

**United Kingdom-Croydon: Financial leasing services**  
**OJ S 246/2013 19/12/2013**  
**Contract notice – utilities**  
**Services**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: Southern Railway Ltd  
Postal address: Go-Ahead House, 26-28 Addiscombe Road  
Town: Croydon  
Postal code: CR9 5GA  
Country: United Kingdom  
For the attention of: R. Aubrey  
E-mail: [rob.aubrey@go-ahead.com](mailto:rob.aubrey@go-ahead.com)  
Telephone: +44 2089298733

**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**

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**II.1. Description**

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

Refinancing and financing of rolling stock, spares and special tools by way of operating lease.

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

Services

Service category No 6: Financial services a) Insurances services b) Banking and investment services

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)**

During the course of 2013, Southern Railway Limited ("SR") undertook a process to procure new electric multiple units. The purpose of the new units is to provide capacity to enable future rolling stock cascades. The outcome of the process was the selection of Bombardier

Transportation ("BT") to supply 29 x 4-car 110 mph dual voltage class 387/1 units ("the Initial Order") together with associated capital spares and special tools. A manufacture and supply agreement ("MSA") was entered into by SR and BT on 30/07/2013. The MSA includes an option for the purchase of up to 140 additional class 387 vehicles. The value of the contract and options will be in the range of GBP 180m to GBP 500m. SR has made an initial payment to BT and is now seeking to refinance this and obtain finance for the remaining instalments, the purchase of capital spares and special tools and the option vehicles, should the option to purchase these be exercised.

**II.1.6. CPV code(s)**

66114000 Financial leasing 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**

The financing of 116 dual voltage electric multiple unit rail vehicles formed into 29 x 4 car sets, associated capital spares, special tools and option vehicles (up to 140 vehicles). The estimated range of value is GBP 180 million to GBP 500 million.

**II.2.2. Information about options**

**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**

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**III.1. Conditions related to the contract**

**III.1.1. Deposits and guarantees required**

To be stated in the tender documentation.

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

To be stated in the tender documentation.

**III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

The Utility reserves the right to require groupings of service providers to take a particular legal form or to require a single provider to take primary liability or to require each party to undertake joint and several liability (where relevant).

**III.1.4. Contract performance conditions**

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

Description of particular conditions: To be detailed in the tender documents. In particular potential tenderers should note that any contract arising from this notice will be subject to approval by the Department for Transport.

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

#### **III.2.2. Economic and financial ability**

List and brief description of conditions: In accordance with Regulation 27 of the Utilities Contracts Regulations 2006, in order to qualify to be invited to tender, respondents must submit a letter on headed notepaper, signed by a senior executive, confirming that the bidder can meet BOTH of the requirements specified below. Respondents who do not submit such a letter or submit a letter confirming that only one of the two criteria can be met will be disqualified.

- a) The tenderer has the capacity to refinance or finance (as the case may be): (a) all instalments made or to be made in respect of the Initial Order; (b) the option vehicles and (c) capital spares and special tools associated with the Initial Order and option vehicles.  
b) Subject to contractual documentation to be agreed, the tenderer confirms that it will assume residual value risk in the Initial Order, capital spares, special tools and any option vehicles financed.

#### **III.2.3. Technical and professional ability**

List and brief description of conditions: As per III.2.2.

#### **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**

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### **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**

#### **IV.3.2. Previous publication concerning this procedure**

#### **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**

28.1.2014

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

English.

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

#### **IV.3.7. Conditions for opening of tenders**

### **Section VI: Complementary information**

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#### **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**

Expressions of interest for this opportunity must be by way of the provision of all of the information requested in section III.2 by the closing date set out in IV.3.4. There will be no separate pre-qualification questionnaire. All correspondence should be directed to the contact point identified in I.1.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The utility will incorporate a standstill period at the point information on the award of the contract is communicated to bidders. The standstill period, which will be for a minimum period of 10 calendar days, provides for unsuccessful bidders to challenge the award decision before a contract is entered into. The Utilities Contracts Regulations 2006 provide for aggrieved parties who have been harmed or who are at risk of harm by a breach of the Regulations to take action in the High Court (England, Wales and Northern Ireland).

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

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

17.12.2013