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Tender

Electric Scooters (E-Scooters) Rental Trial 2 in London

Transport for London

F24: Concession notice

Notice identifier: 2022/S 000-030087

Procurement identifier (OCID): ocds-h6vhtk-037c0e

Published 25 October 2022, 4:12pm

Section I: Contracting authority/entity

I.1) Name and addresses

Transport for London

5 ENDEAVOUR SQUARE

LONDON

E201JN

Contact

Karen Dobson

Email

v_karendobson@tfl.gov.uk

Country

United Kingdom

Region code

UKI41 - Hackney and Newham

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.tfl.gov.uk

Buyer's address

www.sap.com

I.3) Communication

Additional information can be obtained from the above-mentioned address

Applications or, where applicable, tenders must be submitted electronically via

www.sap.com

Applications or, where applicable, tenders must be submitted to the above-mentioned address

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Other activity

Transport

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Electric Scooters (E-Scooters) Rental Trial 2 in London

Reference number

WS1132166864 / TfL_scp_2315

II.1.2) Main CPV code

- 60100000 - Road transport services

II.1.3) Type of contract

Services

II.1.4) Short description

On 9 May 2020, the Department for Transport ("DfT") announced its intention to start trials of rental electric-scooters ("e-scooters") to help support cities across the United Kingdom as part of its restart and recovery response following the Coronavirus-induced lockdown, with the DfT demonstrating a preference for coordination of trials at a local level.

Further to this, Transport for London ("TfL") worked with London Councils as representative for the 32 London boroughs and the City of London Corporation (together, the "Boroughs") to procure operators of rental e-scooters ("Operators") for a trial of e-scooters in London ("Trial"). The first phase of this Trial has been in place in London since 7 June 2021. On 28 June 2022, the DfT authorised relevant authorities to allow e-scooter trials to continue from November 2022 to the end of May 2024.

This current opportunity relates to the procurement of Operator(s) of rental e-scooters for a second phase of the Trial in London, currently planned to commence by Autumn 2023 for an initial term of up to 24 months. The Trial term may at TfL's discretion be extended by up to 12 months. The second phase of the Trial may therefore run beyond May 2024 (when DfT currently envisages e-scooter trials ending) and as a result be subject to any new legislation that may be passed by Parliament.

As with the first phase of the Trial, in the second phase TfL will lead the procurement of Operators, and the administration and co-ordination of e-scooter Trial operations. Potentially some or all of the Boroughs that are currently participating in the Trial will continue to do so in the second phase, and it is anticipated that more Boroughs in Greater

London may join the Trial.

By coordinating efforts, TfL and the Boroughs can continue to:

- ensure a consistent and safe standard for e-scooters across London;
- provide an evidence base for TfL and individual Boroughs' policy positions on e-scooters;
- offer the only legal way to ride an e-scooter in public in London, with a central focus on safety;
- remain an active participant in the government's trials, enabling London's learnings and data to shape national legislation;
- maintain the environmental benefits of providing a green alternative to private car use;
- help increase the resilience of conventional TfL transport options by providing an additional mode; and
- set a benchmark that helps to drive up the standards of other micromobility services in London.

II.1.5) Estimated total value

Value excluding VAT: £6.75

II.1.6) Information about lots

This concession is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 34114000 - Specialist vehicles
- 34400000 - Motorcycles, bicycles and sidecars
- 34900000 - Miscellaneous transport equipment and spare parts
- 50110000 - Repair and maintenance services of motor vehicles and associated equipment
- 60100000 - Road transport services

II.2.3) Place of performance

NUTS codes

- UKI - London

II.2.4) Description of the procurement

This is a competitive procurement for the award of a contract(s) to Operator(s) in relation to the second phase of the Trial.

The procurement is being conducted pursuant to the Concession Contracts Regulations 2016 ("CCR 2016"). At the end of this procurement process, TfL may choose to award contract(s) and enter into an Administration Agreement ("Agreement") with each Operator, setting out the terms that apply to the Operator in relation to the provision of e-scooter services in the Greater London Area and its obligations to a) TfL as the administrator of the second phase of the Trial and b) the various London Boroughs and/or the City of London Corporation who wish to participate in the Trial by permitting the use of e-scooters within their respective jurisdictions.

