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Tender

## **Website Development & Maintenance Framework Agreement**

Highlands and Islands Enterprise  
Wave Energy Scotland Limited

F02: Contract notice

Notice identifier: 2021/S 000-023723

Procurement identifier (OCID): ocds-h6vhtk-02cf75

Published 23 September 2021, 4:25pm

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

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

Highlands and Islands Enterprise  
An Lòchran, 10 Inverness Campus  
Inverness  
IV2 5NA

#### **Email**

[hi procurement@hient.co.uk](mailto:hi procurement@hient.co.uk)

#### **Telephone**

+44 1463245245

#### **Country**

United Kingdom

**NUTS code**

UKM6 - Highlands and Islands

**National registration number**

313

**Internet address(es)**

Main address

<http://www.hie.co.uk>

Buyer's address

[http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00313](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00313)

**I.1) Name and addresses**

Wave Energy Scotland Limited

An Lòchran, 10 Inverness Campus

Inverness

IV2 5NA

**Email**

[wesprocurement@hient.co.uk](mailto:wesprocurement@hient.co.uk)

**Telephone**

+44 1463245245

**Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.waveenergyscotland.co.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA24283](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA24283)

## **I.2) Information about joint procurement**

The contract involves joint procurement

## **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)

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

Regional or local Agency/Office

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

Economic and financial affairs

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## **Section II: Object**

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

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

Website Development & Maintenance Framework Agreement

Reference number

FTS005

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

- 72000000 - IT services: consulting, software development, Internet and support

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

Services

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

We are seeking a suitably qualified and experienced supplier to maintain our existing site infrastructure and support planning, design and delivery of all future development enhancements and upgrades, including either incorporating the remaining sites or redeveloping on a new instance of Umbraco.

They will therefore be required to have the capabilities and capacity to support us through entire project lifecycles including provision of individual/s who are experienced Umbraco and Microsoft developers.

Not all projects within this framework will be new builds, however, all websites in scope will require further development and maintenance work throughout the framework period. Sites may be added/removed as and when required.

The initial 3 year budget currently available to deliver this service is between GBP350k and GBP450k (excluding VAT), however we anticipate that the total value of services that may be provided under the Framework during its whole term may be up to GBP900k.

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

This contract is divided into lots: No

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

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

- 72413000 - World wide web (www) site design services

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

NUTS codes

- UKM6 - Highlands and Islands

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

The contract will be awarded under a Framework Agreement to a single supplier and under this agreement, no minimum workload is guaranteed. Services will be agreed on an “as required” basis only.

This Framework is being procured for Highlands and Islands Enterprise (HIE) own use and on behalf of Wave Energy Scotland (WES) and any other Contracting Authority wholly or partly under the control of or funded by HIE or WES at any point during the term of this Framework (subject to case-by-case approval by HIE).

The Framework will be non-exclusive i.e. HIE and any other Contracting Authority entitled to make use of the Framework each reserves the right, in certain circumstances, to procure out with the Framework, as and when required.

See Tender documentation for full details.

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

Quality criterion - Name: Umbraco & Microsoft Developers / Weighting: Pass/Fail

Quality criterion - Name: Cyber Security / Weighting: Pass/Fail

Quality criterion - Name: Management & Delivery Methodology / Weighting: 20%

Quality criterion - Name: Management & Delivery Team / Weighting: 15%

Quality criterion - Name: Risks and Challenges / Weighting: 5%

Quality criterion - Name: Sustainability / Weighting: 5%

Quality criterion - Name: Timeline Project / Weighting: 20%

Price - Weighting: 35%

## **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

It is expected that these services will be required from end of December 2021 or early January 2022 for an initial period of 3 years, with HIE having the option to extend for a period or periods together not exceeding 1 year following the Initial Term.

## **II.2.10) Information about variants**

Variants will be accepted: No

## **II.2.11) Information about options**

Options: Yes

Description of options

HIE may, on giving reasonable written notice from time to time, review the Services covered by the Framework and may remove Services or add new Services of the same or similar nature including:

(i) where one or more of the participating Contracting Authorities requires the Services in respect of websites run by them other than those specified in this Scope of Requirements,

(ii) where one or more of the Contracting Authorities requires the creation of new websites,

(iii) where changes to available technology permit improvements or supplements to the functionality of any website run by one or more of the Contracting Authorities,

(iv) where changes to available technology mean that one or more of the Contracting Authorities considers that it would benefit from additional Services of a similar character to the Services, and/or

(v) where one or more of the Contracting Authorities requires additional Services as a result of changes in Scottish Government policy or as a result of a direction given to them

by the Scottish Government.

