

**United Kingdom-Newcastle upon Tyne: Railway construction works**  
**OJ S 175/2020 09/09/2020**  
**Contract notice – utilities**  
**Works**

**Legal Basis:**

Directive 2014/25/EU

---

**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Tyne and Wear PTE (t/a Nexus)  
Postal address: 33, St James' Boulevard  
Town: Newcastle upon Tyne  
NUTS code: UKC2 Northumberland and Tyne and Wear  
Postal code: NE1 4AX  
Country: United Kingdom  
Contact person: Corporate Procurement  
E-mail: [tenders@nexus.org.uk](mailto:tenders@nexus.org.uk)  
Telephone: +44 1912033446

**Internet address(es):**

Main address: [www.nexus.org.uk](http://www.nexus.org.uk)  
Address of the buyer profile: [www.nepo.org](http://www.nepo.org)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: [www.nepo.org](http://www.nepo.org)  
Additional information can be obtained from the abovementioned address  
Tenders or requests to participate must be submitted to the abovementioned address

**I.6. Main activity**

Recreation, culture and religion

---

**Section II: Object**

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

**II.1.1. Title**

NEX20/40 Infrastructure Works between Pelaw and Bede Stations, Collectively Forming the Metro Flow Programme  
Reference number: NEX20/40

**II.1.2. Main CPV code**

45234100 Railway construction works

**II.1.3. Type of contract**

Works

**II.1.4. Short description**

The Metro Flow Programme will deliver a fully dual tracked Metro Network delivering more capacity, more frequency and more resilience to the service by replacing the single-track

sections with double-track on the route between Pelaw and South Shields. The outline design Nexus commissioned unifies the two existing Network Rail and Metro infrastructures to create a single twin track alignment removing the three single track pinch points during a circa twelve week closure when Metro services will be suspended but a daily freight movement through the blockade will remain. At blockade hand back, the lines will be unified and pinch points removed. The successful Bidder will complete the multi-disciplinary design and manage the installation and commissioning which will affect both Network Rail and Metro infrastructure. The scheme is funded by the DfT's Transforming Cities Fund, which has a funding deadline of 31 March 2023 and the blockade will follow directly after the 2022 Great North Run.

#### **II.1.5. Estimated total value**

Value excluding VAT: 60 000 000,00 GBP

#### **II.1.6. Information about lots**

This contract is divided into lots: no

### **II.2. Description**

#### **II.2.2. Additional CPV code(s)**

45213320 Construction work for buildings relating to railway transport, 45234116 Track construction works, 45111000 Demolition, site preparation and clearance work, 60210000 Public transport services by railways

#### **II.2.3. Place of performance**

NUTS code: UKC2 Northumberland and Tyne and Wear

#### **II.2.4. Description of the procurement**

Nexus operate and maintain the Metro Network which serves a Tyne and Wear population of 1.13 million. The area includes key employment areas of Newcastle and Gateshead and Sunderland city centre hosting major retail, healthcare and higher education clusters. These locations are clusters of agglomeration for the region where much of its economic activity is concentrated and are a focus for commuting and leisure journeys. The Metro currently operates on two routes:

(i) the Airport to South Hylton (green line); and St James to South Shields (yellow line). Both lines have a twelve (12) minute daytime frequency with additional peak-time services.

These frequencies are the highest that can be delivered within the constraints imposed by existing infrastructure and rolling stock. Poor frequencies, longer journey times and overcrowding deter non-users from trying the Metro, so change is necessary to prepare for the future. To enable more frequent services to operate and to extend the network, a step-change in network resilience and capacity is required. These three themes define the metro flow programme.

The procurement of the metro flow programme is being conducted using the negotiated procedure in accordance with the provisions of the UCR as a single stage NEC4 Option C (Target Cost with Activity Schedule) design and construct contract.