The Agreement provides that a Participating Borough may issue a notice to require the relevant Operator(s) to enter into a contract for the provision of e-scooter rental services in the geographic area controlled by that Participating Borough. Participating Boroughs may choose to enter a Full-Service contract for the provision of an e-scooter rental service or to allow e-scooters to be ridden through only (Ride-Through-Borough).

The Contracting Authority is seeking to award the tender to up to three Operators. Tenderers are asked to submit only a response to Stage 1: Selection Questionnaire ("SQ") by the response deadline in section IV.2.2 below. Each response or question will be scored as indicated. Pass/Fail criteria will apply as indicated and testing of vehicles will take place as indicated. TfL will take forward up to 6 Tenderers from the SQ stage, being those Tenderers who pass all Parts of the SQ and who have achieved the top ranking highest scored marks in Part 4 of the SQ. Only shortlisted Tenderers will be invited to respond to Stage 2: Invitation to Tender ("ITT"). Evaluators will review the Tenderers' responses to the questions and evaluate against the criteria shown on the questionnaire. The weightings for each question will be applied to scored responses and Tenderers at the end of Stage 2 will be ranked. An award recommendation comprising the top three scoring Tenders (assuming at least three tenders exceed the Minimum Scoring Threshold) will be agreed on.

Tender documents will be provided electronically via TfL's e-portaltendering portal SAP Ariba, www.sap.com.

Responses should be submitted electronically via TfL's e- tendering portal SAP Aribaportal, www.sap.com.

Interested Suppliers / Tenderers are to register with SAP Ariba via TfL's Supplier self-registration link, in order to participate in the tender process,

<https://s1-eu.ariba.com/Sourcing/Main/ad/selfRegistration?realm=TfL>.

SAP Ariba Supplier Registration Help Page:

https://help.sap.com/docs/ARIBA_NETWORK_SUPPLIERS/ddd75910f67b4212b1c83f9d68cd2f01/de32f3eaf0181014be26e0d2a68be9ef.html.

If you have any queries regarding your registration, please email:

Ariba_Supplier_Enablement@tfl.gov.uk

NB: ONCE REGISTERED, TENDERERS MUST SEND THEIR REGISTRATION DETAILS TO THE CONTACT EMAIL IN THIS NOTICE IN ORDER TO BE INVITED TO TENDER FOR THE OPPORTUNITY.

Pursuant to the Agreement, Operator(s) must pay the Charges set out in the Specification for the opportunity. The Charges comprise a Full-service Charge and a Ride-through Charge related to the type of Service provided in a participating Borough, a Per-bay Charge and a Per-Vehicle Charge relating to the numbers of parking bays available and the number of e-scooters deployed respectively. Further detail about the Charges is given in the Specification. Operators are not entitled to request payment under the Agreement from the Administrator or any of the Participating Boroughs.

The second phase of the Trial is currently expected to commence by Autumn 2023 and will run for an initial term of up to 24 months, which will comprise twenty-six consecutive 28-day periods. The Trial term may at TfL's discretion be extended for up to 12 months (thirteen consecutive 28-day periods). It is therefore possible, and Tenderers should note, the second phase of the Trial may therefore run beyond May 2024 (when DfT currently envisages e-scooter trials ending) and as a result be subject to any new legislation that may be passed by Parliament.

TfL will not be liable to any person for any costs whatsoever incurred in the preparation of bids or in otherwise responding to the Invitation to Tender (ITT) or SQ (SQ).

II.2.5) Award criteria

Concession is awarded on the basis of the criteria stated in the procurement documents

II.2.14) Additional information

The contracts resulting from this procurement may be awarded by and may be for the benefit of other contracting authorities.

Tender documents will be provided electronically via TfL's e-Tendering portal.

To request access to the procurement documents, please contact the person named in section I.1.

In the event of issues or difficulty with registering on the e-Tendering portal please contact:

SAP Ariba Supplier Registration Help Page:

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https://help.sap.com/docs/ARIBA_NETWORK_SUPPLIERS/ddd75910f67b4212b1c83f9d68cd2f01/de32f3eaf0181014be26e0d2a68be9ef.html

? If you have any queries regarding your registration, please email:

Ariba_Supplier_Enablement@tfl.gov.uk

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions, indication of information and documentation required

Full details of the requirements can be found in the procurement documents accessible via TfL's eTendering portal.

