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Tender

Energy Efficiency Contractors

Scotland Excel

F02: Contract notice

Notice identifier: 2021/S 000-021588

Procurement identifier (OCID): ocds-h6vhtk-02dbc3

Published 1 September 2021, 12:14pm

Section I: Contracting authority

I.1) Name and addresses

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

Email

construction@scotland-excel.org.uk

Telephone

+44 1414888230

Country

United Kingdom

NUTS code

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Internet address(es)

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383

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/esop/pts-host/public/pts/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/esop/pts-host/public/pts/web/login.html>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Energy Efficiency Contractors

Reference number

1320

II.1.2) Main CPV code

- 45300000 - Building installation work

II.1.3) Type of contract

Works

II.1.4) Short description

This notice is for a renewal framework for contractors to provide a range of energy efficiency works and services. This includes but is not limited to professional services, building fabric, heating, hot water, ventilation, renewables and energy storage measures.

II.1.5) Estimated total value

Value excluding VAT: £800,000,000

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

Professional Services

Lot No

1

II.2.2) Additional CPV code(s)

- 71500000 - Construction-related services
- 71520000 - Construction supervision services
- 71530000 - Construction consultancy services
- 71540000 - Construction management services
- 71600000 - Technical testing, analysis and consultancy services
- 71730000 - Industrial inspection services
- 71310000 - Consultative engineering and construction services
- 71200000 - Architectural and related services
- 71220000 - Architectural design services
- 71230000 - Organisation of architectural design contests
- 71240000 - Architectural, engineering and planning services
- 71250000 - Architectural, engineering and surveying services
- 45220000 - Engineering works and construction works
- 45100000 - Site preparation work
- 50000000 - Repair and maintenance services
- 71000000 - Architectural, construction, engineering and inspection services
- 71312000 - Structural engineering consultancy services
- 72224200 - System quality assurance planning services
- 72225000 - System quality assurance assessment and review services
- 79311000 - Survey services
- 71314300 - Energy-efficiency consultancy services
- 71314200 - Energy-management services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Main site or place of performance

Various locations throughout the geographical boundaries of the participating Councils and associate members within Scotland.

II.2.4) Description of the procurement

The sublots under this lot include; energy efficiency designer, energy efficiency coordinator, energy efficiency assessor and managing agent.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

There is an option to extend the framework period for up to 12 months subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

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

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. Please see the Invitation to tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further Information.

II.2) Description

II.2.1) Title

Building Fabric Measures

Lot No

2

II.2.2) Additional CPV code(s)

- 45261410 - Roof insulation work
- 45320000 - Insulation work
- 45321000 - Thermal insulation work
- 44221000 - Windows, doors and related items
- 44221100 - Windows
- 45421100 - Installation of doors and windows and related components
- 45421130 - Installation of doors and windows
- 45421132 - Installation of windows
- 44111520 - Thermal insulating material
- 45430000 - Floor and wall covering work
- 44112400 - Roof
- 45260000 - Roof works and other special trade construction works
- 45261000 - Erection and related works of roof frames and coverings
- 45262000 - Special trade construction works other than roof works
- 44000000 - Construction structures and materials; auxiliary products to construction (except electric apparatus)

- 44100000 - Construction materials and associated items
- 44400000 - Miscellaneous fabricated products and related items
- 44900000 - Stone for construction, limestone, gypsum and slate
- 44110000 - Construction materials
- 44140000 - Products related to construction materials
- 44170000 - Plates, sheets, strip and foil related to construction materials
- 44190000 - Miscellaneous construction materials
- 44420000 - Goods used in construction
- 44480000 - Miscellaneous fire-protection equipment
- 44930000 - Slate
- 44910000 - Stone for construction
- 45210000 - Building construction work
- 45220000 - Engineering works and construction works
- 45400000 - Building completion work
- 45410000 - Plastering work
- 45420000 - Joinery and carpentry installation work
- 45450000 - Other building completion work
- 50700000 - Repair and maintenance services of building installations
- 51700000 - Installation services of fire protection equipment
- 51000000 - Installation services (except software)
- 45300000 - Building installation work

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Main site or place of performance

Various locations throughout the geographical boundaries of the participating Councils

and associate members within Scotland.

