

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/020920-2021>

Tender

## **Provision of Post Consent Advisory Services: Renewable Energy Projects**

Orkney Islands Council

F02: Contract notice

Notice identifier: 2021/S 000-020920

Procurement identifier (OCID): ocids-h6vhtk-02d927

Published 25 August 2021, 8:45am

The closing date and time has been changed to:

**27 September 2021, 9:00am**

See the [change notice](#).

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

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

Orkney Islands Council

Council Offices, School Place

Kirkwall

KW15 1NY

#### **Contact**

Rosemary Colsell

#### **Email**

[rosemary.colsell@orkney.gov.uk](mailto:rosemary.colsell@orkney.gov.uk)

**Telephone**

+44 01856873535

**Fax**

+44 01856876158

**Country**

United Kingdom

**NUTS code**

UKM65 - Orkney Islands

**Internet address(es)**

Main address

<http://www.orkney.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00369](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00369)

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

Regional or local authority

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

General public services

---

## **Section II: Object**

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

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

Provision of Post Consent Advisory Services: Renewable Energy Projects

Reference number

OIC/PROC/1278

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

- 71314000 - Energy and related services

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

Services

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

Orkney Islands Council has a requirement for expert financial/commercial, technical, and legal advisers in relation to the potential development of three wind farm sites comprising Orkney's Community Wind Farm Project from consent towards construction. Work will include providing advice on a potential Private Wire Network. Workload and timing will be dependent on the progression of each project through consenting and internal approval processes. It is expected that there will be a high degree of homology or economies in work related to each site comprising Orkney's Community Wind farm Project.

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

Value excluding VAT: £250,000

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

This contract is divided into lots: Yes

Tenders may be submitted for maximum number of lots

3

Maximum number of lots that may be awarded to one tenderer: 3

## **II.2) Description**

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

Financial/Commercial Advice

Lot No

1

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

- 31121340 - Wind farm
- 71314000 - Energy and related services
- 66171000 - Financial consultancy services
- 71313000 - Environmental engineering consultancy services

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

NUTS codes

- UKM65 - Orkney Islands

Main site or place of performance

Orkney Islands

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

Financial/commercial advice can be split into; financial modelling, Submission of bids for Contracts for Difference auction, Provision of advice on the most appropriate business structure from which to develop projects, and General financial/commercial advice.

- Financial modelling

- Submission of bid for Contracts for Difference

- Provision of advice on the most appropriate business structure from which to develop projects

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

Quality criterion - Name: Project Understanding / Weighting: 10

Quality criterion - Name: Project Methodology / Weighting: 30

Quality criterion - Name: Contract Management / Weighting: 30

Price - Weighting: 30

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

Value excluding VAT: £70,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Due to the nature of the work the initial contract period shall be from October 2021 to 31 August 2023. It is expected that the majority of the work will happen within the first 12 months of this time frame. The contract duration is for an initial 24 month period, with the option to extend for a further 2 x 12 month periods in the event that the projects progress to operation.

### **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**

Provision of Legal Advice

Lot No

2

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

- 79111000 - Legal advisory services

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

NUTS codes

- UKM65 - Orkney Islands

Main site or place of performance

Orkney Islands

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

Legal input is required to feed into commercial considerations outlined in Lot 1 above, and in particular to provide collaborative advice on;

- The recommended structure of the wind farm projects, to include drafting constitutional documents and formation of an SPV where necessary;
- Advising on governance matters connected with the chosen project structure;
- The CfD application process and overall risks, including assisting with preparation of the necessary application documentation and reviewing the terms and conditions;
- Assistance with due diligence with a view to securing finance;
- Assistance with finalising leases with the relevant landowner, and general property-related

matters.

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

Quality criterion - Name: Project Understanding / Weighting: 10

Quality criterion - Name: Project Methodology / Weighting: 30

Quality criterion - Name: Contract Management / Weighting: 30

Price - Weighting: 30

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

Value excluding VAT: £30,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Due to the nature of the work the initial contract period shall be from October 2021 to 30 September 2023. It is expected that the majority of the work will happen within the first 12 months of this time frame. The contract duration is for an initial 24 month period, with the option to extend for a further 2 x 12 month periods in the event that the projects progress to operation.

### **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**

Technical Advice

Lot No

3

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

- 31121340 - Wind farm
- 71356400 - Technical planning services
- 71314000 - Energy and related services

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

NUTS codes

- UKM65 - Orkney Islands

Main site or place of performance

Orkney Islands

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

Technical advice required is split into general, special-- General technical advice

General advice on technical elements of the proposed projects which may include validation of indicative plans and advice around the various processes that are required to develop, build out, and ultimately operate a wind farm and private wire. This may take the form of preparation of briefing notes for Council Officers or Elected Members or providing advice to the project team via email correspondence, meetings or seminars, depending on the complexity. The consultant may be required to attend and participate in public consultation

events as appropriate as expert advisers.

- Specialist technical advice

Assistance with and advice on grid connection applications to include appropriate timings, routes, capacities, technical details and risks, along with completion and submission of relevant applications.

Assist and advise in assessment of potential project enhancements to include;

- Appropriateness and merits of combining a Private Wire Network Project in Kirkwall to Orkney's Community Wind Farm Project- Quanterness (if consented).

- Potential for addition of alternative technologies to the project to improve the business case, such as battery, hydrogen, other storage, complementary generation or smart grid technologies.

- Provision of technical input as required by Ofgem in determining whether the Needs Case for a new transmission connection has been met.

Additionally there will be a requirement to undertake any other technical advice as deemed appropriate and within the expertise of the consultant. The consultant will be required to liaise with the providers of Lot 1 and Lot 2 services to ensure a consistent and coordinated approach.

- Procurement technical advice

Assist in procurement of further advisers and contractors required to reach final investment decision and to proceed to construction of the projects. This will include but is not limited to developing scopes of work, indicative budgets, and participating in procurement panels. The consultant/consortium will not be required to take a lead role at any stage of procurement. Key procurement exercises are expected to include (but are not limited to)

- Procurement of geotechnical site investigation

- Appointment of an Owners Engineer.

The successful consultant for this Lot will be excluded from bidding to undertake any of the works above and would be expected to aid in review, management and ongoing advice related to the procured works or studies.

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

Quality criterion - Name: Project Understanding / Weighting: 10

Quality criterion - Name: Project Methodology / Weighting: 30

Quality criterion - Name: Contract Management / Weighting: 30

Price - Weighting: 30

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Due to the nature of the work the initial contract period shall be from October 2021 to 30 September 2023. It is expected that the majority of the work will happen within the first 12 months of this time frame. The contract duration is for an initial 24 month period, with the option to extend for a further 2 x 12 month periods in the event that the projects progress to operation.

### **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

---

## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

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

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

As stated in the tender documentation

#### **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

---

## **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**

Originally published as:

Date

24 September 2021

Local time

12:00pm

Changed to:

Date

27 September 2021

Local time

9:00am

See the [change notice](#).

#### **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)

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

Date

24 September 2021

Local time

2:00pm

Place

TEAMS Meeting

Information about authorised persons and opening procedure

3 Officers present authorised to open and record tenders received.

---

## **Section VI. Complementary information**

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

This is a recurrent procurement: No

### **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**

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=664464](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=664464).

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 procurement process supports the business supply community as the work has been split into lots making it more manageable for Small and Medium Enterprises to compete for the contracts.

(SC Ref:664464)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=664464](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=664464)

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

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

Kirkwall Sheriff Court

Watergate

Kirkwall

KW15 1PD

Telephone

+44 1856872110

Country

United Kingdom