will be required to provide two years audited accounts, or equivalent if awarded a place on the Framework Agreement. Alternatively, if the Contractor is unable to provide the required accounting information e.g. a new business without the required accounts, then they will be required to provide a bankers letter demonstrating their willingness to support the Contractors

organisation over the term of the Framework Agreement. The two years audited accounts, or equivalent will be subject to ratio analysis.

III.1.3) Technical and professional ability

Minimum level(s) of standards possibly required

Tenderers 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 includes confirmation that they have the systems in place to pay subcontractors through the supply chain promptly (i.e. no later than 30 days after the invoice (or similar claim) relating to the payment is presented) and effectively, and provide evidence when requested of:

a) their standard payment terms

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

If the bidder is unable to confirm (b) they must provide an improvement plan, signed by their Director, which improves the payment performance.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

Submission of Management Information Following commencement of the Framework Agreement, the Contractor will provide a performance report to the Authority on a quarterly basis to include spend by Institution under the Framework Agreement for the reporting period. Contractors must provide the information on a quarterly basis, within 10 working days following the start of each quarter. Data must be uploaded to the website: <http://ucsp.ac.uk/>

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 several operators

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

7 August 2023

Local time

2:00pm

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

IV.2.7) Conditions for opening of tenders

Date

7 August 2023

Local time

2:30pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: June 2027

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) 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.

Suppliers should confirm they will be in a position to complete (at point of award) the following:

Appendix A Form of Tender

Appendix B Freedom of Information

Appendix D APUC Sustain Supply Chain Code of Conduct

Appendix G SCM RP Section 1

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24358. For more information see:

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

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:

Suppliers will be asked to offer added value activities including IP training for staff and students.

VI.4) Procedures for review

VI.4.1) Review body

Stirling Sheriff Court and Justice of the Peace Court

Sheriff Court House,

Stirling

Fk8 1NH

Email

stirling@scotcourts.gov.uk

Telephone

+44 1786470456

Country

United Kingdom