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Tender

Contracts for Automated People Mover (APM) System

HS2

F05: Contract notice – utilities

Notice identifier: 2023/S 000-019613

Procurement identifier (OCID): ocds-h6vhtk-03e036

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Section I: Contracting entity

I.1) Name and addresses

HS2

High Speed Two (HS2) Ltd, Two Snowhill, Queensway

Birmingham

B4 6GA

Contact

HS2 Procurement

Email

scc@hs2.org.uk

Telephone

+44 2079443000

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/high-speed-two-limited>

I.3) Communication

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

<https://hs2.bravosolution.co.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://hs2.bravosolution.co.uk>

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

I.6) Main activity

Railway services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Contracts for Automated People Mover (APM) System

II.1.2) Main CPV code

- 45234000 - Construction work for railways and cable transport systems

II.1.3) Type of contract

Works

II.1.4) Short description

This procurement is for the award of two contracts to a single supplier for the (i) design, supply, integration, installation, testing and commissioning of the systems element of HS2's new automated people mover (APM) up to its delivery into service and (ii) provision of the APM service which includes the operation and maintenance of all aspects of the APM service to be constructed as part of HS2 Phase One between the new HS2 Interchange Station, the National Exhibition Centre (NEC), Birmingham International Railway Station (BIR) and Birmingham Airport (BA).

II.1.5) Estimated total value

Value excluding VAT: £270,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 34600000 - Railway and tramway locomotives and rolling stock and associated parts
- 50220000 - Repair, maintenance and associated services related to railways and other equipment

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

This procurement is for the award of two contracts to a single supplier for the APM system element of the new HS2 automated people mover (APM). The Scope of the Contracts includes: (1) design, supply, integration, installation, testing and commissioning of the APM System up to its delivery into service; (2) provision of the APM service for a term of up to 25 years, subject to break rights. The Tenderer with the most economically advantageous tender will be awarded both Contracts.

Further information on the procurement, the Contracts, the Scope and the estimated value of the Contracts is included in the Applicant's Guide made available by HS2 Ltd at the

address in I.3 above and in the accompanying Procurement Documents.

HS2 Ltd intends to limit the number of Tenderers invited to tender on the basis set out in section 1.7 of the PQP Manual.

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: £270,000,000

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

Duration in months

372

This contract is subject to renewal

No

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

Envisaged minimum number: 2

Maximum number: 4

Objective criteria for choosing the limited number of candidates:

Applicants are referred to the PQP and PQQ for information on HS2 Ltd's criteria for choosing Applicants to be invited to tender for the Contracts. HS2 Ltd expects to select only the top 4 Applicants to tender for the Contracts. However, HS2 Ltd reserves the right in its absolute discretion to invite fewer or more Applicants to tender for the Contracts on the basis described in PQP Manual Section 1.7.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

HS2 Ltd reserves the right to omit and/or vary the Scope of this procurement. As further described in the Applicant's Guide and in the accompanying Procurement Documents, Applicants should note in particular that:

1) Option to break the Service Contract

The Service Contract is expected to be for a term of up to 25 years, however HS2 Ltd reserves the right to break the Service Contract after 5 years, then 5 yearly break points until the full 25-year operation and maintenance term is complete, as described in document 'PQP Technical Requirements and Outline Scope Annex 2 O&M'.

2) Option to novate the Contracts

As described in the 'PQP Heads of Terms', the expected initial parties to the Contracts are HS2 Ltd and the Contractor. However, HS2 Ltd reserves its right to nominate another entity (Contracting Body) to enter into either of the Contracts at or after contract award. For example, HS2 Ltd may require one or both Contracts to be entered into by any successor to HS2 Ltd that assumes HS2 Ltd's functions (in whole or in part) relevant to the Contracts. Post contract award, the Contracts as awarded will also require the Contractor to agree that HS2 Ltd may novate one or both the Contracts to another entity (Contracting Body) on agreed terms. For example, HS2 Ltd may wish to novate the Service Contract to a future purchaser of the APM or to the Infrastructure Manager of the new HS2 railway or the station operator for Interchange station (depending on where responsibility for maintenance and operation of the APM System ultimately sits).

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

Candidates are referred to VI.3) Additional information in this Contract Notice below.

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

Applicants are referred to the PQP and PQQ for information about conditions for participation.

III.1.2) Economic and financial standing

List and brief description of selection criteria

Applicants are referred to the PQP and PQQ for information about HS2 Ltd's requirements and minimum standards in relation to economic and financial standing.

III.1.3) Technical and professional ability

List and brief description of selection criteria

Applicants are referred to the PQP and PQQ for information about HS2 Ltd's requirements and minimum standards in relation to technical and professional ability.

III.1.4) Objective rules and criteria for participation

List and brief description of rules and criteria

Applicants are referred to the PQP and PQQ for information about HS2 Ltd's rules and criteria for participation.

III.1.6) Deposits and guarantees required

HS2 Ltd reserves the right to require guarantees, bonds, collateral warranties (including the grant of step-in rights to Subcontracts) and other forms of security as appropriate to be specified in the Procurement Documents to be made available at ITT stage. Applicants are referred to the PQP for relevant information available at this Contract Notice stage.

