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Contract

Supply of Electricity Framework Agreement

Scottish Government

F03: Contract award notice

Notice identifier: 2023/S 000-028860

Procurement identifier (OCID): ocds-h6vhtk-038664

Published 29 September 2023, 4:17pm

Section I: Contracting authority

I.1) Name and addresses

Scottish Government

4 Atlantic Quay, 70 York St

Glasgow

G2 8EA

Email

billy.lawson@gov.scot

Telephone

+44 1412420133

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.scotland.gov.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10482

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Supply of Electricity Framework Agreement

Reference number

SP-21-052.

II.1.2) Main CPV code

- 09310000 - Electricity

II.1.3) Type of contract

Supplies

II.1.4) Short description

Supply of Electricity to the Scottish public sector and Scottish third sector organisations.

The supplier will provide metering and billing services, and will provide trading services to facilitate supply of electricity from the wholesale markets. The period of the Framework Agreement shall be from 1 April 2023 to 31 March 2026 with options to extend for up to 3 years to 31 March 2029 in single year extensions.

Within these time periods, the Contractor will be expected to provide flexible purchasing trading services only for the period 1 April 2023 to 31 March 2024, with the existing provider continuing to supply electricity under the existing framework during this period.

For the avoidance of doubt the Contractor will not supply electricity to public bodies and third sector bodies under the Framework Agreement during the period 1 April 2023 to 31 March 2024. The supply of electricity will commence on 1 April 2024.

For the remaining duration of the framework agreement the Contractor will provide flexible purchasing trading services and supply of electricity to public sector and third sector bodies.

Between 1 April 2024 and 31 March 2026, it is anticipated that supply may include significant volumes of electricity purchased from the existing framework provider under the existing framework and sleeved by the Contractor under the terms of the Framework Agreement (see procurement documents).

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: £3,500,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

The framework agreement is for the supply of electricity encompassing Half-Hourly, Non

Half-Hourly, Domestic, Pseudo Half-Hourly and Unmetered Supplies.

The anticipated total consumption, based on the current Scottish Procurement framework agreement volumes, is 2.4 TWh per annum.

Scottish Procurement will operate a flexible purchasing strategy for public sector and third sector bodies under the Framework Agreement, predominantly sourced via the traded electricity markets employing buys and sells on a forward and prompt basis via the Contractor's trading desk, with forward purchasing anticipated at 30 months. The Contractor must be able to incorporate power volumes sourced independently into the volumes of energy that are required to supply any designated framework users. Framework users will take delivery of power on the basis of annual supply periods. Framework users may require certain ancillary services.

Scottish Procurement is the organisation tasked with procuring commodities on behalf of all Scottish public bodies. Scottish Procurement is located within the Scottish Procurement and Property Directorate of the Scottish Government. The current framework agreement for the Supply of Electricity is due to expire on 31 March 2023 with an option to extend to 31 March 2024, depending on Scottish Procurement's decision regarding the final extension. Work has commenced on developing the procurement strategy, including canvassing of stakeholders' views. As part of this, Scottish Procurement recognise the value of suppliers having the opportunity to contribute their views, in accordance with Regulation 41 of the Public Contracts (Scotland) Regulations 2015.

The Framework Agreement will be available for use by the Scottish Ministers (including Agencies), Scottish Non-Departmental Public Bodies, offices in the Scottish Administration which are not ministerial offices, cross-border public authorities within the meaning of section 88(5) of the Scotland Act 1998, the Scotland Office, the Scottish Parliamentary Corporate Body, councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994, Scottish Fire & Rescue Service, the Scottish Police Authority, Scottish health boards or special health boards, all NHS Scotland, The Integrated Joint Boards established further to the Public Bodies (Joint Working) Act 2014, bodies registered as social landlords under the Housing (Scotland) Act 2001, Student Loans Company Limited, the Forestry Commission, the Commissioner of Northern Lighthouse operating as the Northern Lighthouse Board, Equality and Human Rights Commission, Business Stream Ltd, the Business Gateway National Unit at the Convention of Scottish Local Authorities, further or higher education institutions being fundable bodies within the meaning of section 6 of the Further and Higher Education (Scotland) Act 2005, any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament, any association of or formed by one or more of the foregoing, bodies financed wholly or mainly by one or more of the foregoing, bodies subject to management supervision by one or more of the foregoing and bodies more than half of the board of directors or members of which, or, in the case of a group of