II.2.4) Description of the procurement

The sublots under this lot will include; building fabric measures and finishes, cavity wall insulation, Hard to Treat (HTT) cavity wall insulation, warm roof insulation, repair and replacement: pitched, internal wall insulation, floor insulation, doors replacement and retrofit, windows replacement and retrofit, flat roof insulation, repair and replacement, cold roof insulation, repair and replacement: pitched.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

There is an option to extend the framework period for up to 12 months subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

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

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. Please see the Invitation to tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further Information.

II.2) Description**II.2.1) Title**

Heating, Hot Water and Ventilation Measures

Lot No

3

II.2.2) Additional CPV code(s)

- 09300000 - Electricity, heating, solar and nuclear energy
- 09323000 - District heating
- 09324000 - Long-distance heating
- 38436310 - Heating plates
- 39715000 - Water heaters and heating for buildings; plumbing equipment
- 39715200 - Heating equipment
- 09321000 - Hot water
- 42160000 - Boiler installations
- 42161000 - Hot-water boilers
- 44600000 - Tanks, reservoirs and containers; central-heating radiators and boilers
- 44620000 - Central-heating radiators and boilers and parts
- 44621200 - Boilers
- 44621210 - Water boilers
- 44621000 - Radiators and boilers
- 44621100 - Radiators

- 44621110 - Central-heating radiators
- 44621112 - Parts of central-heating radiators
- 42511110 - Heat pumps
- 42533000 - Parts of heat pumps
- 24111600 - Hydrogen
- 39715220 - Electric heating resistors
- 09331000 - Solar panels
- 71315410 - Inspection of ventilation system
- 42520000 - Ventilation equipment
- 09332000 - Solar installation
- 44621221 - Parts of central-heating boilers
- 71314000 - Energy and related services
- 71314300 - Energy-efficiency consultancy services
- 45331110 - Boiler installation work
- 45331100 - Central-heating installation work
- 45331000 - Heating, ventilation and air-conditioning installation work

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

II.2.4) Description of the procurement

The sublots under this lot include; gas boilers, heating systems, heating controls and hot water cylinders, electric heating, storage heaters, infrared and panel heating, air source heat pumps, ground source heat pumps, under floor heating, ventilation systems, biomass boilers.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

There is an option to extend the framework period for up to 12 months subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

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

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. Please see the Invitation to tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further Information.

II.2) Description

II.2.1) Title

Renewables and energy storage measures

Lot No

4

II.2.2) Additional CPV code(s)

- 09300000 - Electricity, heating, solar and nuclear energy
- 09331000 - Solar panels
- 09332000 - Solar installation
- 09331100 - Solar collectors for heat production
- 09331200 - Solar photovoltaic modules
- 09330000 - Solar energy
- 09000000 - Petroleum products, fuel, electricity and other sources of energy
- 45261215 - Solar panel roof-covering work
- 71314000 - Energy and related services
- 71314300 - Energy-efficiency consultancy services
- 31158100 - Battery chargers
- 31712347 - Power or solar diodes
- 45321000 - Thermal insulation work

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Main site or place of performance

Various locations throughout the geographical boundaries of the participating councils and associate members within Scotland.

II.2.4) Description of the procurement

The sublots for this lot will include; Solar PV, Electricity Battery Storage, Solar Thermal

and Heat Battery.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

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

Duration in months

48

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

There is an option to extend the framework period for up to 12 months subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

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

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. Please see the Invitation to tender contained on the PCS-Tender project relevant to this procurement and the other Procurement Documents for further Information.

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

SPD (Scotland) Question 4A.2 Gas Appliances - For sub-lot 3.1 which require work on gas appliances, Tenderers will be required to confirm that they are registered on the Gas Safe Register, as required by law, and that such Works will be carried out by competent persons who have suitable training, experience and qualifications and maintain membership of any scheme required by law.

