

United Kingdom-Newcastle upon Tyne: Mains gas
OJ S 209/2016 28/10/2016
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

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. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.cirruspurchasing.co.uk/TDocs/IGPSFbTo81Z/7d2gu63lt>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <http://www.cirruspurchasing.co.uk/TDocs/IGPSFbTo81Z/7d2gu63lt>

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

Gas Portfolio Services Framework.

II.1.2. Main CPV code

09121200 Mains gas

II.1.3. Type of contract

Supplies

II.1.4. Short description

The Invitation to tender (ITT) is issued to establish a gas portfolio services framework for a central purchasing body covering the UK. The lead contracting authority for this tender is Northumberland Tyne & Wear NHS Foundation Trust. The tender process and resulting framework agreement is managed by Inenco, acting as the agent for the central purchasing body. The framework is available for use by all National Health Service (NHS) organisations across England, Scotland and Wales and is also available for use by all current and future members of the central purchasing body. The client is seeking bids from suppliers to participate in a single lot gas portfolio services framework. The framework agreement is to be four years in duration from the commencement date, anticipated to be during December 2016. Please see the tender documents for further details of the framework requirements.

II.1.5. Estimated total value

Value excluding VAT: 160 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: UK United Kingdom

Main site or place of performance: The framework is to cover call-off contracts made across the United Kingdom, excluding Northern Ireland.

II.2.4. Description of the procurement

The primary requirement for this framework is a gas procurement solution, where clients are aggregated into a trade shape to enable consolidated trading of the commodity via the wholesale market. Further details of the framework requirements can be found within the tender documents.

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

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The framework will be re-tendered to ensure sufficient future coverage for contracting authorities.

II.2.10. Information about variants

Variants will be accepted: no

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

Open procedure

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

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

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: 25/11/2016 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

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 3 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 25/11/2016 Local time: 12:01

Information about authorised persons and opening procedure: Inenco staff members on behalf of Northumberland Tyne & Wear NHS Foundation Trust, and third party advisors engaged by Inenco only.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: yes

Estimated timing for further notices to be published:
2020.

VI.3. Additional information

Submissions are to be submitted through the Cirrus Purchasing eTender system only. Northumberland, Tyne and Wear NHS Foundation Trust is one of the largest mental health and disability Trusts in England employing more than 6,000 staff, serving a population of approximately 1.4 million, providing services across an area totalling 2,200 square miles. They work from over 60 sites across Northumberland, Newcastle, North Tyneside, Gateshead, South Tyneside and Sunderland. They also have a number of regional and national specialist services.

Founded in 1968 and headquartered in Lytham, Lancashire; the Inenco Group (made up of Inenco and Inenco Direct — A company delivering energy services specifically to SME's) is one the UK's largest energy consultancies, providing Britain's biggest businesses with strategic energy solutions, from specialist procurement services to energy management. We procure more than 3 200 000 000 GBP of power and gas annually, making us the single largest third-party purchaser of energy in the country. Over 400 employees serve over 9 000 customers across the UK and Europe, from small businesses to major industrial and commercial energy users.

The primary requirement for this framework is a gas procurement solution, where clients are aggregated into a trade shape to enable consolidated trading of the commodity via the wholesale market. Depending on buying options (see paragraph below) the trading of an annual requirement will cease ahead of the first delivery day and therefore prices shall be translated into fully delivered costs on a site by site basis. However, there is a buying option for trading within each annual delivery period. Accordingly, the aggregated portfolios should allow a number of trading strategies.

Currently, Inenco operate 3 forwarding buying options, and one spot buying option within each portfolio. Contracting authorities should have the ability to apportion volume across the strategies and the ability to switch between the strategies, however, this will be controlled by Inenco and will be limited to set times of the year. At the end of the trading process, each portfolio should be de-aggregated providing individual meters with prices reflective of their individual load profile. Please note: For the forward buying options, the framework is for the provision of a 100 % base load product. Bidders should not submit their tender submission based on a 'Cash-Out' product. Please note that clients' may have daily metered (DM) or non-daily metered (NDM) or a mixture of both. DM data will be provided where applicable.

The framework is to cover call-off contracts made within England, Scotland and Wales, but excludes Northern Ireland.

The framework is available for use by all NHS organisations including, but not limited to, the following defined groups:

<https://www.gov.uk/government/publications/nhs-foundation-trust-directory/nhs-foundation-trust-directory>

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

<http://our.property.nhs.uk/>

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

<http://our.property.nhs.uk/>

<http://www.scot.nhs.uk/organisations/>

<http://www.nhsdirect.wales.nhs.uk/localservices/localhealthboards/>
<http://www.nhs.uk/pages/home.aspx>

Where an entity listed in the above defined groups is succeeded by another entity, the successor entity shall be deemed to be included in the defined groups list.

The framework is also available to all current and future members of the central purchasing body.

The established framework and all associated documents are subject to any future legislation and regulatory changes applicable to the supply of utilities.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Royal Courts of Justice

Postal address: The Strand

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

Telephone: +44 2079476000

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

This tender process will incorporate a minimum 10 calendar day standstill period at the point information on the award is communicated to tenderers. 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

26/10/2016