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Tender

Strategic Resource Options: Programme Partners (PP) Framework

THAMES WATER UTILITIES LIMITED

F05: Contract notice – utilities

Notice identifier: 2023/S 000-019165

Procurement identifier (OCID): ocds-h6vhtk-03df0c

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Section I: Contracting entity

I.1) Name and addresses

THAMES WATER UTILITIES LIMITED

Reading

RG1 8DB

Contact

Thames Water

Email

procurement.supportcentre@thameswater.co.uk

Country

United Kingdom

Region code

UKJ11 - Berkshire

Companies House

02366661

Internet address(es)

Main address

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

I.3) Communication

Access to the procurement documents is restricted. Further information can be obtained at

www.thameswater.co.uk/procurement

Additional information can be obtained from the above-mentioned address

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

I.6) Main activity

Water

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Strategic Resource Options: Programme Partners (PP) Framework

Reference number

FA2051

II.1.2) Main CPV code

- 71800000 - Consulting services for water-supply and waste consultancy

II.1.3) Type of contract

Services

II.1.4) Short description

Thames water are seeking Programme Partners to support the delivery of its Strategic Resource Options Programmes.

II.1.5) Estimated total value

Value excluding VAT: £150,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 71210000 - Advisory architectural services
- 71241000 - Feasibility study, advisory service, analysis
- 71242000 - Project and design preparation, estimation of costs
- 71244000 - Calculation of costs, monitoring of costs
- 71245000 - Approval plans, working drawings and specifications

- 71300000 - Engineering services
- 71420000 - Landscape architectural services
- 71500000 - Construction-related services
- 71800000 - Consulting services for water-supply and waste consultancy
- 72220000 - Systems and technical consultancy services
- 79415200 - Design consultancy services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

Whole of the UK

II.2.4) Description of the procurement

II.2.4) Description of the procurement:

(nature and quantity of works, supplies or services or indication of needs and requirements; for supplies only - state whether tenders are requested for purchase, lease, rental, hire purchase or any combination of those)

Thames Water Utilities Ltd (TWUL) Strategic Resource Options (SRO) - Programme Partners (PP) Framework

TWUL's current portfolio of SRO projects includes, but is not limited to, the Southeast Strategic Reservoir Option (SESRO), Severn to Thames Transfer (STT), London Water Recycling (LWR) projects, Thames to Affinity Transfer (T2AT) and Thames to Southern Transfer (T2ST). Further information, including RAPID Gate 1 and 2 reports, can be found on this link: <https://www.ofwat.gov.uk/regulated-companies/rapid/the-rapid-gated-process/>

TWUL intends to establish a PP Framework primarily to support its SRO Program. This is the first phase of a longer-term procurement strategy to establish the professional services supply chain that TWUL needs to support its wider business. This procurement is for the PP Framework only and relates to Phase 1 of the procurement strategy. Existing TWUL professional services frameworks are not impacted by the procurements outlined in this notice.

The successful tenderers will interface with several other partners that will be procured

separately to support the SRO Programme as it develops.

TWUL are looking for leading expertise within the key disciplines outlined below to accelerate the delivery and management of this high-profile programme. The PP will need to demonstrate extensive experience in programme management to enable it to support and management across the SRO portfolio which will include large complex infrastructure schemes being progressed under the current UK planning environment. The PP role includes being able to provide strong leadership, excellent technical capability, and proven expertise in supporting Clients and managing programmes of work (in this case the delivery of large pipelines, reservoirs, water recycling and transfer facilities). Furthermore, the PP will need to provide programme management and controls expertise to oversee and advise up all aspects of preliminary design and the pre application engagement with the Planning Inspectorate and to assist with the development / management of planning applications (likely to be a Development Consent Order (DCO)) including assisting with stakeholder engagement and all elements of the pre consultation and planning application processes. The PP framework agreement will be awarded under the NEC4 Professional Services Contract Option E with amendments. Provision will be made in the call-off contracts for utilisation of Option A, C and E.

TWUL intends to award the first work package from the PP framework agreement immediately following the appointment of framework suppliers. It is our intention that appointment as a Programme Partner to one or multiple SRO projects will be for the duration of that particular scheme. This approach is due to the complexity and phasing of projects within the SRO programme. The risk of disruption and inefficiency that would be caused through multiple handovers between Programme Partners during a project is high and would be sub optimal for TWUL. Our intention is that the parties to the framework compete for the role of Programme Partner via an initial mini competition and that subject to the successful party's performance, capability and capacity, it will remain the Programme Partner for the scope of services that was competed.

Sufficient information will be included in the mini-competition tender pack to enable bidders to prepare solutions for the potential services that may be required by TWUL. The scope of initial mini competitions will be construed widely to enable our approach and all parties wishing to compete will have the appropriate opportunity to seek clarification on the breadth, depth and operation of the resulting call off contract(s).

The duration of the PP framework will be up to 8 years and is required to support a regulated delivery schedule. It is intended that the successful PP at call-off will cover the development phase into the mobilisation of the future Delivery Partner(s) in the detailed design and construction phase.

