

United Kingdom-Derry: Telecommunications services

OJ S 71/2014 10/04/2014

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Derry City Council

Postal address: 98 Strand Road

Town: Derry

Postal code: BT48 7NN

Country: United Kingdom

For the attention of: Sharon O'Connor

Telephone: +44 2871376578

Fax: +44 2871368536

Internet address(es):

General address of the contracting authority: www.derrycity.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

Regional or local authority

I.3. Main activity

General public services

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

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

Dery Wireless Project.

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

Services

Service category No 5: Telecommunications services

NUTS code UKN04 North of Northern Ireland

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

The notice involves a public contract

II.1.4. Information about framework agreement

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

The successful service provider chosen by the Council for the Derry Wireless Contract pursuant to this competition will be granted the right to use street furniture assets, predominantly street lighting columns, to provide wireless communications network infrastructure and will provide payments (fees and/or revenues) to the Council in return. The access infrastructure provided will be open access and will form a technology neutral network capable of supporting mobile broadband in the near term (Wi-Fi and 3G) as well as into the future (4G through LTE and the next generation of Wi-Fi).

However, the Council also acknowledges the potential use of its street furniture for other types of wireless services: including, but not limited to „white space” communications, Tetra or PMR, and ISM radio bands.

The Council therefore does not intend to preclude any wireless technology, but does reserve the right to restrict the quantity of equipment attached to any individual piece of street furniture for technical, health and safety, and/or aesthetic reasons.

The successful Candidate may be required to provide Wi-Fi service(s) on the Council's behalf in certain areas of the city.

A competitive dialogue procedure will be used to select the successful service provider.

The Council expects to enter into a concession contract with the successful service provider for a period of between 5 and 10 years, with appropriate break clauses through the contract term and the potential for extensions where appropriate.

It is expected that the final contract with the selected service provider will require the service provider to be responsible for the installation of standalone units (pillars) to facilitate a 24 x 7 electrical power supply to wireless equipment attaching to street lighting columns.

At this stage the Council will provide sufficient funding to provide for the capital and operational expenditure required to install and connect the standalone pillars.

The maximum available expenditure will be agreed during the dialogue process.

Further details are set out in the Project Information Memorandum accompanying this contract notice.

An amplified statement of the Council's needs and requirements for the Derry Wireless Contract and the matters to be dealt with by candidates will be defined in the descriptive document.

II.1.6. CPV code(s)

64200000 Telecommunications services, 32412000 Communications network, 32412100 Telecommunications network, 32412110 Internet network, 32420000 Network equipment, 32424000 Network infrastructure, 32425000 Network operating system, 32500000 Telecommunications equipment and supplies, 32510000 Wireless telecommunications system , 32562200 Optical telecommunication cables, 32570000 Communications equipment, 32571000 Communications infrastructure, 45231600 Construction work for communication lines, 45232300 Construction and ancillary works for telephone and communication lines, 45232332 Ancillary works for telecommunications, 50330000 Maintenance services of telecommunications equipment, 50332000 Telecommunications-infrastructure maintenance services, 50334400 Communications system maintenance services, 51300000 Installation services of communications equipment, 64210000 Telephone and data transmission services, 64227000 Integrated telecommunications services, 72315000 Data network management and support services, 72400000 Internet services, 72410000 Provider services

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

The procurement is covered by the Government Procurement Agreement: yes

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

Please see section II.1.5 of contract notice and section 2 of the Project Information Memorandum.

II.2.2. Information about options

Options: yes

Description of options: The council may explore the possibility during the competitive dialogue process of including options in the final Derry Wireless Contract which can be exercised by the council unilaterally or by mutual agreement.

By way of example, these options may relate to aspects of the contract or service delivery including, but not limited to:

- geographic/area scope of the project;
- specification of service required;
- level of public funding available;
- financing arrangements;
- extension of the contract duration.

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Duration in months: 60 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Please see the Project Information Memorandum including, in particular, section 5.

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

Please see the Project Information Memorandum including, in particular, section 2.

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

Please see the Project Information Memorandum including, in particular, section 5.

Requests to participate may be submitted by a single candidate or a group.

Where a candidate is a group, each member of the group may be required to contract on the basis of joint and/or several liability, or a single member may be required to contract on a prime contractor basis (with the other members providing collateral warranties), the members of the candidate may be required to form or incorporate a special purpose vehicle (SPV) for the contract (with guarantees from each member of the SPV) or any members may be required to contract on any other basis which Derry City Council considers appropriate in its discretion having regard to the nature, size, value and complexity of the Derry Wireless Contract.

Collateral warranties and/or guarantees may also be required from third parties making available resources for the project.

III.1.4. Contract performance conditions

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

Description of particular conditions: Yes. Please see the Project Information Memorandum including, in particular, section 6.2.

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: Please see the Project Information Memorandum including, in particular, section 3.3.2.

III.2.2. Economic and financial ability

List and brief description of conditions: Please see the Project Information Memorandum including, in particular, section 3.

Minimum level(s) of standards possibly required: Please see the Project Information Memorandum including, in particular, sections 3.3.3 and 3.3.4.

III.2.3. Technical and professional ability

List and brief description of conditions:

Please see the Project Information Memorandum including, in particular, section 3.

Minimum level(s) of standards possibly required:

Please see the Project Information Memorandum including, in particular, sections 3.3.3 and 3.3.4.

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

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: yes

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

competitive dialogue

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

Envisaged minimum number 3: and Maximum number 5

Objective criteria for choosing the limited number of candidates: Please see the Project Information Memorandum including, in particular, section 3.

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

Derry Wireless project.

IV.3.2. Previous publication concerning this procedure

no

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

Time limit for receipt of requests for documents or for accessing documents: 8.5.2014

Payable documents: no

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

9.5.2014 - 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

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

1) This project is part of Derry City Council's wider Super-Connected Cities Programme (SCCP), a central government scheme to improve broadband infrastructure in UK cities.

2) A Project Information Memorandum and Pre-Qualification Questionnaire („Pre-Qualification Documents“) are available from Derry City Council according to the instructions set out in Section IV.3.3.

3) Candidates should carefully read the Pre-Qualification Documents which set out the rules governing this process.

- 4) The Project Information Memorandum provides details of a proposed briefing session.
- 5) Please note the provisions of the Project Information Memorandum regarding freedom of information.

VI.4. Procedures for review

VI.4.1. Review body

Official name: The High Courts of Justice of Northern Ireland
Postal address: The Royal Courts of Justice, Chichester Street
Town: Belfast
Postal code: BT1 3JF
Country: United Kingdom

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: This authority will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers.

That notification will provide full information on the award decision.

The standstill period, which will be for a minimum of 10 calendar days, provides time for unsuccessful tenderers to challenge the award decision before the contract is entered into. The Public Contracts Regulations 2006 (SI 2006 No. 5) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

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

VI.5. Date of dispatch of this notice

7.4.2014