

United Kingdom-London: Financial leasing services
OJ S 152/2013 07/08/2013
Contract notice – utilities
Supplies

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: Stagecoach South Western Trains Limited
Postal address: Friars Bridge Court, 41-45 Blackfriars Road
Town: London
Postal code: SE1 8NZ
Country: United Kingdom
Contact person: Procurement
For the attention of: Roger Rampling
E-mail: rrampling@swtrains.co.uk
Telephone: +44 2076205978
Fax: +44 2076205004

Internet address(es):

General address of the contracting entity: www.southwesttrains.co.uk
Address of the buyer profile: www.southwesttrains.co.uk

Additional information can be obtained from:

Official name: Stagecoach South Western Trains Limited
Postal address: HLOS Team, Wimbledon Traincare Depot, Durnsford Road
Town: London
Postal code: SW19 8EG
Country: United Kingdom
Contact person: Head of HLOS
For the attention of: Aileen Jordan
E-mail: ajordan@swtrains.co.uk

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

I.2. Main activity

Railway services

I.3. Contract award on behalf of other contracting entities

The contracting entity is purchasing on behalf of other contracting entities: no

Section II: Object of the contract

II.1. Description

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

Financing and/or leasing for electric suburban passenger rolling stock.

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

Supplies
A combination of these
NUTS code UK United Kingdom

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)

Supply of finance or leasing for electric suburban passenger railway stock. Subject to approval by the Department, Stagecoach South Western Trains Limited is seeking finance for the purchase and operating lease of 135 to 250 vehicles (preferably 20 metre) formed in Units of between three and five vehicles to operate in up to 10 car formation. (or approx. 200 m length equivalent).

Expressions of interest are invited from organisations that can demonstrate that they meet the Conditions for Participation as set out below.

II.1.6. CPV code(s)

66114000 Financial leasing services, 66122000 Corporate finance and venture capital services

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

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Information about lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: yes

II.2. Scope of the procurement

II.2.1. Total quantity or scope

135 to 250 vehicles (preferably 20 metre) formed in Units of between three and five vehicles to operate in up to 10 car formation. (or approx. 200 m length equivalent).

Estimated value excluding VAT: between 135,000,000 GBP and 425 000 000 GBP.

Estimated value excluding VAT

Range: between 135 000 000 and 425 000 000 GBP

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Appropriate security will be required. Further information will be in the ITT.

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

Information will be provided in the ITT.

III.1.3.

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

Joint and several liability required.

III.1.4. Contract performance conditions

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

Description of particular conditions: Rolling stock to be ready for introduction to service between July 2016 and July 2017.

Further information will be in the ITT.

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: Information and formalities necessary for evaluating if requirements are met: When expressing an interest in this notice, parties must also submit a signed declaration confirming that there are no grounds pursuant to which they may be rejected under Regulation 26(1) of the Utilities Contracts

Regulations 2006 including that the party in question or any of its directors or any other person who has powers of representation, decision or control over that party is not and has not been convicted of:

- (a) conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA;
- (b) corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906, where the offence relates to active corruption;
- (c) the offence of bribery, where the offence relates to active corruption;
- (ca) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;
- (d) fraud, 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, within the meaning of—
 - (i) the offence of cheating the Revenue;
 - (ii) the offence of conspiracy to defraud;
 - (iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
 - (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
 - (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
 - (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
 - (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 or section 19 of the Theft Act (Northern Ireland) 1969;
 - (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or
 - (ix) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;
- (e) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act

2002;

(ea) 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 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;

(eb) 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; or

(f) any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State.

In the case of a consortium, the declaration referred to above must be provided by each member of the consortium.

In addition, when expressing an interest in this procurement, parties must submit the following information:

(1) The name (including previous trading name if different) and nature of the tenderer's organisation (e.g. company, partnership or consortium);

(2) Type of organisation, registered number, year of registration, registered address;

(3) Contact name, address, telephone and facsimile numbers, and email address for the tenderer;

(4) In the case of a consortium tenderer, the names and legal status of each of its constituent members;

(5) Where applicable, the name of the ultimate holding company of the tenderer;

(6) Where applicable, details of any groups of companies to which the tenderer belongs.

III.2.2. Economic and financial ability

List and brief description of conditions: When expressing an interest in this notice, parties must also provide:

(1) a list of major transactions entered into, and their value, in the last 3 years;

(2) a statement of the overall turnover relating specifically to the financing or leasing of passenger rolling stock for the previous 3 financial years, stating the nature of the project, the cost of the supply and the contract period;

(3) if applicable, credit rating;

(4) a description of the ability and resource available to respond to the invitation to tender and any subsequent clarifications and if selected as preferred financier, to efficiently negotiate and close the relevant transaction documents;

(5) provision of 2 references (these may be taken up by Stagecoach South Western Trains Limited prior to selection of pre-qualified tenderers or prior to selection of a preferred bidder); Applicants should note that failure to provide any of the above information may invalidate a request for pre-qualification.

III.2.3. Technical and professional ability

List and brief description of conditions: See III.2.2. Evidence of experience of providing finance for rolling stock in the UK market.

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: no

Section IV: Procedure

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.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

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 entity

SSWT/Finance

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents

(except for a DPS)

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

Payable documents: no

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

10.9.2013 - 12:00

IV.3.5. Languages in which tenders or requests to participate may be submitted

IV.3.6. Minimum time frame during which the tenderer must maintain the tender

IV.3.7. Conditions for opening of tenders

Persons authorised to be present at the opening of tenders: no

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

Submissions should be made electronically to Aileen Jordan (ajordan@swtrains.co.uk) and marked "Finance for Passenger Rail Rolling Stock Qualification Response".

These submissions to be no longer than 30 pages (excluding supporting documents). Potential suppliers whose application does not meet the with the above criteria may be excluded from any shortlist of potential suppliers and any subsequent tender exercise.

Stagecoach South Western Trains Limited reserves the right not to award any contract(s) pursuant to this notice. Stagecoach South Western will not be responsible for costs incurred in responding to this opportunity.

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: As soon as an award decision has been made, this utility will comply with its obligations under Regulations 33 and 33A of the Utilities Contracts Regulations (SI 2006 No 6) to notify unsuccessful tenderers of the reasons they have been unsuccessful and to observe the required standstill period before entering into the contract with the successful tenderer. If an appeal regarding the award of a contract can not be resolved between the parties, the Regulations provide that tenderers can commence court proceedings. The general time limit for bringing court proceedings (other than for a declaration of ineffectiveness) is 30 days from when the tenderer knew or ought to have known that grounds for starting proceedings had arisen. Please see Regulation 45 for further information.

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

VI.5. Date of dispatch of this notice

2.8.2013