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Tender

Framework Agreement for the Provision of Advertising, Creative Design & Media Buy Services '21

Phoenix Natural Gas Ltd

F05: Contract notice – utilities

Notice identifier: 2021/S 000-005577

Procurement identifier (OCID): ocds-h6vhtk-029d3a

Published 18 March 2021, 10:56pm

Section I: Contracting entity

I.1) Name and addresses

Phoenix Natural Gas Ltd

197 Airport Road West

Belfast

BT3 9ED

Contact

Chris Losty

Email

christopher.losty@phoenixgroupni.com

Telephone

+44 2890555817

Country

United Kingdom

NUTS code

UKN0 - Northern Ireland

Internet address(es)

Main address

www.phoenixnaturalgas.com

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://e-sourcingni.bravosolutions.co.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://e-sourcingni.bravosolutions.co.uk>

Tenders or requests to participate must be submitted to the above-mentioned address

I.6) Main activity

Production, transport and distribution of gas and heat

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Framework Agreement for the Provision of Advertising, Creative Design & Media Buy Services '21

Reference number

Project Ref: 26181

II.1.2) Main CPV code

- 79341100 - Advertising consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

The proposed Framework Agreement involves the delivery of advertising, creative design and the related purchase of appropriate media on behalf of Phoenix Natural Gas and associated Companies. The purpose will be to continue to develop the brand of the Phoenix Natural Gas product with particular emphasis (but not exclusivity) towards the domestic, owner occupier consumer in the Northern Ireland marketplace.

II.1.5) Estimated total value

Value excluding VAT: £3,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 79340000 - Advertising and marketing services

- 79341000 - Advertising services
- 79341100 - Advertising consultancy services

II.2.3) Place of performance

NUTS codes

- UKN06 - Belfast

II.2.4) Description of the procurement

The combined spend on Advertising, Creative Design and Media purchasing is estimated to be in the region of approximately £400,000 per year. The proposed Contract duration shall initially be for three years with optional extension provision(s) that may, upon invocation by the Utility, extend this period for an additional five years - i.e. the maximum duration of the Framework Agreement being up to eight years. The total potential value of the contract is therefore estimated to be around £3M. Phoenix does not, however, provide any commitment, guarantee nor otherwise warrant that it will purchase any minimum level of services in any year. Phoenix reserves the right to adjust its purchasing requirements based on operational requirements during the term of the contract.

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: £3,000,000

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

Duration in months

96

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: 6

Objective criteria for choosing the limited number of candidates:

It would be anticipated that no more than six of the top scoring Applicants from the PQQ stage will be invited to proceed to the next, Invitation to Tender (ITT), stage. However, should the PQQ process result in less than six Applicants scoring much more than the remaining Applicants then only the higher scoring group will be invited to proceed to the ITT stage - irrespective of the total number involved. i.e. the Utility may invite less than six Applicants to proceed to the ITT stage should there be a clear distinction in perceived capability & experience.

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

Phoenix reserves the right at any time to:

- reject any or all responses and to cancel or withdraw from this procurement at any stage,
- award a contract without prior notice,
- change the basis, the procedures and timescales set out or referred to within the procurement documents,
- require a bidder to clarify any submissions in writing and/or provide additional information.

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.1.3) Technical and professional ability

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

Interested Parties should search for the relevant project at <https://e-sourcingni.bravosolutions.co.uk>. For those wishing to participate, they

must first complete and submit the relevant pre-qualification questionnaire (PQQ) on, or before, the due date. Phoenix shall draw up a short-list of those entities that are capable of delivering its requirements based upon the completed PQQ received. Those entities that meet the short-listing criteria set out within the PQQ will then be invited to the tender stage which shall involve the completion and submission of, on or before a pre-determined time and date, an Invitation to Tender document. The responses submitted shall be evaluated and a further short-list may be drawn up from which a presentation/ negotiation stage may follow. Ultimately the most economically advantageous tender(s) will (subject to Phoenix's ability to terminate the tender process at any time at its discretion) be awarded the contract(s).

III.1.6) Deposits and guarantees required

Phoenix reserves the right to require bonds, deposits, guarantees or other forms of undertaking or security to ensure proper contractual performance.

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

As stated in the tender documentation.

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

Subject to the status and involvement of the parties, Phoenix may require the parties to commit to joint and several liability in respect of the contract. Alternatively, Phoenix may require the lead operator to take total responsibility or a consortium to form a legal entity before entering into any contract.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

As stated in the tender documentation.

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

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

In the case of framework agreements, provide justification for any duration exceeding 8 years:

The maximum anticipated duration shall not exceed 8 years.

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

Date

23 April 2021

Local time

1:00pm

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

30 April 2021

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: 6 (from the date stated for receipt of tender)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

This contract is being procured competitively in accordance with the Utilities Contracts Regulations 2016 (as amended). The procedure to be followed for this procurement is the negotiated procedure. The costs of responding to this notice and participation in the process will be borne by each participating entity. All discussions and correspondence will be deemed strictly subject to contract until a formal contract is entered into. The formal contract shall not be binding until it has been signed and dated by the duly authorised representatives of both parties.

VI.4) Procedures for review

VI.4.1) Review body

High Court of Justice in Northern Ireland

Royal Courts of Justice, Chichester Street

Belfast

BT1 3JF

Email

office@courtsni.gov.uk

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Phoenix will incorporate a minimum 10 calendar day standstill period at the point information on the award of contract is communicated to all participating entities. The standstill period provides time for unsuccessful participating entities to challenge the award decision before the contract is entered into. The Utilities Contracts Regulations 2016 (as amended) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (Northern Ireland).