Selection criteria are as stated in the procurement documents.

Specific information shall be required and set out in the Stage 1 SQ.

Applicants should note that they may be required to supply audited accounts.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

III.2) Conditions related to the concession

III.2.2) Concession performance conditions

Please see the form of contract (Administration Agreement) included with the procurement documents.

Section IV. Procedure

IV.2) Administrative information

IV.2.2) Time limit for submission of applications or receipt of tenders

Date

2 December 2022

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

TfL is conducting this procurement pursuant to the CCR 2016.

TfL is conducting this procurement process to identify Operator(s) for this second phase of the Trial in line with the processes and stages set out in the SQ and ITT. It is therefore important that Tenderers raise any queries regarding the SQ and/or ITT and accompanying volumes, including the Specification and the Administration Agreement, with TfL as soon as practicable and in accordance with the proposed timetable for clarification questions set out in the instructions.

Tenderers are required to respond to all sections of the SQ (and in due course as applicable the ITT) and must submit in accordance with the instructions within the SQ and ITT (as appropriate). Variants will not be accepted. Tenders must remain capable of acceptance in accordance with the ITT for a period of 6 months from the date stated in the ITT.

Each response must be submitted electronically via the e-Tendering portal

Information about authorised persons and opening procedure:

Tender Submissions will be checked initially for compliance with the SQ and/or ITT (as appropriate) and for completeness. Clarification may be sought from Tenderers. TfL reserves the right to reject any Tenders that are not, upon receipt, compliant with, and in the format specified in the SQ and/or ITT (as appropriate). It is recommended that the Tenderer undertakes its own checks for content and compliance before submitting the Tender.

TfL reserves the right without notice to change the procurement process detailed in the SQ and/or ITT (as appropriate) or to amend the information provided, including, but not limited to, changing the timetable, the scope and nature of the procurement and the procurement process. This will be subject to the normal rules of public law and transparency.

Moreover, TfL reserves the right to provide further information or to supplement and / or to amend the procurement process for the SQ and/or ITT. Tenderers enter this procurement process at their own risk. TfL shall not accept liability nor reimburse a tenderer for any costs or losses it incurs in relation to its participation in the procurement process, regardless of whether or not TfL has made changes to the procurement process.

TfL also reserves the right, at any point and without notice, to discontinue the procurement process without awarding a contract, whether such discontinuance is related to the content of tenders or otherwise.

The contract or contracts (if any) resulting from this procurement process may be awarded by and may be for the benefit of the Contracting Authority, relevant London Boroughs and/or the City of London Corporation and/or any subsidiaries of the foregoing.

The Contracting Authority strongly encourages those interested in tendering to undertake their activities in line with Responsible Procurement principles. Further information on TfL's Responsible Procurement policies can be found on the following website:

<https://tfl.gov.uk/corporate/publications-and-reports/procurement-information>.

The UK government has announced its commitment to greater data transparency. Accordingly, the Contracting Authority reserves the right to publishing its tender documents, contracts and data from invoices received. In doing so, the Contracting Authority may at its absolute discretion take account of the exemptions that would be available under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

To request access to the procurement documents , please contact the person named in section I.1.

The value in Section II.1.5 represents the estimated total value of all the concession contracts as calculated in accordance with regulation 9 of the Concession Contracts Regulations 2016. This estimate is therefore the potential total turnover of the Operators combined, for the maximum contract(s) duration of 36 months. The calculation is based on overall ridership to date and prices under the current trial. This estimate is not an estimate of profit, nor a guarantee of revenue, nor does it represent any amount payable between the Operators, TfL or the Boroughs. TfL does present the value on this notice as a promise of turnover and for the avoidance of doubt is not liable to Operators for any difference between the actual turnover and the amount in Section II.1.5.

Further information on TfL may be found at www.tfl.gov.uk.

VI.4) Procedures for review

VI.4.1) Review body

High Court, Royal Courts of Justice

London

Country

United Kingdom