

**United Kingdom-West Malling: Natural gas**

OJ S 86/2014 03/05/2014

Contract notice

Supplies

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Commercial Services

Postal address: Laser Energy Group, Head Office, 1 Abbey Wood Group, Kings Hill

Town: West Malling

Postal code: ME19 4YT

Country: United Kingdom

For the attention of: Mr Ian Day

E-mail: [ian.day@procurementservicesgroup.org.uk](mailto:ian.day@procurementservicesgroup.org.uk)

Telephone: +44 1622236697

**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: yes

**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**

In accordance with best procurement practice, EU and UK Procurement Directives and Regulations, the Contracting Authority, wishes to create a Framework Agreement (the Agreement) for the Flexible Procurement and Supply of Gas to Daily Metered and Non Daily Metered sites.

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

Supplies

Purchase

NUTS code UK United Kingdom

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

The procurement involves the establishment of a framework agreement

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

Framework agreement with a single operator

**Duration of the framework agreement**

Duration in years: 6

In the case of framework agreements, provide justification for any duration exceeding 4 years:  
The commitment to purchase is made 2 years in advance of the supply period. The supply period is only 4 years

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

LASER Energy Buying Group was established as part of Commercial Services in 1989, in response to the increasing competitiveness of the deregulated energy markets and now provides complete energy solutions to 160 Local Authorities and other Public Sector bodies throughout the UK.

In accordance with best procurement practice, EU and UK Procurement Directives and Regulations, the Contracting Authority, wishes to create a Framework Agreement (the Agreement) for the Flexible Procurement and Supply of Gas to Daily Metered and Non Daily Metered sites.

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

09123000 Natural gas

**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**

Duration in months: 72 (from the award of the contract)

**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**

**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: Any supplier may be disqualified who:

(a) is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business

activities or is in any analogous situation arising from a similar procedure under national laws and regulations;

(b) is the subject of proceedings for a declaration of bankruptcy, for an order compulsory winding up the administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;

(c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;

(d) has been guilty of grave professional misconduct proven by any means which the contract authorities can demonstrate;

(e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

(f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

(g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;

(h) has been the subject of a conviction for participation in a criminal organization, as defined in Article 2(1) of Council Joint Action 98/733/JHA;

(i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26 May 1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;

(j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;

(k) has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering.

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

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

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

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

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

#### **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**

Open

#### **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**

### **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**

Y14070

**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**

9.6.2014 - 14:00

**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**

Duration in days: 120 (from the date stated for receipt of tender)

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

Date: 9.6.2014 - 14:00

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

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

**VI.3. Additional information**

All public bodies will have access to this Agreement but may only do so with the agreement of the Contracting Authority through the LASER Energy Buying Group. Those organisations who may wish to access this Agreement include local authorities the Police Service, the Fire Service, the NHS & NHS Trusts, third sector organisations, academic centres (including Academies), publicly funded organisations and publicly owned private companies, operating within the geographic boundaries of the United Kingdom, Channel Islands and Northern Ireland.

Full details of the classification of potential public bodies who may become Participating Authorities and/or End Users under this Agreement via the Contracting Authority can be found at the following web addresses:

Regions in England: Main Regions:- East Midlands; West Midlands; East of England; South East; South West; North West; North East; Yorkshire & Humber; London or to individual administering Councils. See link:

<http://www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm>

Northern Ireland: Administered across 26 Districts of Northern Ireland. See link:

<http://www.nidirect.gov.uk/local-councils-in-northern-ireland>

Scotland: Administered across 32 Council areas. See link:

<http://www.cosla.gov.uk/scottish-local-government>

Wales: Administered across 22 Council areas. See link:

<http://wales.gov.uk/topics/localgovernment/?skip=1&lang=en>

Classification of End User Organisations

Local Authority Councils: County, Unitary, District, Borough, and Metropolitan Councils.

