

**United Kingdom-Kirkwall: Ships and boats**  
**OJ S 182/2017 22/09/2017**  
**Contract notice – utilities**  
**Supplies**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Orkney Islands Council (Harbour Authority)

Postal address: Council Offices, School Place

Town: Kirkwall

NUTS code: UKM65 Orkney Islands

Postal code: KW15 1NY

Country: United Kingdom

Contact person: Rosemary Colsell

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

Telephone: +44 1856873535

**Internet address(es):**

Main address: <http://www.orkneyharbours.com>

Address of the buyer profile: [http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11522](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11522)

**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 abovementioned address

Tenders or requests to participate must be submitted electronically via: [www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)

**I.6. Main activity**

Port-related activities

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**Section II: Object**

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

**II.1.1. Title**

Supply of One New Pilot Boat (Design and Build).

Reference number: OIC/PROC/0646

**II.1.2. Main CPV code**

34500000 Ships and boats

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

The Council, as Statutory Harbour Authority and Competent Harbour Authority has a requirement for the design and build of one new pilot boat, which is required to provide a safe and reliable pilotage service in the Scapa Flow and Kirkwall harbour areas. The Vessel is to be designed primarily to carry out pilotage duties but also to be capable of hydrographic survey work and corporate trips.

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

Value excluding VAT: 2 000 000,00 GBP

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

This contract is divided into lots: no

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

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

34511100 Marine patrol vessels, 34521000 Specialised boats, 34520000 Boats, 63722000 Ship-piloting services

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

NUTS code: UKM65 Orkney Islands

Main site or place of performance: On completion of successful sea trials the vessel is required to be delivered to the Orkney Islands, however the location of the shipyard is not stipulated.

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

The Council, as Statutory Harbour Authority and Competent Harbour Authority has a requirement for the design and build of one new pilot boat, which is required to provide a safe and reliable pilotage service in the Scapa Flow and Kirkwall harbour areas. The Vessel is to be designed primarily to carry out pilotage duties but also to be capable of hydrographic survey work and corporate trips. The Owner of the vessel will be Orkney Islands Council, operated through Marine Services based in the Harbour Authority Building, Scapa, Orkney KW15 1SD, Scotland. The Specification is given as a guide as to the specific requirements of the Owner.

Main dimensions

Length Overall — Hull 21.40 m

LBP 20.00 m

Breadth Moulded 5.75 m

Draught Maximum 1.70 m

Fuel Capacity As required to achieve endurance

Fresh Water Capacity 500 lt

These dimensions can vary to suit the Ship Builder's final design as long as the requirements of the specification are met.

Alternative standard designs can be proposed as long as they meet these specific requirements as far as performance, space on deck, space within the wheelhouse and sufficient crew space and amenities.

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

Criteria below

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

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

Value excluding VAT: 2 000 000,00 GBP

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

Duration in months: 18

This contract is subject to renewal: yes

Description of renewals:

There is an option to extend the initial 12 months duration of this contract by a maximum of 6 months which will be at the sole discretion of the Council.

## **II.2.9. Information about the limits on the number of candidates to be invited**

Maximum number: 5 Objective criteria for choosing the limited number of candidates:

The candidates that achieve the top highest scores in the scored and weighted sections of the ESPD will be issued with invitation to tender documentation.

## **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.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 78 of the Utilities Contracts (Scotland) Regulations 2016.

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

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### **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:

As stated in the Appendix A to the Contract Notice for the Supply of a one New Pilot Vessel (Design and Build), bidders are required to be enrolled in the relevant professional or trade registers of the Country in which they are established. For the UK — Register of Companies.

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

List and brief description of selection criteria:

As stated in the ESPD and the Appendix A to the Contract Notice for the Provision of Business Gateway Services.

Minimum level(s) of standards possibly required:

Question 4B.1.1 Bidders should provide their general yearly turnover for the most recent two years (as per their audited accounts).

Question 4B.2.1 Bidders should provide their 'specific' yearly turnover in the business area(s) covered by the contract for the most recent two years (as per their audited accounts)

Question 4B.3 Where turnover information is not available for the time period requested, the bidder will be required to state the date which they were set up / started trading.

Question 4B.4 Bidders will be required to state the values for the following financial ratios for the most recent 2 years and it is a minimum requirement that the ratios are within the acceptable range:

Liquidity Ratio of the Company (current assets divided by current liabilities — found on Balance Sheet)

The acceptable range for this ratio is: 1:2 or more

Ratio value (Year:.....):

Ratio value (Year:.....):

Net Profit Margin of the Company (net profits divided by revenue x 100)

The acceptable range for this ratio is: >0 (i.e. Positive)

Ratio value (Year:.....):

Ratio value (Year:.....):

Annualised Contract value to Turnover (Annualised Contract value: Contract Value divided by Contract Duration as per Contract Notice)

The acceptable range for this ratio is:1:2 or more

Annualised Contract value:

Ratio value (Year:.....):

Ratio value (Year:.....):

Question 4B.5.1 It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Employer's (Compulsory) Liability Insurance = 10 000 000 GBP

Bidders are required to provide copies of the certificates of insurance to the Authority.

Question 4B.5.2 It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Public Liability Insurance = 10 000 000 GBP

Contractor's All Risk Insurance must be in place for all risks up to and including the minimum value of the Contract.

Marine Insurance must be in place to fully insure the vessel for sea trials and delivery as a minimum, this will include Protection and Indemnity and Hull and Machinery. The Marine Insurance is required to be placed with an International Club Company, with values suitable for the risks involved.

