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Not applicable

## **Contract for East Midlands rail services. Currently operated by Abellio East Midlands Limited**

THE DEPARTMENT FOR TRANSPORT

F14: Notice for changes or additional information

Notice identifier: 2021/S 000-025929

Procurement identifier (OCID): ocds-h6vhtk-02ecb6

Published 18 October 2021, 10:26am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

THE DEPARTMENT FOR TRANSPORT

Great Minster House,33 Horseferry Road

LONDON

SW1P4DR

#### **Email**

[railprocurement@dft.gov.uk](mailto:railprocurement@dft.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKI32 - Westminster

#### **Internet address(es)**

Main address

[www.gov.uk](http://www.gov.uk)

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Contract for East Midlands rail services. Currently operated by Abellio East Midlands Limited

#### **II.1.2) Main CPV code**

- 60200000 - Railway transport services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

- (a) London to Sheffield via Derby
- (b) London to Nottingham
- (c) London to Corby
- (d) Corby to Loughborough via Melton Mowbray
- (e) Leicester to Matlock via Spondon
- (f) Leicester to Worksop via Nottingham
- (g) Leicester to Grimsby via Lincoln
- (h) Grimsby to Cleethorpes
- (i) Matlock to Crewe
- (j) Matlock to Worksop via Nottingham
- (k) Matlock to Grimsby via Lincoln

- (l) Nottingham to Liverpool
- (m) Nottingham to Norwich via Ely
- (n) Sheffield to Skegness via Grantham
- (o) Sheffield to Skegness via Peterborough
- (p) Peterborough to Sileby
- (q) Lincoln to Doncaster via Sheffield
- (r) Lincoln to Leeds via Sheffield and Wakefield
- (s) Lincoln to Leeds via Sheffield and Doncaster
- (t) Lincoln to Scarborough via Sheffield and York
- (u) Doncaster to Grimsby via Lincoln
- (v) Newark North Gate to Grimsby via Lincoln
- (w) Lincoln to Skegness
- (x) Lincoln to Peterborough via Spalding
- (y) Lincoln to Peterborough via Ancaster
- (z) Lincoln to Norwich via Grantham
- (aa) Lincoln to Norwich via Peterborough
- (bb) Cleethorpes to Barton-on-Humber

There is a mixture of leisure, business and commuter travel. These services would be similar to those currently operated on the East Midlands Franchise.

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## **Section VI. Complementary information**

### **VI.6) Original notice reference**

Notice number: [2020/S 217-534167](#)

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## Section VII. Changes

### VII.1) Information to be changed or added

#### VII.1.2) Text to be corrected in the original notice

Section number

II.2.7

Place of text to be modified

Envisaged start date and the duration of the contract

Instead of

Text

Duration in months: 72

Read

Text

Duration in months: 96

Section number

II.2.7

Place of text to be modified

Envisaged start date and the duration of the contract

Instead of

Date

1 April 2022

Read

Date

16 October 2022

Section number

## VI.1

Place of text to be modified

Additional information

Instead of

Text

It is anticipated that the contract will have a duration in the region of 4 to 6 years in total and this is likely to include a core period of at least 4 years with an optional additional period or periods exercisable at the sole discretion of the contracting authority.

The contracting authority reserves the right not to proceed with the Direct Award as envisaged or to use an alternative method to procure an operator for the contract.

Without limiting that, it is currently anticipated that the grant of any Direct Award as envisaged in this notice will follow on from the completion of certain termination arrangements in respect of the extant Franchise Agreement entered into by the contracting authority and Abellio East Midlands Ltd on 9 May 2019 (the 'Franchise Agreement'). The Franchise Agreement has been substantially varied by the Emergency Recovery Measures Agreement ('ERMA') entered into by the parties on 19 September 2020. Under the ERMA, Abellio East Midlands Ltd must have completed the termination arrangements by 14 December 2020. If those arrangements are

not completed by that date, the Secretary of State may terminate the ERMA. If the ERMA is terminated, the variations to the Franchise Agreement will fall away and the parties will revert to the underlying terms of the Franchise Agreement. In those circumstances, it is currently anticipated that the Direct Award as envisaged in this notice will not be made.

Read

Text

It is anticipated that the contract will have a duration of 4 to 8 years in total and this is likely to include a core period of at least 4 years and a further period of no more than 4 years during which the contracting authority will have the right, exercisable at its sole discretion, to terminate the contract on notice.

The contracting authority reserves the right not to proceed with the Direct Award as envisaged or to use an alternative method to procure an operator for the contract.

Without limiting that, it is currently anticipated that the grant of any Direct Award as envisaged in this notice will follow on from the expiry of the extant Franchise Agreement

entered into by the contracting authority and Abellio East Midlands Ltd on 9 May 2019 (the 'Franchise Agreement'). The Franchise Agreement has been substantially varied by the Emergency Recovery Measures Agreement ('ERMA') entered into by the parties on 19 September 2020. The expiry date of the ERMA, which was entered into in compliance with Article 5(5) of Regulation 1370/2007, and of the underlying Franchise Agreement, is being extended from 1 April 2022 to 16 October 2022 by exercise of the Secretary of State's contractual right to extend.

Section number

II.2.4

Place of text to be modified

Description of the procurement

Instead of

Text

(l) Sheffield to Liverpool;

(m) Sheffield to Norwich via Ely;

Read

Text

(l) Nottingham to Liverpool;

(m) Nottingham to Norwich via Ely;

## **VII.2) Other additional information**

Email address in Section I.1 has been replaced by [railprocurement@dft.gov.uk](mailto:railprocurement@dft.gov.uk)