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Planning

## **ScotRail Franchise Temporary Measures Agreement (Regulation 1370/2007)**

Transport Scotland

F01: Prior information notice

Prior information only

Notice identifier: 2021/S 000-003903

Procurement identifier (OCID): ocids-h6vhtk-0296a7

Published 26 February 2021, 12:48pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Transport Scotland

Buchanan House, 58 Port Dundas Road

Glasgow

G4 0HF

#### **Contact**

Raymond Convill

#### **Email**

[TSTMAMarch22@transport.gov.scot](mailto:TSTMAMarch22@transport.gov.scot)

#### **Telephone**

+44 1412727444

**Country**

United Kingdom

**NUTS code**

UKM - SCOTLAND

**Internet address(es)**

Main address

<http://www.transport.gov.scot>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00099](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00099)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

Additional information can be obtained from the above-mentioned address

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

General public services

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**Section II: Object**

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

### **II.1.1) Title**

ScotRail Franchise Temporary Measures Agreement (Regulation 1370/2007)

### **II.1.2) Main CPV code**

- 60200000 - Railway transport services

### **II.1.3) Type of contract**

Services

### **II.1.4) Short description**

T-01 Rail transport services

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

This contract is divided into lots: No

## **II.2) Description**

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

- 60210000 - Public transport services by railways
- 34620000 - Rolling stock
- 34622200 - Railway passenger coaches
- 34622400 - Railway carriages
- 45234112 - Railway depot construction work
- 80530000 - Vocational training services

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

NUTS codes

- UKM - SCOTLAND

Main site or place of performance

Scotland

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

### **Introduction**

Transport Scotland, on behalf of The Scottish Ministers, entered into Emergency Measures Agreement arrangements (EMA) with Abellio ScotRail Limited from 1st March 2020 in respect of the ScotRail Passenger Services Franchise, following the occurrence of the COVID-19 pandemic. It is possible that the EMA may be in place for up to two years from that date.

Thereafter Transport Scotland, on behalf of The Scottish Ministers, may, depending on matters including the scale and pace of the recovery from the impact of the COVID-19 pandemic (which remains uncertain) and the consequences of the same for ScotRail Passenger Services, wish to be able to make a direct award of a Public Service Contract to Abellio ScotRail Limited under Article 5(3a) of Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road as amended (retained EU Law) (Temporary Measures Agreement). Such a Temporary Measures Agreement may be necessary as a result of the COVID-19 pandemic and its consequences for rail passenger services provided in respect of the ScotRail Passenger Services Franchise.

The current Franchise Agreement (FA) between Scottish Ministers and Abellio ScotRail Limited is due to expire as of 31st March 2022.

More information can be found on Transport Scotland's website:

<https://www.transport.gov.scot/public-transport/rail/scotrail-franchise/>

The terms of the Temporary Measures Agreement would vary the terms of the current FA, to address continuing consequences of the COVID-19 pandemic, similarly to the variations made under the EMA.

As an alternative to the above and depending on the circumstances, Transport Scotland, on behalf of The Scottish Ministers may wish to be able to make a direct award of a Temporary Measures Agreement under Article 5(6) of Regulation (EC) No 1370/2007.

## **II.3) Estimated date of publication of contract notice**

27 February 2021

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## **Section IV. Procedure**

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

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

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section VI. Complementary information**

### **VI.3) Additional information**

As set out in this PIN, a direct award of a Temporary Measures Agreement, if made as envisaged in this notice, would follow on from the expiry of any EMA that may be in place after 2 years from 1st March 2020. On that basis a Temporary Measures Agreement would be directly awarded for a one month period (March 2022), with the possibility of an extension by up to 7 (monthly) Reporting Periods, in the event that the FA is extended in accordance with its terms (by up to the same period).

Envisaged start date and the duration of the contract:-

Start: 1st March 2022

Duration in months: 1

(SC Ref:644470)