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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](mailto: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

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## **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.

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## **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.

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## **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)



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## **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](mailto: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).