

UK-London: energy and related services

OJ S 71/2012 12/04/2012

Contract notice

Services

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

Official name: The Crown Estate

Postal address: 16 New Burlington Place

Town: London

Postal code: W1S 2HX

Country: United Kingdom

Contact person: Wave and Tidal Team

For the attention of: John Murphy

E-mail: [john.murphy@thecrownestate.co.uk](mailto:john.murphy@thecrownestate.co.uk)

Telephone: +44 2078515326

#### Internet address(es):

General address of the contracting authority: <http://www.thecrownestate.co.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: Crown Body

### I.3. Main activity

Other: Property Management

### 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

Further Scottish Leasing (saltire prize projects) and demonstration leases - application window 4.

#### 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: Seabed within the territorial waters around the UK forming part of The Crown Estate.

NUTS code UK United Kingdom

### **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 rapid development of renewable energy capacity is central to the delivery of the EU's target of a 20 % renewable energy contribution by 2020. Wave and tidal energy is expected to provide a share of the UK's renewable electricity by this date. As part of this, The Crown Estate is offering interested organisations opportunities to obtain Agreements for Lease and Leases in Seabed within the territorial waters around the UK forming part of The Crown Estate. As the owner of the majority of the seabed within the 12 nautical mile limit of UK territorial waters The Crown Estate has the power to grant leases for the development of wave and tidal energy sites within that area, whilst under the Energy Act 2004 The Crown Estate has the power to license the use of the seabed for the generation of renewable energy on the continental shelf within the UK Renewable Energy Zone. The Crown Estate's permission is also necessary to place structures on or lay cables over the seabed and the foreshore where it is Crown owned.

Accordingly, The Crown Estate has a central role in the delivery of offshore renewable energy. The Crown Estate has already made available areas of seabed for the development of offshore wind farms in various areas around the seabed within the territorial waters around the UK forming part of The Crown Estate, and for wave and tidal projects.

The Crown Estate is now seeking applicants for the purpose of developing further wave and tidal projects. Expressions of interest are requested for various lease types that will be offered. Applicants should register on The Crown Estate eTendering portal to gain access to the pre-qualification documents where lease types on offer will be explained.

For each lease type the pre-qualification and award criteria will be similar in most respects. Differences in levels of project funding and technology development will be the main differentiator between those on offer.

When responding to the PQQ you will be able to choose which Lease type(s) you wish to apply for. Depending on the level of interest expressed The Crown Estate reserve the right to cap the number of shortlisted applicants.

The Crown Estate will require the successful applicants to deliver their project to an agreed timeframe. The successful applicants will be responsible for obtaining the requisite statutory development consent(s) (where applicable) and the design, construction, operation, maintenance and decommissioning of their project.

The successful applicants will be required to enter into an Agreement for Lease with The Crown Estate for which an option fee may be charged. The agreement for Lease will offer exclusivity over a defined area of seabed for an initial period, allowing all key consents to be obtained, and include an option to enter into a full Lease providing certain key milestones are met on time. Once all necessary consents have been obtained and other conditions satisfied, the applicant will be able to exercise the option. An annual rental may be charged together with a fee on electricity generated.

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

71314000 Energy and related services

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

### **II.1.8. Lots**

This contract is divided into lots: no

### **II.1.9. Information about variants**

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

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

### **II.2.2. Information about options**

### **II.2.3. Information about renewals**

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

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

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

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

Parent company or other guarantees will be required.

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

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

#### **III.1.4. Contract performance conditions**

### **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: This application process will be controlled using The Crown Estate's eTendering Portal (<https://etendering.thecrownestate.co.uk/web/login.shtml>). In order to express interest in the application process, log on to the eTendering Portal, register to participate in the project and submit a pre-qualification questionnaire for the lease option(s) you are interested in and later (for pre-qualified bidders) submit tenders. If you have not done so in the past, interested parties must register to use The Crown Estate's eTendering Portal. A supplier guide to using the eTendering Portal is available via the help section on the eTendering portal.

Interested parties should note that all questions relating to the interpretation of any part of this tender must be submitted through the eTendering Portal messaging service.

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

List and brief description of conditions: As stated in the relevant Pre-Qualification Questionnaire (PQQ) and preamble followed by the invitation to tender (ITT) and associated preamble.

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

List and brief description of conditions:

As stated in the relevant Pre-Qualification Questionnaire (PQQ) and preamble followed by the invitation to tender (ITT) and associated preamble.

#### **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

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) no

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

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes

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

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

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **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**

Payable documents: no

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

18.5.2012 - 12:00

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

18.6.2012

#### **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**

This is a recurrent procurement: no

**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**

The Crown Estate is not subject to public procurement regulation and is not, therefore, required to advertise its requirements in the Official Journal of the EU or indeed to comply with any other obligation relating to public procurement which may emanate from the relevant public procurement EU directives.

The publication of this or any other notice is voluntary and does not set a precedent. In publicising this or any other notice, The Crown Estate is not required and does not undertake to comply with any of the legal authorities referred to above and therefore accepts no liability in that respect.

Compliance by candidates with all relevant legislation is required both in the contract award procedure and during the term of any resulting contract. The publication of this notice in no way obliges The Crown Estate to commence any competitive tender process.

The Crown Estate is not and shall not be liable for any costs incurred by those expressing an interest or negotiating or tendering for this contract. The information contained in this notice, including the list of CPV codes, is neither exhaustive nor binding, and may be amended at the time of issue of any further notice or notices or at any other time at the discretion of The Crown Estate. Tenders and all supporting documentation must be priced in pounds sterling.

The dates shown in section IV.3.4 and IV.3.5 for issue of the pre-qualification questionnaire and invitation to tender are indicative only and subject to change at the discretion of The Crown Estate.

The Crown Estate reserves the right not to award a contract, to make whatever changes it sees fit to the structure and timing of the procurement process and to cancel the process in its entirety at any stage.

**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**

10.4.2012