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Planning

Caledonian Sleeper Franchise Replacement (Regulation 1370/2007)

The Scottish Ministers

F01: Prior information notice

Prior information only

Notice identifier: 2022/S 000-017402

Procurement identifier (OCID): ocds-h6vhtk-034a9f

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Section I: Contracting authority

I.1) Name and addresses

The Scottish Ministers

Buchanan House, 58 Port Dundas Road

Glasgow

G4 0HF

Contact

Damian Briody

Email

PINCaledonianSleeper2022@transport.gov.scot

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

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

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Caledonian Sleeper Franchise Replacement (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

Rail transport services

II.1.5) Estimated total value

Value excluding VAT: £250,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 60210000 - Public transport services by railways

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

On the basis that the Caledonian Sleeper Franchise Agreement between the Scottish Ministers and Serco Caledonian Sleeper Limited (FA), provides firstly for the possibility that the franchisee may exercise a rebasing option after 1 April 2022 and secondly that there are a number of possible consequences under the FA, Transport Scotland, on behalf of Scottish Ministers, are seeking to preserve their ability to make a direct contract award should circumstances arise in due course that give them cause to do so.

Transport Scotland, on behalf of the Scottish Ministers, may, depending on the circumstances and having regard to the obligations of the Scottish Ministers in terms of the Scottish Public Finance Manual, wish to make a direct award of a Public Service Contract to Serco Caledonian Sleeper Ltd under and in terms of Article 5(6) 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).

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

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

As an alternative to the above and depending on whether circumstances arise which engage the Scottish Ministers' duty at section 30 of the Railways Act 1993, Transport Scotland, on behalf of the Scottish Ministers may entrust the provision of Caledonian Sleeper Passenger Services to a company owned and controlled by the Scottish Ministers and make a direct award of a Public Service Contract in that regard under and in terms of Article 5(2) or Article 5 (6) of Regulation (EC) No 1370/2007. The Scottish Ministers may put in place a holding company structure in support of the proposed arrangements.

The contract awards described above are expected to cover rail passenger services of substantially the same scope as the current Caledonian Sleeper Franchise.

II.2.14) Additional information

Term of Award

The Scottish Ministers may require to put a Public Service Contract in place for up to 10 years (depending on the circumstances and subject to legal constraints).

II.3) Estimated date of publication of contract notice

25 June 2022

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

Section VI. Complementary information

VI.3) Additional information

Envisaged start date and the duration of the contract:-

Start: 25 June 2023

Duration in months: up to 120

(SC Ref:698244)