(Parish and Community Councils are also permissible users). See link:

<http://www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm>

Educational Establishments: Nursery School, Primary School, Middle or High School, Secondary School, Academy, Special School, Pupil Referral Unit (PRU), Further Education College, University. See links:

<http://www.schoolswebdirectory.co.uk/index.php>

<http://www.ukschoolsdirectory.net/searchresult.php>

[www.education.gov.uk/edubase](http://www.education.gov.uk/edubase)

[www.hefce.ac.uk](http://www.hefce.ac.uk)

<http://www.universitiesuk.ac.uk/aboutus/members/Pages/default.aspx>

Police, Fire & Rescue & Maritime & Coastguard Agency Emergency Services:

See links:

<http://www.police.uk/forces.htm>

<http://www.fireservice.co.uk/>

<http://www.nifrs.org/>

<http://www.mcga.gov.uk/c4mca/mcga07-home.htm>

NHS Bodies, the HSC (Northern Ireland) and Ambulance Services:

See links:

<http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>

<http://www.hscni.net/index.php?link=trusts>

<http://www.show.scot.nhs.uk/organisations/index.aspx>

<http://www.scottishambulance.com/AboutUs/HowWeOrganised.aspx>

<http://www.wales.nhs.uk/nhswalesaboutus/structure>

Central Government Departments & their Agencies:

See link:

<http://www.direct.gov.uk/en/DI1/Directories/A-ZOfCentralGovernment/index.htm>

Registered Charities:

See links:

[http://www.charitycommission.gov.uk/About\\_us/Regulation/Registering\\_charities\\_index.aspx](http://www.charitycommission.gov.uk/About_us/Regulation/Registering_charities_index.aspx)

<http://www.oscr.org.uk/>

[http://www.dsdni.gov.uk/index/dsd\\_contact\\_us/dsd\\_our\\_offices.htm](http://www.dsdni.gov.uk/index/dsd_contact_us/dsd_our_offices.htm)

Registered Social Landlords: Government-funded, not-for-profit organisations that provide affordable housing. They include housing associations, trusts and cooperatives. See link:

<http://www.idea.gov.uk/idk/core/page.do?pageId=7175736>

<http://www.nhfdirectory.co.uk>

<http://www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm>

Northern Ireland: Administered across 26 Districts of Northern Ireland. See link:

[http://www.direct.gov.uk/en/DI1/Directories/DevolvedAdministrations/DG\\_4003601](http://www.direct.gov.uk/en/DI1/Directories/DevolvedAdministrations/DG_4003601)

Scotland: Administered across 32 Council areas. See link:

[http://www.direct.gov.uk/en/DI1/Directories/DevolvedAdministrations/DG\\_4003604](http://www.direct.gov.uk/en/DI1/Directories/DevolvedAdministrations/DG_4003604)

Wales: Administered across 22 Council areas. See link:

[http://www.direct.gov.uk/en/dl1/directories/localcouncils/dg\\_065241](http://www.direct.gov.uk/en/dl1/directories/localcouncils/dg_065241)

Tenderers are advised that the Contracting Authority, its affiliates and/or authorised users, reserve the right to supply the tendered products, services, and commodities to companies that have a majority public sector ownership by any of the public sector bodies referred to above during the Agreement period as stated in this document, for the purpose of selling to other public, private and third sector organisations.

For the purposes of this Agreement the Contracting Authority:

Contracting Authority – shall mean the public sector body, in this case Kent County Council via Kent County Council/Commercial Services, LASER a public sector energy buying group, who has agreed to take responsibility for the tender process, contract formation and all on-going contractual management matters relating to the provision of Flexible Procurement and Supply of Gas to Daily metered and Non Daily Metered supplies.

This opportunity will be completed electronically via ProContract, a site run by Due North.

Interested organisations should go to [www.kentbusinessportal.org.uk](http://www.kentbusinessportal.org.uk) to register and express interest. Once you have successfully expressed interest via the portal you will be sent an email directing you to the ProContract site from which you will be able to access and download the invitation to tender documentation and any other relevant information.

This email should be retained, as it will contain your direct link to the ProContract portal, for information purposes only the link is [www.kentbusinessportal.org.uk/procontract/supplier.nsf](http://www.kentbusinessportal.org.uk/procontract/supplier.nsf)

DO NOT USE THIS LINK NOW.

Tenderers should also note that final submissions must be made via ProContract, no other submission route is permitted. Failure to follow this path will result in the tender submission being disregarded.

Any questions or clarifications must be submitted through the ProContract portal no later than 2nd June 2014. The Contracting Authority will endeavor to answer all questions and clarification requests prior to the submission date, however those received after the 2nd June 2014 may not be answered.

ALL DOCUMENTS PERTAINING TO THIS OPPORTUNITY WILL BE AVAILABLE FOR DOWNLOAD VIA THE PROCONTRACT PORTAL FROM THE OUTSET. Please ensure you are able to download all files immediately after accessing the ProContract portal.

#### **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**

30.4.2014