SPD (Scotland) Question 4A. 2 Energy Efficiency Assessors - For sub-lot 1.3, Tenderers are required to confirm they are a member of an Approved Organisation under the Energy Performance of Buildings Regulations (Scotland) 2008 to be considered for award on sub-lot 1.3 of the framework to produce Energy Performance Certificates (EPCs). 'Approved Organisations' are as registered at the following web address:

<https://www.scottishepcregister.org.uk/assessorsearch>

III.1.2) Economic and financial standing

List and brief description of selection criteria

1. SPD(Scotland) Question 4B.5: Insurance Requirements
2. SPD(Scotland) Questions 4B.6: Economic and Financial Standing

Minimum level(s) of standards possibly required

1. SPD(Scotland) Question 4B5: Insurance Requirements

Tenderers must confirm they already have or commit to obtain prior to the commencement of the Framework Contract, the following levels of insurance on terms compatible with the requirements of the Framework Contract for:

Lot 1 (Professional Services) and 4 (Renewables and energy storage measures):

-Employers' Liability – in accord with Regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (as amended) to a minimum indemnity limit of 5 million GBP for each and every claim.

- Public/Products Liability to a minimum of 10 million GBP for each and every claim and in the aggregate in respect of Products.

- Professional Indemnity to a minimum of 2 million GBP in the aggregate.

- Third party motor vehicle insurance of 5 million GBP in respect of each and every claim in respect of third party property damage; unlimited in respect of injury

Lot 2 (Building Fabric Measures) and 3 (Heating, Hot Water and Ventilation Measures):

- Employers' Liability – in accord with Regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (as amended) to a minimum indemnity limit of 5 million GBP for each and every claim.

- Public/Products Liability to a minimum of 10 million GBP for each and every claim and in the aggregate in respect of Products.

- Third party motor vehicle insurance of 5 million GBP in respect of each and every claim in respect of third party property damage; unlimited in respect of injury

Tenderers must note that where a Work Order under the Framework Contract incorporates services requiring the design of building fabric measures or heating, hot water and ventilation measures or requires advice on the establishment of the measures the Council may require Professional Indemnity insurance for the relevant Work Order. This will not form part of the selection criteria for access to the Framework Contract for lots 2 or 3, but where applicable, will be requested within the Work Order. Where a Work Order incorporates a requirement for Professional Indemnity insurance for lots 2 and 3 this will be conducted using the competitive selection procedure to allow the rates submitted for that Work Order to reflect the additional costs for obtaining and maintaining this insurance.

Tenderers must note that where the Council instructs a Work Order under the SBCC Standard Building Contract with Quantities for use in Scotland (2016 Edition) the Council may require Contractors All Risk - Contract Works insurance. This will not form part of the selection criteria for access to the Framework Contract, but where applicable, will be requested within the Work Order. Where a Work Order incorporates a requirement for Contractors All Risk - Contract Works insurance this will be conducted using the competitive selection procedure to allow the rates submitted for that Work Order to reflect the additional costs for obtaining and maintaining this insurance.

2. SPD(Scotland) Question 4B6: Economic and Financial Standing

A search of the Tenderer against Equifax's Protect will not return a 'Warning' or 'Caution' returnable code or any neutral code. If a 'Warning' or 'Caution' returnable

code or any neutral code is returned, the Tenderer confirms that it can provide any other document which Scotland Excel considers appropriate to prove to Scotland Excel (acting within its permitted discretion under the applicable public procurement rules) that the Tenderer does/would not present an unmanageable risk should it be appointed on to the proposed Framework Contract.

Tenderers relying on the financial standing of a parent company who are unable to commit to obtaining a parent company guarantee may be assessed as a FAIL and will be excluded from the competition.

III.1.3) Technical and professional ability

List and brief description of selection criteria

1. SPD(Scotland) Question 4C.5 Complex products or services
2. SPD(Scotland) Question 4C.10 Subcontracting
3. SPD(Scotland) Question 4C.11 Samples
4. SPD(Scotland) Question 4D.1 Quality Management Procedures
5. SPD(Scotland) Question 4D.1 Health and Safety Procedures and Breaches
6. SPD(Scotland) Question 4D.2 Environmental Management Procedures

Minimum level(s) of standards possibly required

Further to the identified selection criteria outlined above, full guidance and the minimum levels of standards required are outlined in the “1320 Energy Efficiency Contractors_III1.3 Technical and Professional Ability” document, which can be found in the “Information and Instructions” folder in the “Buyer Attachment” area, within ITT 38711 of project 18193.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

For full details of the conditions relevant to the proposed Framework Contract and contracts to be called off thereunder (to the extent known or settled at this stage), please see the tender documents (details of how to access these are set out in section "I.3, Communication"

of this Contract Notice).

