

United Kingdom-Southampton: Retail trade services
OJ S 221/2014 15/11/2014
Contract notice – utilities
Services

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: East Midlands Trains Limited
Postal address: Overline House Blechynden Terrace
Town: Southampton
Postal code: SO15 1AL
Country: United Kingdom
Contact person: Procurement Manager
For the attention of: Claire Johns
E-mail: cjohns@stagecoachrail.com
Telephone: +44 2380728185

Internet address(es):

General address of the contracting entity: www.eastmidlandstrains.co.uk

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from: the abovementioned address

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

On train catering logistics and retail operations.

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

Services

Service category No 17: Hotel and restaurant services

Main site or place of performance: Up to 4 service centres located at strategic points throughout the rail network and on board 170 train services per day.

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)

Subsidised operation covering the sourcing, supply and distribution of catering products and foodstuffs to train-side.

A fully managed retail service in standard class accommodation.

A trolley service Monday to Friday.

A buffet service at weekends, bank holidays and festive periods.

II.1.6. CPV code(s)

55900000 Retail trade services, 55522000 Catering services for transport enterprises

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: yes

Tenders may be submitted for one or more lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Lot 1 — sourcing, supply and distribution of catering products and foodstuffs to train-side.

Lot 2 — a fully managed retail service in standard class accommodation, a trolley service Monday to Friday and a buffet service at weekends, bank holidays and festive periods.

Lot 3 — one and two above combined.

Estimated value excluding VAT: 2 800 000 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

Start 1.7.2015 Completion 17.10.2017

Section III: Legal, economic, financial and technical information

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

Joint and several liability required.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

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: 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 of the Criminal Law Act 1977 where that conviction relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (b) Corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
- (c) The offence of bribery;
- (d) Fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, 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 and the Theft Act 1978;
 - (iv) Fraudulent trading within the meaning of section 458 of the Companies Act 1985;
 - (v) Defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;
 - (vi) An offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or;
 - (vii) Destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968.
- (e) Money laundering within the meaning of the Money Laundering Regulations 2003. 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 candidate'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 candidate;
 - (4) In the case of a consortium candidate, the names and legal status of each of its constituent members;
 - (5) Where applicable, the name of the ultimate holding company of the candidate;
 - (6) Where applicable, details of any groups of companies to which the candidate belongs.

III.2.2. Economic and financial ability

List and brief description of conditions: As set out in the PQQ.

III.2.3. Technical and professional ability

List and brief description of conditions: As set out in the PQQ.

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

On Train Catering / EMT / CJ

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: 28.11.2014 - 12:00

Payable documents: no

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

10.12.2014 - 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

The PQQ is available by e-mail only from cjohns@swtrains.co.uk
East Midlands Trains Limited reserves the right not to award any contract(s) pursuant to this notice. East Midlands Trains Limited 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

13.11.2014