

**United Kingdom-London: Electricity distribution and related services**

OJ S 67/2014 04/04/2014

Contract notice

Services

**Directive 2004/18/EC****Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Office of Gas and Electricity Markets

Postal address: 9 Millbank

Town: London

Postal code: SW1P 3GE

Country: United Kingdom

For the attention of: Daniel Baker (Ofgem)

E-mail: [tendercoordinator@ofgem.gov.uk](mailto:tendercoordinator@ofgem.gov.uk)

Telephone: +44 2079017102

**Internet address(es):**General address of the contracting authority: <https://www.ofgem.gov.uk/electricity/transmission-networks/offshore-transmission>Address of the buyer profile: [www.ofgem.gov.uk](http://www.ofgem.gov.uk)**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address**I.2. Type of the contracting authority**

Other: The contracting authority is the Great Britain ("GB") Gas and Electricity Markets Authority ("GEMA" or the "Authority").

**I.3. Main activity**

Other: Regulator (GB Gas and Electricity Markets Authority)

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Tender Round 3 (TR3) for the grant of offshore transmission licences.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 27: Other services

Main site or place of performance: Within GB territorial waters or the GB Renewable Energy Zone (as defined in the Renewable Energy Zone (Designation of Area) Order 2004 (SI 2004

No.2668). Projects/locations are provided within section II.1.5 below. These projects are subject to change.

The following are currently identified as qualifying projects where we are tendering for the grant of offshore transmission licences. Note that these are qualifying projects under regulation 8(4)(a) of The Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2013 (the 'Tender Regulations').

The locations listed below are based on most proximate onshore points or on anticipated onshore connection points. Precise information will be made available in the tender documents.

Project: Westermost Rough;

Developer: WMR Limited (DONG Energy)

East Yorkshire

Project: Humber Gateway;

Developer: E.ON Climate/Renewables UK

East Yorkshire

NUTS code UKE12 East Riding of Yorkshire

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

#### **II.1.4. Information about framework agreement**

#### **II.1.5. Short description of the contract or purchase(s)**

The subject matter of this OJEU Notice is the proposed grant of offshore transmission licences to successful bidders for the purpose of connecting two wind farms to the GB onshore grid. Britain already has more offshore wind power than any country in the world – and the UK government plans to increase this significantly by 2020. Fit for purpose offshore electricity transmission infrastructure is required to transfer the electricity generated offshore to the onshore network and ultimately to consumers. It is important that this infrastructure is developed in a timely, secure and cost-effective manner. It should also provide best value to present and future electricity consumers, while reflecting the requirements of generators and ensuring that, as far as possible, offshore infrastructure develops in a coordinated manner. To support these plans, the UK's Department of Energy and Climate Change and the Office of Gas and Electricity Markets have developed a regulatory regime for offshore electricity transmission. A key part of this regime is that offshore transmission licences can be granted following a competitive tender exercise run by Ofgem, with a successful bidder being appointed as an Offshore Transmission Owner ('OFTO'). Building on an already established regime for the awarding of offshore transmission licences in which approximately £2.5 billion of assets have been tendered for, Ofgem is now running a further tender competition. TR3 is the first competitive Tender Round for Generator Build projects under the enduring regime. The two projects identified in this notice as 'Qualifying Projects' are in accordance with the Tender Regulations. A transmission licence is expected to be granted for each project. High level details about these projects is set out as follows:

Project: Westermost Rough;

Developer: WMR Limited (DONG Energy);

Capacity (MW): 205.

Project: Humber Gateway;

Developer: E.On Climate / Renewables UK;

Capacity (MW): 220.

Successful bidders in this tender will enter into a transfer agreement for the purchase of offshore transmission assets constructed by the developer in each case and then maintain and operate the assets in accordance with the offshore transmission licence and relevant industry codes, standards and agreements. In addition to being granted the offshore transmission

licence, successful bidders will be required to enter into a range of agreements including with the relevant generator, any relevant distribution network owner and the National Electricity Transmission System Operator. Even though the tender process in relation to both projects listed above will commence at the same time, each project will be the subject of separate agreements and documentation and the successful bidder for each project will be granted a separate offshore transmission licence.

**II.1.6. CPV code(s)**

65300000 Electricity distribution and related services, 65320000 Operation of electrical installations

**II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

**II.1.8. Lots**

This contract is divided into lots: yes  
Tenders may be submitted for all lots

**II.1.9. Information about variants**

Variants will be accepted: no

**II.2. Scope of the procurement**

**II.2.1. Total quantity or scope**

The initial transfer values (by GBP Million) are as follows:

- Westermost Rough Project: 199.5;
- Humber Gateway Project: 194.7.

**II.2.2. Information about options**

**II.2.3. Information about renewals**

**II.3. Duration of the contract or time limit for completion**

Information about lots

Lot No: 1

Lot title: Offshore transmission licence for Westermost Rough Qualifying Project

**1) Short description**

Grant of offshore transmission licence (TR3) - Westermost Rough Qualifying Project.

**2) CPV code(s)**

65300000 Electricity distribution and related services, 65320000 Operation of electrical installations

**3) Quantity or scope**

**4) Indication about different time frame or duration**

**5) Additional information about lots**

The Contracting Authority intends to use an eTendering system in this procurement exercise.

Lot No: 2

Lot title: Offshore transmission licence for Humber Gateway Qualifying Project

**1) Short description**

Grant of offshore transmission licence (TR3) – Humber Gateway Qualifying Project.