Scotland Excel will require the members of any tendering group of entities (including, but

not limited to consortium members, members of a group of economic operators and/or sub-contractors) to be jointly and severally liable for the performance of the contract (no matter the legal form taken by those entities in order to enter into the contract).

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

Envisaged maximum number of participants to the framework agreement: 60

IV.1.6) Information about electronic auction

An electronic auction will be used

Additional information about electronic auction

Whilst an electronic auction will not be used in the procurement process to award onto this framework agreement, tenderers should be aware that e-auctions may be used to Call-Off under the framework in accordance with Regulation 36 of The Public Contracts (Scotland) Regulations 2015.

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: [2020/S 189-457512](#)

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

Date

8 October 2021

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

Tender must be valid until: 18 April 2022

IV.2.7) Conditions for opening of tenders

Date

8 October 2021

Local time

12:00pm

Information about authorised persons and opening procedure

Scotland Excel Officers and Members

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

Scotland Excel is a central purchasing body and is procuring this framework on behalf of the following contracting authorities (and successor bodies):

A) The 32 local authorities in Scotland as listed at <http://www.scotland-excel.org.uk/home/aboutus/ourmembers.aspx>

B) Scotland Excel associate members as listed at <http://www.scotland-excel.org.uk/home/Aboutus/Ourmembers/Associate-members.aspx>

C) any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working)(Scotland)Act 2014.

D) Any Scottish Registered Social Landlords listed on the public register of the Scottish Housing Regulator:

<http://directory.scottishhousingregulator.gov.uk/Documents/Landlord%20Register.pdf> as at the date of publication of this notice.

E) Tayside Contracts

F) Advanced Procurement for Universities and Colleges (APUC Ltd) and their member organisations across the higher and further education sector in Scotland and their associated and affiliated bodies.

G) Scottish Prison Service (SPS) and all establishments owned and managed by the Scottish Ministers through the Scottish Prison Service;

H) Scottish National Health Service Authorities and Trusts

I) Transport Scotland

J) Scottish Government

Subject to each contracting authority entering into/maintaining relevant membership agreement or other access agreement with Scotland Excel.

Tenderers are advised that the envisaged maximum number of participants that might be appointed to the proposed framework agreement set out in section IV.1.3 of this contract notice is purely indicative. Scotland Excel reserves the right to appoint more or less tenderers than the envisaged maximum number to the proposed framework agreement.

Tenderers are advised that whether electronic auction, electronic ordering, invoicing and payment will be used or accepted is at the discretion of each Scotland Excel Council, Associate Member or other Bodies Participating which will be settled by them during the procedure for the call-off of a contract under this proposed framework agreement.

Further information regarding the operation of the framework can be found within the tender documentation which is available in the relevant PCS-T project for this procurement exercise.

Scotland Excel have provided a webinar link providing tendering guidance for suppliers
Link:(<http://www.scotland-excel.org.uk/home/Suppliers/Tendering-process.aspx>)

In line with Regulation 72 of the Public Contracts (Scotland) Regulations 2015, Contract and Framework agreements may be modified without a new procurement procedure in accordance with this Part in some cases. Further details of the cases this is permitted can be found in the document "1320 Energy Efficiency Contractors - Regulation 72", within the "Information & Instructions" folder in the "Buyer Attachments" area of the PCS-T project for this procurement.

Variant offers will be considered at Scotland Excel's discretion where the offer complies with the conditions for participation referred to herein at III.1.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18193.
For more information see:
<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

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:

Community Benefits will be assessed under the technical section. Full guidance on the scoring of community benefits is contained in the

"Information and Instructions" folder which can be found in the "Buyer Attachment" area of ITT_38711 and project_18193, 1320 Energy Efficiency Contractors.

(SC Ref:645316)

VI.4) Procedures for review

VI.4.1) Review body

Court of Session

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

Please refer to VI.4.3 below

UK

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

An economic operator that suffers, or risks suffering, loss or damage attributable to

breach of duty under the Public Contracts (Scotland)

Regulations 2015 (SSI 2015/446, as amended) may bring proceedings in the Sheriff Court or the Court of Session in accordance with

Regulation 88 of the 2015 Regulations.

VI.4.4) Service from which information about the review procedure may be obtained

Court of Session

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom