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Tender

Project for the Design, Development, Build, Supply & Maintenance of an End-to-End Solution consisting of Pre-payment Gas Metering Equipment and associated Meter Management System '23

Phoenix Natural Gas (trading as Phoenix Energy)

F05: Contract notice – utilities

Notice identifier: 2023/S 000-018696

Procurement identifier (OCID): ocds-h6vhtk-03dde7

Published 30 June 2023, 2:17pm

Section I: Contracting entity

I.1) Name and addresses

Phoenix Natural Gas (trading as Phoenix Energy)

197 Airport Road West

Belfast

BT3 9ED

Contact

Christopher Losty

Email

christopher.losty@phoenixenergyni.com

Telephone

+44 2890555817

Country

United Kingdom

Region code

UKN - Northern Ireland

National registration number

NI032809

Internet address(es)

Main address

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

Buyer's address

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

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

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

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

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

Electronic communication requires the use of tools and devices that are not generally

available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

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

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

Project for the Design, Development, Build, Supply & Maintenance of an End-to-End Solution consisting of Pre-payment Gas Metering Equipment and associated Meter Management System '23

II.1.2) Main CPV code

- 38552000 - Electronic meters

II.1.3) Type of contract

Supplies

II.1.4) Short description

This tender process is being led by Phoenix Natural Gas Limited in conjunction with, and for the benefit of, all of the clients specified in Section VI.3 below.

Phoenix Natural Gas Ltd, acting as a Central Purchasing Body, seeks to appoint a suitably experienced Service Provider to design, develop, build, supply & maintain an end-to-end solution that delivers a robust network consisting of a Pre-payment Gas Metering Solution and associated Meter Management System.

Further details of the supplies and services required are set out in the draft Invitation to Tender documentation, made available with the associated Pre Qualification Ref: pqq_4442.

II.1.5) Estimated total value

Value excluding VAT: £65,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 48612000 - Database-management system
- 72314000 - Data collection and collation services

II.2.3) Place of performance

NUTS codes

- UKN - Northern Ireland

II.2.4) Description of the procurement

The supplies/ services required through this procurement exercise entail the design, development, build and provision of an end to end pre-payment gas metering solution which includes an associated meter management system.

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: £65,000,000

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, subject to a sufficient number of compliant responses being received, a maximum of the top six scoring Applicants (plus ties, if applicable) from the PQQ stage would be invited to proceed to the Invitation (ITT) Stage.

II.2.10) Information about variants

Variants will be accepted: Yes

II.2.11) Information about options

Options: Yes

Description of options

The estimated value of this project could be between £40M and £65M. The maximum value range represents the estimated maximum potential value of work that could be awarded in the event that the Utility Regulator approves an accelerated roll out of meter replacement. Please note that, in the absence of such approval, the lower value represents the clients' current expectations of the estimated maximum potential value of work that could be awarded.

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 Natural Gas Ltd reserve the right at any time to: reject any, or all, responses and to cancel or withdraw from this procurement process at any stage; award a Contract without prior notice; change the basis, the procedures and timescales set out - or referred to - within the tender documentation; require any Applicant or subsequent Tenderer, to clarify any submissions.

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 PQQ on, or before, the due date. Phoenix, along with the other clients and in accordance with the PQQ, shall draw up a short-list of Applicants based upon the completed PQQs received. Those shortlisted Applicants 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 tender deemed the most economically advantageous -- the one that proposes the most appropriate design & build solution - shall be awarded a Framework Agreement for the supply of pre-payment meters along with a Contract for the development of a Meter Management System.

III.1.6) Deposits and guarantees required

Phoenix and the clients each reserve 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, an Applicant may be required to commit to joint and several liability in respect of any contract awarded. Alternatively, the lead operator may be required 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

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: No

IV.2) Administrative information

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

Date

28 July 2023

Local time

12:00pm

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

4 September 2023

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: 9 (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 payment will be used

VI.3) Additional information

The clients who may ultimately avail of any Framework Agreement for the supply of the Pre-payment Metering Equipment consist of the following Natural Gas Network Operators:

1. Phoenix Natural Gas Limited (trading as Phoenix Energy).
2. Firmus Energy (Distribution) Limited.
3. SGN Natural Gas Limited.

With regards to the Software Development Agreement for the Meter Management System, the Contracting Entity shall be Phoenix Natural Gas however the aforementioned Network Operators and the following Gas Suppliers (plus any additional gas supplier that may subsequently enter into the market) shall be reliant on this provision and, as such, shall be entitled to 3rd Party Rights through the relevant Agreement:

The Gas Suppliers consist of:

1. Firmus Energy (Supply) Limited.
2. SSE Airtricity Gas Supply (NI) Limited.

Applicants wishing to be considered, must first complete a Pre-qualification Questionnaire (PQQ). Only those Applicants that successfully pass the PQQ stage shall be invited to complete the relevant tender documentation.

This tender 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. Any subsequent formal contract(s) shall not be binding until they have been signed and dated

by the duly authorised representatives of each of the relevant participating 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).