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Award

Technical support of New Rolling Stock and Associated Services

Nexus

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-016751

Procurement identifier (OCID): ocds-h6vhtk-02c8e1

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Section I: Contracting authority/entity

I.1) Name and addresses

Nexus

33 St James' Blvd

Newcastle upon Tyne

NE14AX

Contact

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Email

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Telephone

+44 7879667318

Country

United Kingdom

NUTS code

UKC - North East (England)

Internet address(es)

Main address

www.nexus.org.uk

I.6) Main activity

Urban railway, tramway, trolleybus or bus services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Technical support of New Rolling Stock and Associated Services

II.1.2) Main CPV code

- 71311200 - Transport systems consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

A zero based framework for consultancy service framework arrangement to provide support to Nexus in the procurement of new rolling stock and associated services.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £1

II.2) Description

II.2.2) Additional CPV code(s)

- 71311200 - Transport systems consultancy services

II.2.3) Place of performance

NUTS codes

- UKC - North East (England)

II.2.4) Description of the procurement

Technical support service.

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Nexus relies of Regulation 50 (c) (ii) of the Utilities Regulations 2016 to enter into a services contract with MML using the negotiated procedure without prior call to competition. The services under this contract can only by supplied by MML as competition is absent for technical reasons and no reasonable alternative or substitute exists.

Nexus has entered into agreements with one supplier for all the elements of the delivery of its Metro Fleet Replacement Programme (the Programme) for the design, manufacture and supply of the new trains, the construction of a new depot, the maintenance of the existing fleet and the maintenance of the new fleet.

MML was first appointed to consult on this complex Programme in 2016 and has been involved in the development of the contacting and procurement strategies, the

development of technical specifications, modelling and analysis, the procurement process and the initial and final design phases of the new fleet. MML therefore holds intrinsic knowledge of the technical proposals, designs and plans which will be delivered as part of the manufacturing, testing and commissioning phases of the Programme.

MML's knowledge extends beyond familiarity with the programme deliverables to the reasons why Nexus' requirements have been drafted in the way they have in the contracts and technical documents. This work has been carried out with a relatively small number of individuals in the MML project team who hold this overarching knowledge and understanding.

If the existing MML team was not available, the Programme could not be delivered within the timeframes set out in the contractual documentation or the programme documents agreed as part of the suite of contract agreements with Nexus' supplier.

Further, a slower delivery of the Programme would expose Nexus to significant financial and reputational risk. Strategically Nexus need to remove the existing fleet and replace it with its new trains as soon as possible on the basis the existing fleet is life expired, it is vulnerable to endemic and epidemic component failures and it has the worst performance of any comparable fleet in the UK.

There are large financial risks associated with a slower delivery of the Programme which would lead to Nexus failing to fulfil its obligations for time bound acceptance and certification of contractual documents and milestones. A delay to one agreement will also have an impact on the other agreements due to the way that this Programme is timed.

IV.1.3) Information about a framework agreement

The procurement involves the establishment of a framework agreement

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

1 May 2021

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Nexus

Newcastle

Country

United Kingdom