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**United Kingdom-London: Energy and related services
2015/S 214-391299**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

Two contracting authorities: Greater London Authority (GLA) and Local Partnerships (LP)

Greater London Authority, City Hall, The Queen's Walk

Contact point(s): Agent (for the purposes of this procurement only): Crown Commercial Service (CCS), RE:FIT
SE1 2AA London

UNITED KINGDOM

Telephone: +44 3450103503

E-mail: refit3@crownccommercial.gov.uk

Internet address(es):

General address of the contracting authority: <https://www.london.gov.uk/> (GLA), <http://localpartnerships.org.uk/>
(LP)

Address of the buyer profile: <https://gpsesourcing.cabinetoffice.gov.uk>

Electronic access to information: <https://gpsesourcing.cabinetoffice.gov.uk>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

Body governed by public law

I.3) Main activity

Other: public procurement

I.4) Contract award on behalf of other contracting authorities

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

National Energy Performance Contracting Framework (RE:FIT).

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 12: Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services

Main site or location of works, place of delivery or of performance: United Kingdom.

NUTS code UK

II.1.3) **Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)**

The notice involves the establishment of a framework agreement

II.1.4) **Information on framework agreement**

Framework agreement with several operators

maximum number of participants to the framework agreement envisaged: 16

Duration of the framework agreement

Duration in years: 4

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT:

Range: between 0 and 1 500 000 000 GBP

II.1.5) **Short description of the contract or purchase(s)**

The Greater London Authority (GLA) and Local Partnerships (together referred to hereafter as the Contracting Authorities) are working with Crown Commercial Service (CCS), as the Agent noted in section 1, to establish a national energy performance contracting framework (this National Energy Performance Contracting Framework (RE:FIT) to be available for use by certain public sector bodies (as stated in this notice) wishing to achieve energy and/or carbon savings through implementing energy efficiency, and/or energy generation measures in their buildings or estates.

Further details can be found in the Invitation to Tender documentation.

The GLA will manage a programme delivery unit to support projects based substantially in London and Local Partnerships will support projects based substantially outside London.

II.1.6) **Common procurement vocabulary (CPV)**

71314000, 09121200, 09123000, 09300000, 09310000, 09323000, 09330000, 09331000, 09332000, 31000000, 31527200, 31527260, 31682000, 34928500, 34928510, 39370000, 39715000, 39717200, 42100000, 42122000, 42160000, 42500000, 44111520, 44115220, 44621200, 44622000, 45200000, 45210000, 45214000, 45215000, 45216000, 45250000, 45251000, 45251200, 45251220, 45251250, 45261900, 45300000, 45315000, 45315300, 45320000, 45321000, 45331000, 45421130, 50700000, 50710000, 50720000, 50721000, 51100000, 65400000, 65410000, 66000000, 71300000, 71312000, 71313000, 71314000, 71314200, 71314300, 71314310, 71315000, 71320000, 71321200, 71500000, 79993000, 90710000

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

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) **Lots**

This contract is divided into lots: no

II.1.9) **Information about variants**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

Supply of energy performance services to any public body with the aim of achieving energy and/or carbon savings through energy efficiency and/or energy generation measures. Under the terms of the Framework Agreement, the Service Provider will guarantee a set level of savings as part of any call off contract.

Further details can be found in the Invitation to Tender documentation.

The resultant agreement is for use by public sector bodies identified at VI.3) (and any future successors to these organisations), which include central government departments and their arm's length bodies and agencies, non-

departmental public bodies, NHS bodies and local authorities. No public sector body is committed to place an order under the Framework Agreement.

Estimated value excluding VAT:

Range: between 0 and 1 500 000 000 GBP

II.2.2) Information about options

Options: no

II.2.3) Information about renewals

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

Section III: Legal, economic, financial and technical information

III.1) Conditions relating to the contract

III.1.1) Deposits and guarantees required:

Potential Providers will be advised if this is necessary during the procurement. Parent company and/or other guarantees of performance and financial liability may be required if considered appropriate.

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

Potential Providers can refer to Section 5 within the Selection document (Attachment 3) for further financial conditions applicable to this procurement.

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

No special legal form is required but if a contract is awarded to a Group of Economic Operators, the Contracting Authorities may require the formation of a legal entity before entering into the Framework Agreement.

III.1.4) Other particular conditions

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

III.2) Conditions for participation

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if the requirements are met: Potential Providers will be assessed in accordance with —Section 5 of the Public Contracts Regulations 2015 implementing the Directive on the basis of information provided in response to an Invitation to Tender ('ITT').

This procurement will be managed electronically via Crown Commercial Service's e-Sourcing Suite. To participate in this procurement, Potential Providers must first be registered on the e-Sourcing Suite.

If you have not yet registered on the eSourcing Suite, this can be done online at <https://gpsesourcing.cabinetoffice.gov.uk> by following the link 'Register for CCS eSourcing'. Please note that, to register, you must have a valid D-U-N-S number (as provided by Dun and Bradstreet) for the organisation which you are registering, who will be entering into a contract if invited to do so. Full instructions for registration and use of the system can be found at

<http://ccs.cabinetoffice.gov.uk/i-am-supplier/respond-tender>

Once you have registered on the eSourcing Suite, a registered user can express an interest for a specific procurement. This is done by emailing expressionofinterest@crownccommercial.gov.uk

Your email must clearly state: the name and reference for the procurement you wish to register for; the name of the registered Potential Provider; and the name and contact details for the registered individual sending the email. Crown Commercial Service will process the email and then enable the Potential Provider to access the procurement online via the e-Sourcing Suite. The registered user will receive a notification email to alert them once this has been done.

As a user of the e-Sourcing Suite you will have access to Emptoris email messaging service which facilitates all messages sent to you and from you in relation to any specific RFX event. Please note it is your responsibility to access these emails on a regular basis to ensure you have sight of all relevant information.

For technical assistance on use of the e-Sourcing Suite please contact the Authority's helpdesk email:

eenablement@crownccommercial.gov.uk

Responses must be published by the date in IV.3.4).

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

Information and formalities necessary for evaluating if the requirements are met: Potential Providers will be assessed on the basis of information provided in response to an ITT.

The ITT can be accessed at: <https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1)

The Contracting Authorities may take into account any of the following information:

- i. a financial statement for the past 2 years; or
- ii. an alternative means of demonstrating financial status if trading for less than a year.

Minimum level(s) of standards possibly required: Participants can refer to Section 5 within the Selection document (Attachment 3) for further financial conditions applicable to this procurement.

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if the requirements are met:

Potential Providers will be assessed in accordance with Section 5 of the Regulations implementing the Directive, on the basis of information provided in response to an ITT.

The ITT can be accessed at: <https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1).

The Contracting Authorities may have regard to any of the following means in their assessment:

Details of up to 3 contracts where similar requirements to those sought under this Procurement have been performed which must demonstrate at least 2 of the following 3 elements:

- a project with a total contract value of between 250 000 GBP and 2 000 000 GBP.
- a project in the public sector.
- a project with a contract value of over 1 000 000 GBP.

Minimum level(s) of standards possibly required:

As specified in the Selection questionnaire (Attachment 3).

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) **Staff responsible for the execution of the service**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: no

Section IV: Procedure

IV.1) **Type of procedure**

IV.1.1) **Type of procedure**

Open

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**

IV.2) Award criteria

IV.2.1) Award criteria

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

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 authority:

RM3768

IV.3.2) Previous publication(s) concerning the same contract

Prior information notice

Notice number in the OJEU: [2015/S 186-337142](#) of 25.9.2015

IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

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

14.12.2015 - 12:00

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

English.

IV.3.7) Minimum time frame during which the tenderer must maintain the tender

in days: 120 (from the date stated for receipt of tender)

IV.3.8) Conditions for opening of tenders

Date: 14.12.2015 - 12:00

Place:

Electronically, via e-tendering tool.

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: no

VI.2) Information about European Union funds

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) Additional information

Potential Providers should note that, in accordance with the Government's policies on transparency, Crown Commercial Service intends to publish the Invitation to Tender (ITT) document, and the text of any Framework Agreements awarded, subject to possible redactions at the discretion of the Contracting Authorities. The terms of the proposed Framework Agreements will also permit a public sector contracting authority, awarding a contract under these Framework Agreements, to publish the text of that contract, subject to possible redactions at the discretion of the contracting authority. Further information on transparency can be found at:

<http://ccs.cabinetoffice.gov.uk/about-government-procurement-service/transparency-and-accountability/transparency-procurement>

The Contracting Authorities expressly reserve the right (i) not to award any contract as a result of the procurement process commenced by publication of this notice; and (ii) to make whatever changes they may see fit to the content and structure of the tendering competition; and in no circumstances will the Contracting Authorities be liable for any costs incurred by the Potential Providers. If the Contracting Authorities decide to

enter into Framework Agreement with the successful bidder/s, this does not mean that there is any guarantee of subsequent contracts being awarded. Any expenditure, work or effort undertaken prior to contract award is accordingly a matter solely for the commercial judgement of Potential Providers. Any orders placed under these Framework Agreements will form a separate contract under the scope of the Frameworks between the service provider and the specific requesting other contracting body. The Contracting Authorities and other contracting bodies utilising the Framework reserve the right to use any electronic portal during the life of the agreement. The duration referenced in Section II.1.4) is for the placing of orders.