This procurement will allow the award of a contract to design and construct twin track from Pelaw to Bede, utilising, and upgrading the divested Network Rail track that runs parallel. The successful bidder will provide all the infrastructure and services, testing and commissioning that are required to bring the dual track into Nexus operation. The scope of this Agreement will be generally as follows:

- review, develop and re-submit the Form A Outline Design and subsequent Form B Detailed Design for the works for approval by Nexus and Network Rail where appropriate;
- all structures to support W6a gauging and RA10 route availability;

- plain line infills will be installed between too the join the link the divested Network Rail line with the existing Metro lines;
- refurbishment of existing track;
- the third track which currently loops around the rear of both Hebburn and Jarrow station will be decommissioned and removed;
- all switches and crossings between Pelaw junction and Bede will be replaced to accommodate the new alignment;
- track drainage reviewed and replaced/updated as necessary;
- all underbridges will need to be strengthened to meet a rating capable of supporting Route Availability 10;
- the platforms at Jarrow and Hebburn Stations will need to be lowered to allow sufficient clearances to adjacent overbridges and new OLE clearances;
- troughing will be refurbished or installed to support the revised signalling installations;
- all existing overhead line will need to be raised to support W6a Gauging;
- overhead line will need to be installed over the Network Rail alignment which is being retained;
- the track will need to be re-signalled from Pelaw junction through to Bede to support the joint running of light and heavy rail; and
- Nexus' RTMS system will require updating to reflect the transfer of the Network Rail line to Nexus ownership.

#### **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: 60 000 000,00 GBP

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

Start: 13/09/2021 End: 28/02/2023

This contract is subject to renewal: no

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 4 Objective criteria for choosing the limited number of candidates:

Maximum number: 4, subject to section 1.8.4 of the Selection Questionnaire.

#### **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**

Nexus reserves the right not to instruct any additional scope items under the contract entered into the successful Bidder. Nexus also reserves the right to conduct a separate procurement in relation to the optional scope items. Nexus aims to award this bid in August/September 2021.

### **Section III: Legal, economic, financial and technical information**

### **III.1. Conditions for participation**

#### **III.1.2. Economic and financial standing**

Selection criteria as stated in the procurement documents

#### **III.1.4. Objective rules and criteria for participation**

List and brief description of rules and criteria:

Selection criteria as stated in the selection questionnaire.

#### **III.1.6. Deposits and guarantees required**

As referred to in the procurement documents.

#### **III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

As referred to in the procurement documents.

#### **III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

As referred to in the procurement documents.

## **Section IV: Procedure**

---

### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Negotiated procedure with prior call for competition

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

#### **IV.1.4. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

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

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2. Administrative information**

#### **IV.2.1. Previous publication concerning this procedure**

Notice number in the OJ S: [2020/S 137-338235](#)

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

Date: 05/10/2020 Local time: 12:00

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

Date: 16/11/2020

#### **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: 9 (from the date stated for receipt of tender)

## Section VI: Complementary information

---

### VI.1. Information about recurrence

This is a recurrent procurement: no

### VI.3. Additional information

### VI.4. Procedures for review

#### VI.4.1. Review body

Official name: Nexus

Town: Newcastle

Postal code: NE1 4AX

Country: United Kingdom

#### VI.4.2. Body responsible for mediation procedures

Official name: Royal Courts of Justice

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:

Nexus will incorporate a minimum of ten (10) calendar days standstill period at the point information on the award of the agreement is communicated to bidders. Bidders who are unsuccessful will be informed by Nexus as soon as possible after the decision has been made as to the reasons why they were unsuccessful. If an appeal regarding the award of the agreement has not been successfully resolved by Nexus, the UCR provides for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take action in the High Court (England, Wales, and Northern Ireland). Any such action must be brought promptly (generally within three (3) months). If a declaration of ineffectiveness is sought, any such action must be brought within thirty (30) days where Nexus has communicated the award of the agreement and a summary of reasons to applicants, or otherwise within six (6) months of the agreement being entered into. Where the agreement has not been entered into, the Court may order the setting aside of the award decision or order Nexus to amend any document and may award damages. If the agreement has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order Nexus to pay a fine, and/or order that the duration of the agreement be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the agreement is entered into.

### VI.5. Date of dispatch of this notice

04/09/2020