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Award

Direct Award

Department for Business, Energy and Industrial Strategy

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-029149

Procurement identifier (OCID): ocds-h6vhtk-03763b

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Section I: Contracting authority/entity

I.1) Name and addresses

Department for Business, Energy and Industrial Strategy

London

SW1H 0ET

Email

sophie.fuller@beis.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy>

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

Direct Award

II.1.2) Main CPV code

- 72000000 - IT services: consulting, software development, Internet and support

II.1.3) Type of contract

Services

II.1.4) Short description

BEIS is procuring an auction platform to provide value for money auctioning of UK Emissions Trading Scheme allowances. This will also include related services (which includes processing admissions to bid; clearing and settlement; high quality customer service; monitoring; and reporting) to His Majesty's Government (HMG). The first auction under the terms of the appointment will be on a specified date (to be agreed) on or after 4 January 2023.

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: £540,606.50

II.2) Description

II.2.2) Additional CPV code(s)

- 79342400 - Auction services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The Contracting Authority (BEIS) is looking for an auction platform to provide value for money auctioning of UK Emissions Trading Scheme allowances. This will also include related services (which includes processing admissions to bid; clearing and settlement; high quality customer service; monitoring; and reporting) to His Majesty's Government (HMG). The first auction under the terms of the appointment will be on a specified date (to be agreed) on or after 4 January 2023.

Auctioning on the UK platform must be secure, reliable, user-friendly and fully compliant with the requirements of UK legislation on the auctioning of UK ETS emissions allowances on a definitive auction platform. The auction platform must also maximise and facilitate participation in the auctions, including for small and medium enterprises (SMEs).

The Contractor must ensure that the performance of the contract complies with the applicable legislative framework. This includes, but is not limited to, the relevant elements of the following legislation, including any amendments:

- The Greenhouse Gas Emissions Trading Scheme Order 2020
- The Greenhouse Gas Emissions Trading Scheme Auctioning Regulations 2021 (the "Auctioning Regulations")
- The Recognised Auction Platforms Regulations 2011
- The UK Market Abuse Regulation (Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse, as it has effect in domestic law)
- The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2017
- The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
- The Markets in Financial Instruments Directive 2 (MiFID 2).

The Contractor must have the legal, technical and organisational capacity to perform the services referred to in regulation 25 of the Auctioning Regulations.

This includes provision of the necessary IT infrastructure, which must be secure, reliable and user friendly and ensure the smooth functioning of the auctions. The Contractor must ensure it has a full back-up system in place, which should be able to cope seamlessly with a technical failure in the main data centre supporting the auction platform, ensuring a minimum service uptime of 99.999%. The back-up system should be capable of restoring the main system at transaction level in the event of a failure, to ensure no data is lost. Any proposed backup system (including its data centre) should be located at a site other than that where the main system is located and must be secure, reliable and not lead to discrimination between bidders.

The services are to be performed in accordance with the objectives and requirements of this specification, the Auctioning Regulations, the Greenhouse Gas Emissions Trading Scheme Order 2020 and other relevant legislation. The award of contract will take account of the overarching appointment requirements in regulation 25(5) of the Auctioning Regulations.

II.2.5) Award criteria

Quality criterion - Name: 0 / Weighting: 0

Cost criterion - Name: 0 / Weighting: 0

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

II.2.14) Additional information

Please note there were no price considerations in the awarding of this contract

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure
- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

A prior information notice was undertaken to evaluate the current supplier landscape and whether there are any suppliers who hold the required accreditation (In order to deliver against this requirement, suppliers must hold UK RIE and RAP status (FCA accredited) and be fully operational on the secondary and energy markets). From undertaking this exercise, it was apparent that only one supplier held the required accreditation status. BEIS are therefore direct awarding ICE Futures and ICE Clearing to deliver this service.

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/concession

Title

UK Emissions Trading Scheme auction platform

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

13 October 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

ICE Futures Europe

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £540,606.50

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

Department for Business, Energy & Industrial Strategy

London

SW1H 0ET

Country

United Kingdom