The value provided in Section II.1.4) is only an estimate. We cannot guarantee to suppliers any business through the Framework Agreements.

Crown Commercial Service and the Contracting Authorities wish to establish the Framework Agreement for use by the following public sector bodies (and any future successors to these organisations):

A full list of potential customers can be found here:

Central government departments, local government and public corporations that can be accessed at the Public Sector Classification Guide:

<http://www.ons.gov.uk/ons/rel/na-classification/national-accounts-sector-classification/index.html>

Local authorities (England and Wales)

<http://www.idea.gov.uk/idk/org/la-data.do>

www.ubico.co.uk

Non-departmental public bodies

<https://www.gov.uk/government/organisations>

National parks authorities

<http://www.nationalparks.gov.uk/>

Educational establishments in England and Wales, maintained by the Department for Children, Schools and Families including schools, universities and colleges but not independent schools

<http://www.education.gov.uk/edubase/home.xhtml>

Police forces in the United Kingdom

<https://www.police.uk/contact/force-websites/>

Police forces and special police forces in the United Kingdom, and/or police and crime commissioners (as defined by the Police Reform and Social Responsibility Act 2011) and/or the Police Authorities (as defined in the Police Act 1964, Police Act 1996, Serious Organised Crime and Police Act 2005, Police and Justice Act 2006, Police, Public Order and Criminal Justice (Scotland) Act 2006), and other relevant legislation for the constituent parts of the United Kingdom, for their respective rights and interests

Fire and rescue services in the United Kingdom.

<http://www.fireservice.co.uk/information/ukfrs>

<http://www.nifrs.org/areas-districts/>

<http://www.firescotland.gov.uk/your-area.aspx>

NHS bodies England.

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

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

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

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

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

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

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

Hospices in the UK.

<http://www.helpthehospices.org.uk/about-hospice-care/find-a-hospice/uk-hospice-and-palliative-care-services>
Registered social landlords (housing associations).

<https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>

Third sector and charities in the United Kingdom.

<http://www.charitycommission.gov.uk/find-charities/>

<http://www.oscr.org.uk/search-charity-register/>

<https://www.charitycommissionni.org.uk/ShowCharity/RegisterOfCharities/RegisterHomePage.aspx>

<http://socialenterprise.org.uk/membership/our-members/members-directory>

<http://www.sporta.org/member-directory>

Citizens Advice in the United Kingdom.

<http://www.citizensadvice.org.uk/index/getadvice.htm>

www.cas.org.uk

<http://www.citizensadvice.co.uk/>

Scottish public bodies.

The Framework Agreement will be available for use by any Scottish public sector body: the Authority; Scottish non-departmental public bodies; offices in the Scottish Administration which are not ministerial offices; cross-border public authorities within the meaning of section 88(5) of the Scotland Act 1998; the Scotland Office; the Scottish Parliamentary Corporate Body; councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (except where they are acting in their capacity as educational authority); Scottish joint fire boards or joint fire and rescue boards; Scottish joint police boards or any successor National Police or Fire Authority; Scottish National Park authorities, bodies registered as social landlords under the Housing (Scotland) Act 2001, Scottish health boards or special health boards, Student Loans Company Limited, Northern Lighthouse Board, further or higher education institutions being fundable bodies within the meaning of section 6 of the Further and Higher Education (Scotland) Act 2005 any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament, any association of or formed by one or more of the foregoing, bodies financed wholly or mainly by one or more of the foregoing, bodies subject to management supervision by 1 or more of the foregoing and bodies more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, being appointed by one or more of the foregoing.

Scottish Government.

<http://www.gov.scot>

Scottish Parliament.

<http://www.scottish.parliament.uk/abouttheparliament/27110.aspx>

Scottish local authorities.

<http://www.gov.scot/About/Government/councils>

<http://www.scotland.org.uk/home/AboutUs/OurMembers/AssociateMembers.aspx>

Scottish agencies, non-departmental public bodies

<http://www.gov.scot/Topics/Government/public-bodies/about/Bodies>

Scottish NHS bodies.

<http://www.gov.scot/Topics/Health/NHS-Workforce/NHS-Boards>

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

Scottish further and higher education bodies.

<http://www.universities-scotland.ac.uk/index.php?page=members>

<http://www.collegesscotland.ac.uk/member-colleges.html>

http://www.sfc.ac.uk/aboutus/council_funded_institutions/WhoWeFundColleges.aspx

Scottish Police.