individuals, more than half of those individuals, being appointed by one or more of the foregoing. In addition to the contracting authorities listed, the framework agreement will be available to charities entered on the Scottish Charity Register and voluntary organisations entered on the Membership Database of the Scottish Council for Voluntary Organisations.

Information about Scottish Public Bodies is available at:

<http://www.scotland.gov.uk/Topics/Government/public-bodies/about>

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 70

Price - Weighting: 30

II.2.11) Information about options

Options: Yes

Description of options

Three 1 year extension options

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

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

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.2.1) Previous publication concerning this procedure

Notice number: [2022/S 000-032749](#)

Section V. Award of contract

Contract No

SP-21-052

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

5 July 2023

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

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

EDF Energy Customers Limited

90 Whitfield Street

London

W1T 4EZ

Telephone

+44 7875112491

Fax

+44 7875112491

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £3,500,000,000

Section VI. Complementary information

VI.3) Additional information

SPD Statement 4D.2: 1 The Bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance with

BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate,

OR

2. The bidder must have the following:

- a. A regularly reviewed documented policy regarding environmental management, authorised by the Chief Executive, or equivalent. This policy must describe the bidder's environmental emergency response procedures.
- b. Documented arrangements for ensuring that environmental management procedures are effective in reducing/preventing significant impacts on the environment. This should evidence the organisation's environmental policy implementation plan.
- c. Arrangements for providing employees with training/information on environmental issues to ensure that workforce has sufficient skills/understanding to carry out their various duties. This should include a programme of refresher training.
- d. Documented arrangements for checking/reviewing and improving, the bidder's environmental management performance and the environmental impact, demonstrating that it has in place training arrangements to ensure that workforce has sufficient skills/understanding to carry out their duties.
- e. Documented arrangements checking, reviewing/improving the organisations environmental management performance and the environmental impact on an on-going basis including details in place to deal with environmental risks.

As more fully set out in the procurement documents, The scope of the framework agreement also incorporates a number of requirements relevant to and included so as to promote the potential for furthering environmental, renewable and robust energy supply initiatives and to assist the Scottish Government and framework users to take forward the following options:

Option 1 - A PPA entered into between the Scottish Government (Authority) and a third party generator where the generator is not a framework user

Option 2 - A PPA entered into between the Contractor and a third party generator where the generator is not a framework user

Option 3 - A PPA entered into between the Scottish Government (Authority) and a

generator where the generator is a framework user

Option 4 - A PPA entered into between the Contractor and a generator where the generator is a framework user

Option 5 – An Export PPA where a framework user may sell excess volume to the Contractor

Option 6 – Supporting ancillary services relevant to framework user private wire arrangements

The Framework documentation incorporates a number of requirements relevant to and included so as to promote the potential for furthering environmental, renewable and robust energy supply initiatives. The measures it contains include that the supplier must be able to incorporate power volumes sourced independently, with a view to incorporating, within the supply portfolio, sources of generation consistent with the objectives of the Authority and the relevant Framework users (for example related to furthering duties on the framework users to further their sustainable procurement duty or duties under the Climate Change (Scotland) Act 2009), and the Scottish Government Scottish Energy Strategy

The contractor is accredited as a real Living Wage Employer and will continue to pay that wage rate through the duration of this contract.

(SC Ref:738431)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court and Justice of the Peace Court

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

Internet address

<http://www.scotland.gov.uk>