**2) CPV code(s)**

65300000 Electricity distribution and related services, 65320000 Operation of electrical installations

**3) Quantity or scope**

**4) Indication about different time frame or duration**

**5) Additional information about lots**

The Contracting Authority intends to use an e-Tendering system in this procurement exercise.

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

**III.1. Conditions related to the contract**

**III.1.1. Deposits and guarantees required**

Further information will be set out in the tender documentation.

**III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Further information will be set out in the tender documentation.

**III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

Further information will be set out in the tender documentation.

**III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Further information will be set out in the tender documentation.

**III.2. Conditions for participation**

**III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: Bidders' Instructions - How to access the Enhanced Pre-Qualification (EPQ) Documentation:

The EPQ Document is published on the Ofgem website at: <https://www.ofgem.gov.uk/electricity/transmission-networks/offshore-transmission/offshore-transmission-tenders/tender-round-3>

To gain access to the full suite of EPQ documentation please follow these steps:

1. Register your organisation on the eSourcing portal (this is only required once)
  - Browse to the eSourcing Portal <https://ofgem.bravosolution.co.uk>;
  - Click the 'Click here to register' link;
  - Accept the terms and conditions and click 'continue';
  - Enter your correct business and user details;
  - Note the username you chose and click 'Save' when complete;
  - You will shortly receive an email with a temporary unique password. Please change this to something memorable to you and keep your log in details safe and secure.
2. Express interest in the EPQ
  - Login to the portal with the username/password;
  - Click the 'PQs/QTTs Open to All Bidders' link and select 'Grant of offshore transmission licences - Tender Round .3' to access the content;

- Click the 'Express Interest' button in the 'Actions' box on the left-hand side of the page;
- This will move the EPQ into your 'My PQs/QTTs' page. (This is a secure area reserved for your projects only).

### 3. Responding to the tender

- You can now choose to 'Reply' or 'Decline to Respond' (please give a reason if rejecting).
- You can now use the 'Messages' function to communicate with Ofgem and seek clarification.
- Note the deadline for submission of your EPQ bid and follow the onscreen instructions to upload your EPQ bid to the Portal.
- There may be a mixture of online and offline actions for you to perform (further information will be set out in the tender documentation).

If you require any further assistance please consult the online help, or contact the eTendering help desk: +44 8003684850; [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk)

#### **III.2.2. Economic and financial ability**

List and brief description of conditions: Further information will be set out in the tender documentation.

#### **III.2.3. Technical and professional ability**

List and brief description of conditions:  
Further information will be set out in the tender documentation.

#### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

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

Negotiated

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

Objective criteria for choosing the limited number of candidates: Further information will be set out in the tender documentation.

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

#### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

**IV.3.2. Previous publication concerning this procedure**

no

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

**IV.3.4. Time limit for receipt of tenders or requests to participate**

1.5.2014 - 12:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

**IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

**IV.3.8. Conditions for opening of tenders**

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

**VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:

no

**VI.3. Additional information**

Interested parties can register on the portal at: <https://ofgem.bravosolution.co.uk> to access the tender documentation.

Please note that the confidential information relating to the Qualifying Projects will only be available from 14.4.2014 once relevant documentation has been returned and accepted by Ofgem (further information will be set out in the tender documentation).

With reference to item II.1.8 of this Notice: Each project is to be tendered for separately. Each project can therefore be considered as a separate lot. The Authority is under no duty to publish this notice but it has chosen to do so on a voluntary, non exclusive basis. In publishing this notice the Authority has had regard to guidance provided in the Commission Interpretive Communication on the Community law applicable to contract awards not or not fully subject to the provisions of the Public Procurement Directives (2006/C 179/02) without necessarily accepting its relevance to the grant of licences in the envisaged circumstances. The publication of this notice does not constitute a voluntary acceptance of any obligation contained within the Public Contracts Regulations 2006, the Utilities Contracts Regulations 2006, Directive 2004/17/EC, and/or Directive 2004/18/EC. The award criteria will be set out in the tender documentation.

With reference to item IV.3.3 of this Notice: there is no price to access the EPQ Document, but a charge of 5,000 GBP is payable by the bidder to Ofgem as a condition of making an EPQ submission. This is a contribution to Ofgem's costs and is levied under the provisions of the Tender Regulations. Further charges will be payable by bidders who are successful in reaching the later stages of the tender process. Further information will be set out in the tender documentation.

Further information in relation to the offshore transmission regime generally can be found at: <https://www.ofgem.gov.uk/electricity/transmission-networks/offshore-transmission>. Copies of the Standard Framework documents can be found at: <https://www.ofgem.gov.uk/electricity/transmission-networks/offshore-transmission/transmission-standard-framework>. The Tender Regulations 2013 can be found at: [http://www.legislation.gov.uk/uksi/2013/175/pdfs/uksi\\_20130175\\_en.pdf](http://www.legislation.gov.uk/uksi/2013/175/pdfs/uksi_20130175_en.pdf). The Contracting Authority will use an eTendering system in this procurement.

The Authority shall not be responsible for any costs, charges or expenses incurred by bidders and accepts no liability for any costs, charges or expenses, irrespective of the outcome of the competition, or if the competition is cancelled or postponed.

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

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

##### **VI.4.2. Review procedure**

##### **VI.4.3. Service from which information about the review procedure may be obtained**

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

31.3.2014