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Contract

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

Orkney Islands Council

F03: Contract award notice

Notice identifier: 2021/S 000-032384

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

Published 29 December 2021, 11:35am

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

Regional or local authority

**I.5) Main activity**

General public services

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

This contract is divided into lots: Yes

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £250,000

### **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.2.11) 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.2.11) 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.2.11) 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



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## **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.2.1) Previous publication concerning this procedure**

Notice number: [2021/S 000-020920](#)

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## **Section V. Award of contract**

### **Lot No**

1

### **Title**

Financial/Commercial Advice

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

6 December 2021

#### **V.2.2) Information about tenders**

Number of tenders received: 5

Number of tenders received from SMEs: 4

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 5

Number of tenders received by electronic means: 5

The contract has been awarded to a group of economic operators: No

### **V.2.3) Name and address of the contractor**

QMPF LLP

Excel House, 30 Semple Street

Edinburgh

EH3 8BL

Email

[tenders@gmpf.co.uk](mailto:tenders@gmpf.co.uk)

Telephone

+44 1312222600

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

### **V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £70,000

Total value of the contract/lot: £70,000

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## **Section V. Award of contract**

### **Lot No**

3

### **Title**

Technical Advice

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

17 December 2021

#### **V.2.2) Information about tenders**

Number of tenders received: 6

Number of tenders received from SMEs: 6

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 6

Number of tenders received by electronic means: 6

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor**

Locogen Ltd

4 West Silvermills Lane

Edinburgh

EH3 5BD

Email

[derek.mckenzie@locogen.com](mailto:derek.mckenzie@locogen.com)

Telephone

+44 1315554547

Country

United Kingdom

NUTS code

- UKM - Scotland

Internet address

<https://locogen.com/>

The contractor is an SME

Yes

#### **V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £150,000

Total value of the contract/lot: £150,000

#### **V.2.5) Information about subcontracting**

The contract is likely to be subcontracted

Value or proportion likely to be subcontracted to third parties

Value excluding VAT: £30,000

Proportion: 20 %

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## **Section V. Award of contract**

### **Lot No**

2

### **Title**

Provision of Legal Advice

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

29 November 2021

#### **V.2.2) Information about tenders**

Number of tenders received: 4

Number of tenders received from SMEs: 3

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 4

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor**

Brodies

15 Atholl Crescent

Edinburgh

EH3 8HA

Email

[tenders@brodies.com](mailto:tenders@brodies.com)

Telephone

+44 1414284157

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

#### **V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £30,000

Total value of the contract/lot: £30,000

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## **Section VI. Complementary information**

### **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.

(SC Ref:678420)

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

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

Kirkwall Sheriff Court

Watergate

Kirkwall

KW15 1PD

Telephone

+44 1856872110

Country

United Kingdom