

United Kingdom-Newcastle upon Tyne: Petroleum products, fuel, electricity and other sources of energy**OJ S 99/2019 23/05/2019****Contract notice****Supplies****Legal Basis:**

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Northumberland Tyne and Wear NHS Foundation Trust C/O The Inenco Group

Postal address: St Nicholas Hospital, Jubilee Road, Gosforth

Town: Newcastle upon Tyne

NUTS code: UK United Kingdom

Postal code: NE3 3XT

Country: United Kingdom

Contact person: Claire Paton

E-mail: tenders@cirruspurchasing.co.uk**Internet address(es):**Main address: <http://www.ntw.nhs.uk/>**I.2. Information about joint procurement**

The contract is awarded by a central purchasing body

I.3. CommunicationThe procurement documents are available for unrestricted and full direct access, free of charge, at: <https://in-tendhost.co.uk/cirruspurchasing/aspx/Home>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted to the abovementioned address

I.4. Type of the contracting authority

Other type: Central purchasing body

I.5. Main activity

Other activity: Central purchasing body

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Inenco Energy Procurement Services DPS

Reference number: Inenco 0010

II.1.2. Main CPV code

09000000 Petroleum products, fuel, electricity and other sources of energy

II.1.3. Type of contract

Supplies

II.1.4. Short description

This request to participate has been issued to establish an Energy Procurement Services Dynamic Purchasing System (DPS). The Contracting Authority for this tender is Northumberland Tyne and Wear NHS Trust. The tender process and resulting DPS agreement including all contracts as a result of further competitions are managed by Inenco. The DPS is available for use by all contracting authorities within England, Scotland, Wales and Northern Ireland as defined by Regulation 2 of the Public Contracts Regulations 2015 #102, including, but not limited to the Contracting Authorities in supporting information document titled Appendix 6 — List of defined groups of Contracting Authorities.

II.1.5. Estimated total value

Value excluding VAT: 100 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

09000000 Petroleum products, fuel, electricity and other sources of energy, 09310000 Electricity, 09121200 Mains gas

II.2.3. Place of performance

NUTS code: UK United Kingdom

Main site or place of performance:

II.2.4. Description of the procurement

A brief description of each of the available work streams is provided below:

Flexible offering — single client solution, to enable risk-managed procurement via the wholesale market:

- flexible offering, strategic risk managed gas,
- flexible offering, strategic risk managed HH electricity,
- flexible offering, strategic risk managed NHH electricity.

Fixed price offering — a fixed price, for a fixed duration at time of supply contracting:

- fixed price offering, gas,
- fixed price offering, HH electricity,
- fixed price offering, NHH electricity.

Portfolio offering — aggregated client solution, to enable risk-managed procurement via the wholesale market:

- portfolio offering, gas,
- portfolio offering, HH electricity,
- portfolio offering, NHH electricity.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 100 000 000,00 GBP

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

Duration in months: 120

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: yes

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

Section III: Legal, economic, financial and technical information

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:

Any supplier may be disqualified who has been convicted of:

- (a) conspiracy within the meaning of Section 1 or 1A of the Criminal Law Act 1977(a) or Article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983(b) where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime(c);
- (b) corruption within the meaning of Section 1(2) of the Public Bodies Corrupt Practices Act 1889(d) or Section 1 of the Prevention of Corruption Act 1906(e);
- (c) the common law offence of bribery;
- (d) bribery within the meaning of Sections 1, 2 or 6 of the Bribery Act 2010(f), or Section 113 of the Representation of the People Act 1983(g);
- (e) where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities(h):
 - (i) the common law offence of cheating the Revenue;
 - (ii) the common law offence of conspiracy to defraud;
 - (iii) fraud or theft within the meaning of the Theft Act 1968(i), the Theft Act (Northern Ireland) 1969(j), the Theft Act 1978(k) or the Theft (Northern Ireland) Order 1978(l);
 - (iv) fraudulent trading within the meaning of Section 458 of the Companies Act 1985(m), Article 451 of the Companies (Northern Ireland) Order 1986(n) or Section 993 of the Companies Act 2006(o);
 - (v) fraudulent evasion within the meaning of Section 170 of the Customs and Excise Management Act 1979(p) or Section 72 of the Value-Added Tax Act 1994(q);
 - (vi) an offence in connection with taxation in the European Union within the meaning of Section 71 of the Criminal Justice Act 1993(r);
 - (vii) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of Section 20 of the Theft Act 1968(s) or Section 19 of the Theft Act (Northern Ireland) 1969(t);
 - (viii) fraud within the meaning of Section 2, 3 or 4 of the Fraud Act 2006(u); or
 - (ix) the possession of articles for use in frauds within the meaning of Section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of Section 7 of that Act;
- (f) any offence listed:

- (i) in Section 41 of the Counter Terrorism Act 2008(a); or
- (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection;
- (g) any offence under Sections 44 to 46 of the Serious Crime Act 2007(b) which relates to an offence covered by subparagraph (f);
- (h) money laundering within the meaning of Sections 340(11) and 415 of the Proceeds of Crime Act 2002(c);
- (i) an offence in connection with the proceeds of criminal conduct within the meaning of Section 93A, 93B or 93C of the Criminal Justice Act 1988(d) or Article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996(e);
- (j) an offence under Section 4 of the Asylum and Immigration (Treatment of Claimants, etc. Act 2004(f);
- (k) an offence under Section 59A of the Sexual Offences Act 2003(g);
- (l) an offence under Section 71 of the Coroners and Justice Act 2009(h);
- (m) an offence in connection with the proceeds of drug trafficking within the meaning of Section 49, 50 or 51 of the Drug Trafficking Act 1994(i); or
- (n) any other offence within the meaning of Article 57(1) of the Public Contracts Directive:
 - (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or
 - (ii) created, after the day on which these regulations were made, in the law of England and Wales or Northern Ireland.

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Restricted procedure

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

The procurement involves the setting up of a dynamic purchasing system. The dynamic purchasing system might be used by additional purchasers.

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 21/06/2019 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

The DPS is available for use by all Contracting Authorities within England, Scotland, Wales and Northern Ireland as defined by Regulation 2 of the Public Contracts Regulations 2015 #102, including, but not limited to the Contracting Authorities in supporting information document titled Appendix 6 — List of defined groups of Contracting Authorities. The Energy Procurement Services DPS agreement is to be for 10 years in duration from commencement date. The anticipated (supply) commencement date is July 2019.

VI.4. Procedures for review**VI.4.1. Review body**

Official name: Royal Courts of Justice

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Appeals can be directly raised via the contact points detailed in Section VI.4.1 of this Contract Notice. The Public Contracts Regulations 2015 #102 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.5. Date of dispatch of this notice

21/05/2019