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Award

Extension of rolling stock lease with Eversholt Rail Limited for Class 185 vehicles that are already operated on the TPE rail network.

FIRST TRANSPENNINE EXPRESS LIMITED

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-009111

Procurement identifier (OCID): ocids-h6vhtk-03b6f2

Published 29 March 2023, 11:45am

Section I: Contracting authority/entity

I.1) Name and addresses

FIRST TRANSPENNINE EXPRESS LIMITED

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London

W2 1AF

Contact

Stephen Stewart

Email

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Country

United Kingdom

Region code

UKI32 - Westminster

Companies House

09111801

Internet address(es)

Main address

www.tpexpress.com

I.6) Main activity

Railway services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Extension of rolling stock lease with Eversholt Rail Limited for Class 185 vehicles that are already operated on the TPE rail network.

II.1.2) Main CPV code

- 60200000 - Railway transport services

II.1.3) Type of contract

Services

II.1.4) Short description

In preparation for an award of a National Rail Contract from the Department for Transport to Transpennine Express Limited (operated by First Group), it is intended to extend the rolling stock lease with Eversholt Rail Limited for the fleets of trains currently under lease with Eversholt Rail Limited. The leases are expected to be extended in accordance with paragraph II.2.4 below.

The Contracting Authority will observe a 10 day standstill period from the date of issue of

this notice prior to entering into the lease extensions with Eversholt Rail Limited.

The Standstill Period will end on 10th April 2023.

Please see PIN Ref (published by DfT) : 2022/S 000-006951 Dated 15th March 2022.

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKD - North West (England)
- UKE - Yorkshire and the Humber
- UKG - West Midlands (England)
- UKM - Scotland

Main site or place of performance

Services operated between

- Saltburn / Newcastle / Scarborough / Hull / Cleethorpes and Manchester / Liverpool

II.2.4) Description of the procurement

The Contracting Authority intends to extend the rolling stock leases in accordance with Regulation 50(1)(c)(ii) of the Utilities Contract Regulations 2016 for technical reasons. This is because there is no other UK based fleets available in sufficient quantities or within the requisite timeframe to meet TPE's needs for the National Rail Contract.

TPE intend to award a lease extension with Eversholt Rail Limited for the Class 185 rolling stock. The current lease expires in May 2023 and it is intended to extend the lease until May 2028 with a with a further 4 year option until May 2031 or an option to extend the lease from May 2023 to May 2031.

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

1. This is because there is no other UK based fleets available in sufficient quantities or within the requisite timeframe to meet TPE's needs for the National Rail Contract. We have considered other similar rolling stock and have noted that they are either on lease for a long period with other Operators or there is not enough rolling stock in sufficient quantities to replace the Class 185's.
2. Furthermore, the introduction of alternative rolling stock would require route approvals, including but not limited to, gauge clearance and TOC related infrastructure changes. These approvals and changes would not be finalised within the requisite timescales and TPE cannot operate with a gap in its services.

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

29 March 2023

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court

London

Country

United Kingdom