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Contract

## **Train Services Agreement relating to the maintenance of Class 385 Train Units**

ScotRail Trains Limited .

F20: Modification notice

Notice identifier: 2025/S 000-011874

Procurement identifier (OCID): ocds-h6vhtk-04cc59

Published 28 March 2025, 4:58pm

### **Section I: Contracting authority/entity**

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

ScotRail Trains Limited .

Atrium Court, 50 Waterloo Street

Glasgow

G2 6HQ

#### **Contact**

Rhona Milligan

#### **Email**

[rhona.milligan1@scotrail.co.uk](mailto:rhona.milligan1@scotrail.co.uk)

#### **Telephone**

+44 7771341526

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<https://www.scotrail.co.uk/>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA30589](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30589)

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## **Section II: Object**

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

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

Train Services Agreement relating to the maintenance of Class 385 Train Units

Reference number

SR-PACT-PROJ-205

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

- 50222000 - Repair and maintenance services of rolling stock

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

Services

### **II.2) Description**

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Glasgow/Edinburgh, Scotland

#### **II.2.4) Description of the procurement at the time of conclusion of the contract:**

SRT intends to modify the TSA to extend the end date to 31 March 2032 and make incidental changes as necessary to effect the extended end date and reflect the updated regulatory landscape. Viewed in the context of the TSA the modification is not considered to be substantial within the meaning of Regulation 86(1)(e) of the Utilities Contracts (Scotland) Regulations 2016 (UCSR). In any event, the modification is permitted by Regulation 86(1)(b) UCSR because a change of maintainer could not be made for economic or technical reasons and would cause significant inconvenience and/or substantial duplication of costs for ScotRail. Hitachi is the only maintainer with the necessary depot facilities, technical systems and capacity to provide the Services when the TSA terminates on 31 March 2025.

Hitachi has exclusive rights to perform light maintenance services at the relevant depot (Craigentinny Depot, Edinburgh) pursuant to Section 8 of the Railways Act 1993, and ScotRail considers that the light and heavy maintenance services are not separable. ScotRail considers that the extension is the optimum period needed to allow it to continue to provide vital rail services.

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

Duration in months

84

#### **II.2.13) Information about European Union Funds**

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

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.1) Contract award notice concerning this contract**

Notice number: [2024/S 000-041279](#)

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## **Section V. Award of contract/concession**

### **Contract No**

SRT-PACT-PROJ-205/SR-PACT-CONT-0091

### **Title**

Train Services Agreement relating to the maintenance of Class 385 Train Units

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract/concession award decision:**

27 March 2025

#### **V.2.2) Information about tenders**

The contract/concession has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Hitachi Rail Europe

Floor 7, 1 New Ludgate, 60 Ludgate Hill

London

EC4M 7AW

Telephone

+44 0000000000

Fax

+44 0000000000

Country

United Kingdom

NUTS code

- UKI - London

The contractor/concessionaire is an SME

No

**V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £205,276,708.46

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**Section VI. Complementary information**

**VI.3) Additional information**

For the avoidance of doubt this contract has been awarded to Hitachi Rail Limited (05598549) which is noted within PCS as Hitachi

Rail Europe.

(SC Ref:794627)

**VI.4) Procedures for review**

**VI.4.1) Review body**

High Court of Justiciary

Justiciary Buildings, 1 Mart Street, Saltmarket

Glasgow

G1 5JT

Country

United Kingdom

**VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

In accordance with Part 5 (Remedies) of The Utilities Contracts (Scotland) Regulations 2016.

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 50222000 - Repair and maintenance services of rolling stock

#### **VII.1.2) Additional CPV code(s)**

- 34600000 - Railway and tramway locomotives and rolling stock and associated parts

#### **VII.1.3) Place of performance**

NUTS code

- UKM - Scotland

Main site or place of performance

Glasgow/Edinburgh, Scotland

#### **VII.1.4) Description of the procurement:**

SRT modified the TSA to extend the end date to 31 March 2032 and made incidental changes as necessary to effect the extended end date and reflect the updated regulatory landscape. Viewed in the context of the TSA the modification is not considered to be substantial within the meaning of Regulation 86(1)(e) of the Utilities Contracts (Scotland) Regulations 2016 (UCSR). In any event, the modification is permitted by Regulation 86(1)(b) UCSR because a change of maintainer could not be made for economic or technical reasons and would cause significant inconvenience and/or substantial duplication of costs for ScotRail. Hitachi is the only maintainer with the necessary depot facilities, technical systems and capacity to provide the Services when the TSA terminates on 31 March 2025.

Hitachi has exclusive rights to perform light maintenance services at the relevant depot (Craigentinny Depot, Edinburgh) pursuant to Section 8 of the Railways Act 1993, and ScotRail considers that the light and heavy maintenance services are not separable. ScotRail considered that the extension is the optimum period needed to allow it to continue to provide vital rail services.

#### **VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Duration in months

### **VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£205,276,708

### **VII.1.7) Name and address of the contractor/concessionaire**

Hitachi Rail Europe

Floor 7, 1 New Ludgate, 60 Ludgate Hill

London

EC4M 7AW

Country

United Kingdom

NUTS code

- UKI - London

The contractor/concessionaire is an SME

No

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

SRT has modified the TSA to extend the end date to 31 March 2032 and made incidental changes as necessary to effect the extended end date and reflect the updated regulatory landscape. Viewed in the context of the TSA the modification is not considered to be substantial within the meaning of Regulation 86(1)(e) of the Utilities Contracts (Scotland) Regulations 2016 (UCSR). In any event, the modification is permitted by Regulation 86(1)(b) UCSR because a change of maintainer could not be made for economic

or technical reasons and would cause significant inconvenience and/or substantial duplication of costs for ScotRail. Hitachi is the only maintainer with the necessary depot facilities, technical systems and capacity to provide the Services when the TSA terminates

on 31 March 2025. Hitachi has exclusive rights to perform light maintenance services at the relevant depot (Craigentinny Depot, Edinburgh) pursuant to Section 8 of the Railways Act 1993, and ScotRail considers that the light and heavy maintenance services are not separable. ScotRail considers that the extension is the optimum period needed to allow it to continue to provide vital rail services.

### **VII.2.2) Reasons for modification**

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

A change of maintainer could not be made for economic or technical reasons and would cause significant inconvenience and/or substantial duplication of costs for ScotRail. This is due to Hitachi being the only maintainer with the necessary depot facilities, technical systems and capacity to provide the Services when the TSA terminates on 31 March 2025. Hitachi has exclusive rights to perform light maintenance services at the relevant depot (Craigentinny Depot, Edinburgh) pursuant to Section 8 of the Railways Act 1993, and ScotRail considers that the light and heavy maintenance services are not separable. ScotRail considers that the extension is the optimum period needed to allow it to continue to provide vital rail services.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £205,276,708

Total contract value after the modifications

Value excluding VAT: £205,276,708