<http://www.scotland.police.uk/your-community/>

Scottish housing associations.

http://www.sfha.co.uk/component/option,com_membersdir/Itemid,149/view,membersdir/

The Scotland Office.

<https://www.gov.uk/government/organisations/scotland-office>

Registered social landlords (housing associations) — Scotland.

http://www.esystems.scotishhousingregulator.gov.uk/register/reg_pub_dsp.search

Scottish primary schools.

<http://www.educationscotland.gov.uk/parentzone/myschool/findaschool/index.asp>

Scottish secondary schools.

<http://www.educationscotland.gov.uk/parentzone/myschool/findaschool/index.asp>

Scottish special schools.

<http://www.educationscotland.gov.uk/parentzone/myschool/findaschool/index.asp>

Welsh public bodies.

National Assembly for Wales, Welsh Assembly Government and Welsh local authorities, and all bodies covered by:

<http://www.assembly.wales/en/Pages/Home.aspx>

<http://gov.wales>

NHS Wales.

<http://www.wales.nhs.uk/ourservices/directory>

Housing associations — registered social landlords Wales

<http://gov.wales/topics/housing-and-regeneration/publications/registered-social-landlords-in-wales/?lang=en>

Universities in Wales.

<http://www.uniswales.ac.uk/universities/>

Colleges in Wales.

http://www.collegeswales.ac.uk/en-GB/wales_colleges-42.aspx

Schools in Wales (nursery, primary, middle, secondary, special, independent schools and pupil referral units).

<http://gov.wales/statistics-and-research/address-list-of-schools/?lang=en>

NI public bodies.

Northern Ireland government departments.

<http://www.northernireland.gov.uk/gov.htm>

Northern Ireland public sector bodies and local authorities.

<http://www.northernireland.gov.uk/az2.htm>

Schools in Northern Ireland.

<http://www.nidirect.gov.uk/index/do-it-online/parents-online/find-schools-and-nurseries.htm>

Universities in Northern Ireland.

<http://www.deni.gov.uk/links.htm#colleges>

Health and social care in Northern Ireland.

<http://www.hscni.net/>

Northern Ireland housing associations.

<http://www.nidirect.gov.uk/index/contacts/contacts-az.htm/housing-associations-contact>

Police Service of Northern Ireland.

<http://www.psni.police.uk/index.htm>

All other contracting authorities cited by name in Schedule 1 to the Public Contracts Regulations 2015.

All other contracting authorities cited by class in Schedule 1 to the Public Contracts Regulations 2015.

Any corporation established, or a group of individuals appointed to act together, for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and

(i) financed wholly or mainly by another contracting authority listed above in this section VI.3) of this notice;

(ii) subject to management supervision by another public sector body listed above in this section VI.3) of this notice; or

(iii) more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, are appointed by another public sector body listed above in this section VI.3) of this notice;

(iv) an association of or formed by one or more of the public sector bodies listed above in this section VI.3) of this notice.

Entities which are not public sector bodies may also use the Framework Agreements if the Contracting Authority is satisfied that:

— such entity is calling-off goods and services directly, solely and exclusively in order to satisfy contractual obligations to one or more public sector bodies, all of which are entitled to use the Framework Agreements on their own account;

— all goods to be called-off by it are to be used directly, solely and exclusively to provide energy at sites occupied by such public sector body(ies); and

— it will pass the benefit of the call-off contract to such public sector body(ies) directly, in full and on a purely 'pass-through' basis. Accordingly there must be no mark-up, management fee, service charge or any similar cost solely in relation to the supply of energy imposed on the relevant public sector body(ies), who must be able to benefit from the terms of the Framework Agreements in a like manner and to the same extent as if using the Framework Agreements on its/their own account.

From 2.4.2014 the Government introduced the new Government Security Classifications (GSC) classification scheme to replace the current Government Protective Marking Scheme (GPMS). A key aspect of this is the reduction in the number of security classifications used. All potential Suppliers should make themselves aware of the changes as it may impact on this Requirement. The link below to the Gov.uk website provides information on the new GSC:

<https://www.gov.uk/government/publications/government-security-classifications>

Please refer to the CCS website.

<https://www.gov.uk/government/organisations/crown-commercial-service>

Please refer to the CCS website.

<http://ccs.cabinetoffice.gov.uk/i-am-supplier/supplier-guidance-supporting-information/complaints-during-procurement-process>

For information about how complaints are handled during the procurement process.

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: There is no right of appeal in this procurement. If you have a complaint or seek to challenge the outcome, please follow the guidance on procedure contained in the previous section.

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

VI.5) **Date of dispatch of this notice:**

2.11.2015