The PP framework scope is likely to comprise of, but is not limited to, the following high level service categories:

- General Programme Partner Support Services
- Cost Planning & Estimating,
- Schedule Management,
- Risk Management,
- Procurement support & market engagement,
- Assuring Contract Administration
- Development of Programme Management Methodology and Practice
- Information Management and business systems
- Project Assurance and review
- Technical controls
- Interface management
- Requirements management
- Business case development
- Team performance
- Third Party Agreements

TWUL reserves the right to procure any of the services listed above as separate contracts and/or frameworks as part of separate and independent procurements.

TWUL appreciates that there may be a limited pool of suppliers for certain elements of the scope and is particularly concerned that these resources should not; be subject to an exclusivity arrangement with an Applicant/Tenderers in the procurement process to the detriment of competition; and be subject to sub-contract terms or obligations that threaten the ability of another Consultant(s) to deliver its own Contract. Accordingly, during the procurement process, Applicants/Tenderers are asked not to enter into any exclusivity arrangements with a potential Subcontractor or supplier. Furthermore, Applicants/Tenderers are reminded that should they be using the same supply chain or are involved in more than one bidding consortia they must be mindful of their obligation to ensure that each tender is prepared and submitted without any direct or indirect coordination between suppliers.

The Applicant should remind its supply chain that if a supply chain member is involved with more than one Applicant the supply chain member must ensure that each response is prepared and submitted without any direct or indirect coordination between Applicants.

If the Applicants/Tenderers are uncertain about whether any arrangements with any other sub-contractor/suppliers would be viewed as falling within the above categorisation, they should seek guidance from TWUL.

If despite this request an Applicants/Tenderers enters an exclusive arrangement with a supplier, to the detriment of other Applicants/Tenderers such that competition is adversely impacted, TWUL reserves the right to omit the procurement of these resources through the procurement process, to enter into arrangements directly with the relevant sub-contractor/supplier; and to require the successful Applicants/Tenderers to enter into subcontracts with the relevant supplier.

Applicants/Tenderers who have concerns about this issue or who encounter difficulties engaging with suppliers for specific resources, should raise a query with TWUL as TWUL cannot deal with the issue if it is not disclosed.

TWUL is working with several partners, including other water companies to develop and deliver the SROs. Furthermore, depending on the commercial and procurement strategies for delivery of these projects TWUL may transfer or novate the benefit and the burden of call-off contracts made under this Framework Agreement:

*to any funder, security trustee or security holder without the consent of the Consultant; and

*to any other person with the consent of the Consultant, such consent not to be unreasonably withheld or delayed;

All interested parties who wish to compete for this opportunity are required to complete and return a Pre-Qualification questionnaire. The completed PQQ is used to determine which applicants best satisfy the selection criteria and who will progress to the next stage of the procurement process.

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: £150,000,000

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

Duration in months

96

This contract is subject to renewal

Yes

Description of renewals

Thames Water envisages that the Framework Agreement will be renewed after the Initial Term of 3 years and that the renewal may be on one or more occasions by Thames Water giving not less than one month's notice to the Consultant.

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 3

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

This Framework Agreement shall come into force the Commencement Date and shall (except as expressly provided otherwise in this Framework Agreement) continue in force for a period of 3 years (the "Initial Term"). The Client shall be entitled, at its option to extend this Framework Agreement, on one or more occasions by giving not less than one month's notice to the Consultants prior to the expiry of the Initial Term or the expiry of any extension as the case may be, provided that the duration of this Framework Agreement shall not exceed 8 years unless otherwise agreed in writing by the Parties and provided that eight (8) years shall only be exceeded in exceptional circumstances duly justified.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

As detailed in VI.3 and the PQQ

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

As detailed in VI.3 and the PQQ

III.1.6) Deposits and guarantees required

Bonds and/or parent company guarantees or equivalent forms of performance and financial standing may be required

III.1.7) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Specified in Invitation to Negotiate Document

III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Consortia may be required to form a legal entity prior to award

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 several operators

Envisaged maximum number of participants to the framework agreement: 2

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

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

Date

11 August 2023

Local time

12:00pm

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: 6 (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 ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

All suppliers who wish to respond to this contract notice must request a pre-qualification questionnaire (PQQ) by using the web link in

Section I.3 (www.thameswater.co.uk/procurement)

From your response to the link in Section I.3 or above, Thames Water's Procurement Support Centre will send you an email providing login details for our eSourcing system (i.e. IASTA Smartsource). To complete the PQQ you will need to login to IASTA Smartsource.

If the project requires it, you will receive an additional and separate survey to complete for Data Protection.

Note - The client may be Thames Water Utilities Limited or another company within the Kemble Water group structure.

Further additional information:

The Framework Agreement and associated call-off contracts will be governed by the Law of England and Wales.

The Authority reserves the right:

- *To amend timelines and other aspects of the process;
- * To not award a framework agreement or any call-off contract.

The Authority will not be liable for the costs of economic operators expressing an interest or preparing tender responses.

VI.4) Procedures for review

VI.4.1) Review body

Thames Water Utilities Limited

Reading

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Thames Water Utilities Limited will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers. That notification will provide full information on the award decision. The standstill period, which will be for a minimum of 10 calendar days, provides time for unsuccessful tenderers to challenge the award decision before the contract is entered into.

The Utilities Contracts Regulations 2016 (SI 2016 No 274) 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 (England, Wales and Northern Ireland).