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

The main financing conditions, payment mechanism, performance standards and incentive mechanism will be described in the Procurement Documents to be made available at ITT stage, but it is expected that payment arrangements will be in accordance

with the following provisions relevant to each Contract: (1) Supply and Installation Contract: Design, supply, integration, installation, testing and commissioning work: NEC3: Engineering and Construction Contract (ECC) Option A priced contract with activity schedule (with HS2 amendments); and (2) Service Contract: Operation and Maintenance: a bespoke contract based around NEC3: Term Service Contract (TSC) Option A with amendments to reflect the HS2-specific terms. Further details will be provided in the ITT. Applicants are referred to the PQP and accompanying Procurement Documents for relevant information available at this Contract Notice stage, in particular the Applicant's Guide and the PQP Heads of Terms.

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

HS2 Ltd will accept expressions of interest and tenders from single entities or Consortia. HS2 Ltd does not require those Consortia who intend to form a single legal entity to do so at the PQQ stage. HS2 Ltd will consider contracting with a Consortium, providing always that the participants in any Consortium are jointly and severally liable for all of the obligations of the Contractor under the Contracts.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated procedure with prior call for competition

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: Yes

IV.2) Administrative information

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

Date

21 August 2023

Local time

12:00pm

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

7 November 2024

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: 12 (from the date stated for receipt of tender)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

1. Capitalised terms in this Contract Notice are defined in Appendix 3 Glossary of Terms in the PQP Manual.

2. An Applicant may be a single organisation or a Consortium. An Applicant may only submit one PQ Application. A particular economic operator may not apply as more than one Applicant, whether as a single Applicant or as a Party to one or more Consortia. Applicants should note that this restriction does not apply to Subcontractors. See further information in PQP Manual Section 2;

3. Section I: Contracting entity - HS2 Ltd is the contracting entity for this procurement but HS2 Ltd reserves the right to nominate another entity to enter into either of the Contracts at contract award (other Contracting Body). Post contract award, the Contracts as awarded will also require the Contractor to agree that HS2 Ltd may novate one or both the Contracts to another Contracting Body on agreed terms). Further information on novation rights is included in the 'PQP Heads of Terms'.

4. All Applicants are required to express an interest by registering on the HS2 eSourcing portal

(<https://hs2.bravosolution.co.uk>). Registering is only required once;

For further assistance contact the BravoSolution helpdesk which is available Monday to Friday (8:00 —18:00) GMT on:

Email — help_uk@jaggaer.com or

Telephone +44 800 069 8630;

5. II.1.3 Type of contract: this is a mixed procurement. The Scope of the Contracts includes Works, Services and Supplies. The successful Tenderer will be required to enter into the two separate Contracts described in the accompanying draft initial Procurement Documents (see Applicant's Guide and PQP Heads of Terms).

6. II.2.6 (Estimated value): the given value includes the estimated total of both Contracts to be entered into (PQP Technical Requirements and Outline Scope). Further information

on the values and HS2 Ltd's assumptions is included in the in the accompanying draft initial Procurement Documents (see Applicant's Guide and PQP Further Package Particulars).

7. Section II.2.7) (Duration of the contract): timescales in this Contract Notice are estimated based on the current HS2 Ltd programme but may be subject to change.

8. IV.1.1 Type of procedure: HS2 Ltd is procuring the Contracts in accordance with the negotiated procedure with prior call for competition pursuant to UCR 2016, reg. 47. As stated in the PQP Manual, HS2 Ltd reserves the right not to conduct negotiations with Tenderers.

9. A response to this Contract Notice does not guarantee that an Applicant will be invited to tender. The award process may be terminated or suspended at any time without cost or liability to HS2 Ltd. HS2 Ltd does not bind itself to enter into the Contract or any contract arising out of the procedures envisaged by this Contract Notice. No contractual rights express or implied arise out of this Contract Notice or the procedures envisaged by it. HS2 Ltd reserves the right to vary its requirements and the procedure relating to the conduct of the award process. HS2 Ltd reserves the right to disqualify any Applicants on terms set out in the PQP Manual

10. Applicants and Tenderers shall be solely responsible for and liable for all costs associated with and arising out of or in connection with responding to this Contract Notice and any PQQ and with submitting any tender, howsoever incurred .

HS2 Ltd embraces diversity and welcomes PQ applications from all suitably skilled and experienced economic operators of all sizes who can meet the requirements, regardless of gender, ethnicity, sexual orientation, faith, disability or age of supplier workforce and/or ownership. HS2 Ltd will actively promote sustainable procurement throughout its supply chain and welcomes PQ Applications from economic operators committed to the principles of reducing, reusing and recycling resources and to the practices of buying responsibly.

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Courts of Justice, Strand

London

WC2A 2LL

Telephone

+44 20794760000

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

High Court

Royal Courts of Justice, Strand

London

WC2A 2LL

Telephone

+44 20794760000

Country

United Kingdom