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Award

Automation and Datamatics installation

Network Rail Infrastructure Ltd

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-024315

Procurement identifier (OCID): ocds-h6vhtk-036479

Published 31 August 2022, 2:30pm

Section I: Contracting authority/entity

I.1) Name and addresses

Network Rail Infrastructure Ltd

1 Eversholt Street

London

NW1 2DN

Contact

Rob Yems

Email

Rob.Yems@networkrail.co.uk

Telephone

+44 1908781000

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

www.networkrail.co.uk/

Buyer's address

www.networkrail.bravosolution.co.uk/web/login.html

I.6) Main activity

Railway services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Automation and Datamatics installation

Reference number

25908

II.1.2) Main CPV code

- 50222000 - Repair and maintenance services of rolling stock

II.1.3) Type of contract

Services

II.1.4) Short description

This is a voluntary ex ante transparency (VEAT) notice. This notice is to indicate that Network Rail intends to contract with Plasser UK Limited, for the Automation and Datamatics installation to Ballast Cleaning Systems.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £7,548,313.77

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

Main site or place of performance

UK Railway infrastructure as maintained by Network Rail.

II.2.4) Description of the procurement

Network Rail seeks to retrofit its Ballast Cleaning Systems with critical safety enhancements, this activity is essential to protect safety of trackside workers.

The Original Equipment Manufacturer (OEM) is responsible for the safe integration of these modifications with other on-board systems and technology . Changes and modifications to these systems require the vehicle safety case to be validated following the change, regardless of whether the change is mechanical, electrical or software based. This validation requires access to the design data for the vehicle. In cases where the IPR for the design data is held by the OEM, changes to these vehicles must be designed, developed and implemented by the OEM. Only the OEM holds the information through exclusive rights driven by IPR retention and the OEM is required to underwrite the safety of the OTM. Additionally, and inflated by the IPR retention the supplier holds the technical competence required to carry out the works, it is considered unsafe for any other supplier to complete the works due to the intrusive nature of the modification which will include mechanical, electrical and software changes.

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - protection of exclusive rights, including intellectual property rights

Explanation:

Network Rail Infrastructure Ltd ('NR') intends to place a contract with Plasser UK Limited for the BCS Automation and Datamatics installation.

Competition is absent due to intellectual property rights, compatibility and safety case considerations for the intrusive interoperable safety modification to the Ballast Cleaning Systems. It is considered that this contract can be placed using the Negotiated Procurement Without Prior Publication pursuant to Article 50 (c) (ii) and (iii) of Directive 2014/25/EU of the UK Utilities Contracts Regulations 2016. The value of the contract is GBP 7,548,313.77

Please note that this is a voluntary transparency notice and the contracts have not yet been awarded.

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

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

31 August 2022

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Plasser UK Limited

Manor Road, West Ealing

London

W13 0PP

Country

United Kingdom

NUTS code

- UKI - London

National registration number

652432

The contractor/concessionaire is an SME

Yes

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Royal Court of Justice

London

Country

United Kingdom