Question 4B.6 Bidders shall include copies of the audited accounts for the most recent two years and, where appropriate, shall provide additional supporting information including eg. details of any significant differences since the last set of audited accounts.

The following additional supporting information can also be provided in respect of your organisation:

- i. A statement of your turnover, profit and loss account and cashflow for the most recent year of trading; and/or
- ii. A statement of your cashflow forecast for the current year and a bank letter outlining the current cash and credit position; and/or
- iii. An alternative means of demonstrating financial status.

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

List and brief description of selection criteria:

Question 4C.1.2 Bidders will be required to provide examples that demonstrate that they have the relevant experience to deliver the services/supplies as described in the Contract Notice One example (pilot vessel or similar) within the last 3 years required.

(Scored and Weighted Section = 30 %)

Question 4C.5 Bidders will be required to confirm that they will allow checks to be conducted on their production and technical capacities and where necessary on the means of study and research facilities available to it and on the quality control measures employed.

1: Bidders to supply reference(s) from owner(s) of vessel(s) stated in 4C.1.2 with confirmation of the owners details.

2: Bidders to supply details of shipyard(s) that may be used for this contract — to include but not limited to location, previous builds (last 5 years) and possible capacity for this contract.  
(Scored and Weighted Section = 25 %)

Question 4C.6.1 Bidders will be required to confirm that their managerial staff have the following relevant educational and professional qualifications:

Educational and professional qualifications relevant to the subject matter of the Contract.  
(Scored and Weighted Section = 5 %)

Question 4C.7 Bidders are required to confirm that they will employ environmental management measures that meet the following requirements:

Relevant Port Authority Environmental Management Procedures  
(Scored and Weighted Section = 5 %)

Question 4C.9 Bidders will be required to demonstrate that they have (or have access to) the relevant tools, plant or technical equipment to deliver the types of requirements detailed in II. 2.4 in the OJEU Contract Notice or the relevant section of the Site Notice.  
(Scored and Weighted Section = 10 %)

Question 4C.10 Please provide details of the proportion (i.e. percentage) of the contract that you intend to subcontract: (For information Only)

Question 4C.12 Bidders will be required to confirm that they have the required quality control institute certificates (or from agencies of recognised competence) confirming that products meet the following technical specifications or standards:

1: Confirmation that bidders will use equipment to the Marine Equipment Directive (MED) standard in force at the time of award of contract — and where applicable for the type of vessel being constructed.

2: Confirmation that Lloyds Register (LR) classification for this contract is acceptable complete with details of proposed LR office(s) to be used for this vessel.  
(Scored and Weighted Section = 25 %)

Question 4D.1 — Quality Management Procedures and Health and Safety Procedures Pass /Fail

Question 4D.2 — Environmental Management Systems or Standards Pass/Fail.

Minimum level(s) of standards possibly required:

As stated within the ESPD and the Appendix A to the Contract Notice for the Supply of one New Pilot Vessel (Design and Build)

Questions 4C.1.2, Question 4C.5, Question 4C.6.1, Question 4C.7, Question 4C.9 and Question 4C.12 shall be marked 0-4 in accordance with the following markings scheme:

Score = 0 Unacceptable — Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.

Score = 1 Poor — Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient detail or explanation to demonstrate how the requirement will be fulfilled.

Score = 2 Acceptable — Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

Score = 3 Good — Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

Score = 4 Excellent — Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

The weighting to be applied to each question is as follows:

Question 4C.1.2 30 %

Question 4C.5 25 %

Question 4C.6.1 5 %

Question 4C.7 5 %

Question 4C.9 10 %

Question 4C.12 25 %

Tenderers must achieve a minimum score of 2 'acceptable' against each of the scored and weighted questions. Failure to achieve an acceptable score will result in a tenderers exclusion from the procurement exercise.

#### **III.1.4. Objective rules and criteria for participation**

List and brief description of rules and criteria:

As stated in the ESPD and the Appendix A to the Contract Notice for the Supply of One New Pilot Boat (Design and Build).

#### **III.1.6. Deposits and guarantees required**

A financial guarantee will be required from the shipyard to the value of the contract to be in place from the day of award of contract to completion of the contract.

#### **III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Interim/Instalments and stage payments to be as detailed in the invitation to tender documentation.

#### **III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

In the instance of a consortium submitting a bid and is awarded the Contract, the Consortium must form a legal entity before entering into the contract which is recognised in Scots Law.

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

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

As detailed in the Invitation to Tender Documentation.

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Restricted procedure

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

#### **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**

Date: 23/10/2017 Local time: 12:00

#### **IV.2.3.**

## **Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 27/10/2017

### **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)

## **Section VI: Complementary information**

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

This is a recurrent procurement: no

### **VI.2. Information about electronic workflows**

Electronic payment will be used

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

The Council reserves the right to cancel the procurement at any time and not award a Contract. The expenditure, work or effort undertaken by bidders prior to the award of Contract is accordingly a matter solely for the commercial judgement of bidders.

Late tenders will not be considered by the Council.

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

Tenderers should complete the ESPD (Scotland) referring to this Contract Notice and in the Appendix A to the Contract Notice for the Supply of One New Pilot Boat (Design and Build).

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at [http://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=511293](http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=511293).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at [http://www.publiccontractsscotland.gov.uk/sitehelp/help\\_guides.aspx](http://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. (SC Ref:511293).

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

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

Official name: Orkney Islands Council (Harbour Authority)

Postal address: Council Offices, School Place

Town: Kirkwall

Postal code: KW15 1NY

Country: United Kingdom

Telephone: +44 1856873535

Internet address: <http://www.orkneyharbours.com>

### **VI.5. Date of dispatch of this notice**

20/09/2017