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Contract

## **ID 5121238 - DfE - Invest NI - Invest NI Framework Agreement for Patent Appraisal Services 2023-2027**

Invest NI

F03: Contract award notice

Notice identifier: 2024/S 000-039224

Procurement identifier (OCID): ocds-h6vhtk-0492d7

Published 5 December 2024, 12:29pm

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

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

Invest NI

Bedford Square, 1 Bedford Street

BELFAST

BT2 7ES

#### **Contact**

SSDAdmin.CPDfinance-ni.gov.uk

#### **Email**

[SSDAdmin.CPD@finance-ni.gov.uk](mailto:SSDAdmin.CPD@finance-ni.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

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

Body governed by public law

**I.5) Main activity**

General public services

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## **Section II: Object**

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

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

ID 5121238 - DfE - Invest NI - Invest NI Framework Agreement for Patent Appraisal Services 2023-2027

Reference number

5121238

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

- 79120000 - Patent and copyright consultancy services

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

Services

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

Invest NI wishes to establish a framework list of Contractors to undertake Patent Appraisals /Reviews of PoC proposals. Other Divisions from within Invest NI may, on occasions, use the Framework for similar proposals. The programme is not sector specific, but applications generally fall into the following sectors: Life Sciences , ICT, Engineering. The appointed Contractors will carry out patent appraisals on each of the PoC project proposals and provide a comprehensive report (circa 15-20 pages) for each.

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

This contract is divided into lots: No

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

Value excluding VAT: £220,000

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

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

- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security
- 79100000 - Legal services

- 79121000 - Copyright consultancy services

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

NUTS codes

- UKN - Northern Ireland

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

Invest NI wishes to establish a framework list of Contractors to undertake Patent Appraisals /Reviews of PoC proposals. Other Divisions from within Invest NI may, on occasions, use the Framework for similar proposals. The programme is not sector specific, but applications generally fall into the following sectors: Life Sciences , ICT, Engineering. The appointed Contractors will carry out patent appraisals on each of the PoC project proposals and provide a comprehensive report (circa 15-20 pages) for each.

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

Quality criterion - Name: AC1 Proposed Personal Experience / Weighting: 28

Quality criterion - Name: AC2 Proposed Methodology / Weighting: 21

Quality criterion - Name: AC3 Contract Management / Weighting: 10.5

Quality criterion - Name: AC4 Social Value / Weighting: 10.5

Cost criterion - Name: AC5 Cost / Weighting: 30

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

Options: Yes

Description of options

Option to extend for two further periods of one year each

### **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**

Option to extend for two further periods of one year each

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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

#### **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: [2024/S 000-026771](#)

#### **IV.2.9) Information about termination of call for competition in the form of a prior information notice**

The contracting authority will not award any further contracts based on the above prior information notice

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

### **Contract No**

1

### **Title**

ID 5121238 - DfE - Invest NI - Invest NI Framework Agreement for Patent Appraisal Services 2023-2027

A contract/lot is awarded: Yes

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

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

12 November 2024

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

Number of tenders received: 3

Number of tenders received from SMEs: 2

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

Number of tenders received from tenderers from non-EU Member States: 3

Number of tenders received by electronic means: 3

The contract has been awarded to a group of economic operators: Yes

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

FRKELLY

4 MOUNT CHARLES

BELFAST,

BT7 1NZ

Email

[a.wallace@frkelly.com](mailto:a.wallace@frkelly.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://etendersni.gov.uk/epps>

The contractor is an SME

Yes

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

MURGITROYD COMPANY LIMITED

Scotland House 165-169 Scotland St

GLASGOW

G5 8PL

Email

[jacqueline.speirs@murgitroyd.com](mailto:jacqueline.speirs@murgitroyd.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://etendersni.gov.uk/epps>

The contractor is an SME

Yes

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

LEWIS SILKIN N.I. LLP

32-38 Linenhall Street

Belfast

BT2 8BG

Email

[info@lewissilkin.com](mailto:info@lewissilkin.com)

Country

United Kingdom

NUTS code

- UK - United Kingdom

Internet address

<https://etendersni.gov.uk/epps>

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: £220,000

Total value of the contract/lot: £220,000



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## **Section VI. Complementary information**

### **VI.3) Additional information**

Contract Monitoring. The successful Supplier's performance on the contract will be regularly monitored in line with the tender documentation. Supplier's not delivering on contract requirements is a serious matter. It means the public purse is not getting what it is paying for. If a Supplier fails to reach satisfactory levels of contract performance they will be given a specified time to improve. If, after the specified time they still fail to reach satisfactory levels of contract performance, the matter will be escalated to senior management in CPD for further action. If this occurs and their performance still does not improve to satisfactory levels within the specified period, it may be regarded as an act of grave professional misconduct and they may be issued with a Notice of Unsatisfactory Performance and the contract may be terminated. The issue of a Notice of Unsatisfactory Performance can result in the Supplier being excluded from all procurement competitions being undertaken by Centres of Procurement Expertise on behalf of bodies covered by the Northern Ireland Procurement Policy for a period of three years from the date of issue.

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

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

The UK does not have any such bodies with responsibility for appeal/mediation procedures. Instead; any challenges are dealt with by the High Court, Commercial Division, to which proceedings may be issued regarding alleged breaches of the PCR 2015 as amended.

UK

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

CPD complied with the Public Contracts Regulations 2015 and incorporated a standstill period (i.e. a minimum of 10 calendar days) at the point information on the award of contract was communicated to tenderers. That notification provided full information on the award decision. This provided time for the unsuccessful tenderers to challenge the award decision before the contract was entered into.