### **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.

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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

Not applicable to this procurement exercise.

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

Minimum level(s) of standards possibly required

4B.5 It is a requirement of this Framework that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded Framework, the types and minimum levels of insurance indicated below:

Professional Risk Indemnity - GBP 5 million for each and every claim

Employer's (Compulsory) Liability Insurance - GBP 5 million or each and every claim

Public Liability Insurance - GBP 5 million for each and every claim

4B.6 (not scored) HIE as a public body must comply with HMRC IR35 provisions. Therefore, where you are bidding as a personal service company (PSC) or will be using a personal service company to provide services under the framework please identify these PSC (s) in your response to 4B.6.

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

Minimum level(s) of standards possibly required

Not applicable to this procurement exercise

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

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

The contract will include Key Performance Indicators (KPI's) and Service Levels which can be found within 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

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## **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 a single operator

#### **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: [2021/S 000-018439](#)

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

Date

26 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**

Duration in months: 3 (from the date stated for receipt of tender)

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

Date

26 October 2021

Local time

12:00pm

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: HIE reserves the right to re-tender for these services upon termination of the Framework or at the end of the Framework period, including any extension period.

### 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

On 29th September HIE and the Supplier Development Programme are hosting a webinar (<https://www.sdpscotland.co.uk/events/12-using-public-contract-scotland-highlands-and-islands-enterprise-website-development-and-maintenance-tender-1212/>) which will support, but not replace, the information provided through PCS. Attendance will not form part of the evaluation and following the event a link to the webinar recording, along with the presentation and any questions and answers raised will be made available via PCS.

Where bidders are participating with others (SPD 2A.17) and/or relying on the capacity of other entities in order to meet selection criteria (SPD 2C.1) and/or subcontracting (SPD 2D.1) they are required to provide information relating to these entities with the relevant supporting SPD documentation being submitted.

SPD 2A.3 (not scored) Where relevant, bidders are required to insert details of their Companies House (or equivalent) registration number

SPD 2C.1 & 2D.1 Where relevant, bidders are required to provide information relating to consortia and/or sub-contractors with the relevant supporting SPD documentation being submitted.

SPD 3D.12 (Conflict of Interest) - bidders should refer to the "Conflict of Interest" Section within the Scope of Requirements when completing this question.

AWARD CRITERIA SCORING

Question 1 Umbraco & Microsoft Developers and Question 2 Cyber Security will be evaluated on a Pass/Fail basis. Bidders who receive a Pass for both these Questions will then be evaluated against Questions 3-6. This stage has a minimum threshold of 30% which bidders must achieve in order to remain in the process and then be evaluated against Question 7. See tender documentation for full details on the evaluation process including the marking criteria.

In order to participate in this tender, bidders should register, for free, on the Public Contracts Scotland (PCS) website([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)), and record their interest in this contract and download and complete all relevant documentation.

Tenders must be submitted via the PCS postbox and must be received by the published deadline. Late tenders will not be accepted. HIE will reject any submissions received after the deadline. Email or hard copy responses will not be accepted.

PCS also gives suppliers access to an on-line Question & Answer facility which allows queries to be submitted (anonymously), and answers published and shared with all potential bidders.

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=666479](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=666479).

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.

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 not be evaluated as part of the tender process but bidders are expected to provide a Community Benefit proposal as part of their tender detailing how, if awarded the contract, these will be addressed. Please refer to the Scope of Requirements for further details.

(SC Ref:666479)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=666479](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=666479)

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

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

Inverness Sheriff Court and Justice of the Peace Court

The Inverness Justice Centre, Longman Road

Inverness

IV1 1AH

Email

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

Telephone

+44 1463230782

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/inverness-sheriff-court-and-justice-of-the-peace-court>

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014 , may bring proceedings in the Sheriff Court or the Court of Session.