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Contract

Nitrogen and Phosphorous Mitigation Agreement

Norfolk Environmental Credits Limited

F03: Contract award notice

Notice identifier: 2024/S 000-024716

Procurement identifier (OCID): ocds-h6vhtk-048827

Published 6 August 2024, 4:00pm

Section I: Contracting authority

I.1) Name and addresses

Norfolk Environmental Credits Limited

The Horizon Centre

Norwich

NR70WF

Contact

Tom Sayer

Email

admin@norfolkenvironmentalcredits.co.uk

Telephone

+44 1508533931

Country

United Kingdom

Region code

UKH15 - Norwich and East Norfolk

Companies House

14573978

Internet address(es)

Main address

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

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Environment

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Nitrogen and Phosphorous Mitigation Agreement

II.1.2) Main CPV code

- 90710000 - Environmental management

II.1.3) Type of contract

Services

II.1.4) Short description

This Contract Award Notice details the award of a contract pursuant to the negotiated procedure without prior publication because of competition being absent for technical reasons.

Norfolk Environmental Credits Limited generate, establish and sells nutrient mitigation credits to offset nutrient pollution generated by new residential developments. The services covered in this notice relate to the provision of high efficiency (HE) nutrient removal package treatment plants (PTP) for the generation, establishment and sale of nutrient mitigation credits.

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: £4,000,000

II.2) Description

II.2.2) Additional CPV code(s)

- 90700000 - Environmental services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Norfolk Environmental Credits Limited ('the Purchaser') is a collaboration between Breckland Council, Broadland District Council, North Norfolk Council and South Norfolk Council.

In securing the services for the generation, establishment and sale of nutrient mitigation credits, the Purchaser has entered into an agreement with the supplier for the allocation of the nutrient pollution savings (Phosphorus and Nitrogen benefit measured in kg/yr) for the purposes of generating nutrient credits. The supplier provides high efficiency (HE) nutrient removal package treatment plants (PTP) for the generation, establishment and sale of nutrient mitigation credits. The services include the calculation of the nutrient benefit in accordance with a robust scientific evidence base and securing the nutrient benefit for a minimum period of 90 years.

The Purchaser has undertaken market analysis in the design of the services. A call for nutrient offset investment opportunities has been published on the Purchaser's website and soft market engagement has been undertaken with those service providers who have approached the Purchaser. The Purchaser had a specific requirement to identify a supplier who could generate nutrient benefit through upgrading existing septic tanks to high efficiency nutrient removal package treatment plants. At the time of contract award the appointed supplier are the only company which has demonstrated it is able to provide a tradable nutrient benefit (Phosphorus and Nitrogen measured in kg/yr) in the geographical catchment area of the European protected sites as required by the legal framework and in which the Purchaser is seeking to secure the nutrient mitigation.

Accordingly, after due consideration, the Purchaser has decided to make a direct award pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 on the grounds that competition is absent for technical reasons.

II.2.5) Award criteria

Price

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Purchaser has undertaken market analysis in the design of the services and has established that, due to the technical and legal requirements associated with the installation of the HE PTP to generate nutrient benefit, there was no other reasonable alternative or substitute and that the absence of competition was not the result of an artificial narrowing down of the parameters of the procurement.

A call for nutrient offset investment opportunities has been published on the Purchaser's website and soft market engagement has been undertaken with those service providers who have approached the Purchaser. The Purchaser had a specific requirement to identify a supplier who could generate nutrient benefit through upgrading existing septic tanks to high efficiency nutrient removal package treatment plants. At the time of contract award the appointed supplier are the only company which has demonstrated it is able to provide a tradable nutrient benefit (Phosphorus and Nitrogen measured in kg/yr) in the geographical catchment area of the European protected sites as required by the legal framework and in which the Purchaser is seeking to secure the nutrient mitigation.

Accordingly, after due consideration, the Purchaser has decided to make a direct award pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 on the grounds that competition is absent for technical reasons.

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

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract

Contract No

MIT00002 Septic Tank Upgrades

Title

Nitrogen and Phosphorous Mitigation Agreement

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

10 May 2024

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received by electronic means: 1

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

V.2.3) Name and address of the contractor

Norfolk Rivers Consortium Limited

Haslers Hawke House, Old Station Road

Loughton, Essex

IG10 4PL

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

14346827

The contractor is an SME

Yes

V.2.4) Information on value of contract/lot (excluding VAT)

Initial estimated total value of the contract/lot: £4,000,000

Total value of the contract/lot: £4,000,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court

London

Country

United Kingdom