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Tender

## **Elizabeth line 2 Concession Agreement**

Transport for London

F05: Contract notice – utilities

Notice identifier: 2023/S 000-032728

Procurement identifier (OCID): ocds-h6vhtk-03bc14

Published 6 November 2023, 10:35am

### **Section I: Contracting entity**

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

Transport for London

5 ENDEAVOUR SQUARE

LONDON

E201JN

#### **Contact**

TfL Rail Procurement

#### **Email**

[TfLRailProcurements@tfl.gov.uk](mailto:TfLRailProcurements@tfl.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UKI - London

**Companies House**

05965930

**Internet address(es)**

Main address

<https://tfl.gov.uk/>

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUYr9&dard=1&ncdc=1>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUYr9&dard=1&ncdc=1>

**I.6) Main activity**

Urban railway, tramway, trolleybus or bus services

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## **Section II: Object**

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

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

Elizabeth line 2 Concession Agreement

Reference number

SAP Ariba Reference WS 1595078131

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

- 60210000 - Public transport services by railways

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

Services

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

The contract is a new concession agreement for the Elizabeth line (ELC2). The contract will cover all aspects of train and passenger service operations over the ELC2 network.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKI - London

Main site or place of performance

London and Greater London, over routes operated by the current concessionaire

#### **II.2.4) Description of the procurement**

The Elizabeth line is the most significant addition to London's transport network in a generation. The new railway is transforming life and travel in London and the south east: it is reducing journey times, creating additional capacity, transforming accessibility and

providing a huge economic boost.

The current concession agreement expires on 25 May 2025.

The scope of the concession agreement will include train and passenger service operations over the whole of the Elizabeth line network, as well as the operation and management of stations.

The Operator will be remunerated by a specified fee package of performance incentives, which may include either or both of performance bonuses for increased performance or deductions for below target performance.

TfL's vision is to ensure the Elizabeth line continues to be a showcase for investment in TfL, rail and public transport by building on the legacy of the Crossrail Project and Elizabeth line through optimisation and improvement on current high levels of safety, performance and customer satisfaction whilst remaining adaptable to an evolving industry and changing customer needs.

As well as this, the Elizabeth line is also at the heart of the Mayor of London's Transport Strategy and expected to enable the achievement of wider policy objectives. To support this vision, TfL has set out seven key objectives for the operation of the Elizabeth line. These are:

- Achieve excellence in safety and sustainability across all aspects of the Elizabeth line;
- Optimise the performance and cost of the Elizabeth line through continuous improvements, without sacrificing quality;
- Maintain high and annually improve customer satisfaction accounting for increasing customer expectations and emerging technology trends;
- Positively influence customer and stakeholder perception of Rail for London Limited (RfL) and the Elizabeth line by maintaining, developing and enhancing the Elizabeth line brand across London in partnership with RfL;
- Manage and accommodate passenger and network growth at consistently high service levels, collaborating with RfL to deliver investment projects;
- Maintain a flexible and dynamic approach to changes in the rail industry that directly and indirectly influence the Elizabeth line; and
- Ensure the Elizabeth line is a great place to work, and its workforce is representative of the communities it serves.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

115

This contract is subject to renewal

No

### **II.2.9) Information about the limits on the number of candidates to be invited**

Maximum number: 5

Objective criteria for choosing the limited number of candidates:

The selection criteria and process as set out in the Supplier Qualification Questionnaire

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The contract will is expected to be for an approximate initial period of seven (7) years with an option for RfL to extend the period by up to approximately twenty four (24) months and a separate option for RfL to extend the period by up to approximately seven (7) months.

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## **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

Please refer to the Supplier Qualification Questionnaire

#### **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.1.4) Objective rules and criteria for participation**

List and brief description of rules and criteria

Please refer to the Supplier Qualification Questionnaire

#### **III.1.6) Deposits and guarantees required**

Parent company guarantees may be requested. Performance bonds and/or capitalisation of the concession operator (either fixed or contingent) may also be required as an alternative or in addition to parent company guarantees.

#### **III.1.7) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

The Operator will be remunerated by a specified fee package of performance incentives, which may include either or both of performance bonuses for increased performance or deductions for below target performance

#### **III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No particular legal form is required, but if a contract is awarded to a consortium the authority may require the consortium to form a legal entity before entering into the concession agreement. RfL will also need to understand the governance arrangements between the parties and how day to day management will be undertaken.

## **III.2) Conditions related to the contract**

### **III.2.2) Contract performance conditions**

As detailed in the procurement documents

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated procedure with prior call for competition

#### **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: [2023/S 000-009694](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

15 December 2023

Local time

12:00pm

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

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 12 (from the date stated for receipt of tender)

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

Respondents should note the following:

(a) This procurement, in spite of the description of procedure at IV.1.1 as a negotiated procedure with prior call for competition, is not a negotiated procedure under the Utilities Contracts Regulations 2016 but is organised as a procurement and conducted in accordance with the requirements of Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road as amended by Regulation (EC) No 1370/2007 (Public Service Obligations in Transport)(Amendment) (EU Exit) Regulations 2020.

(b) This Contract Notice is being issued to make the market aware of the launch of the Supplier Qualification Questionnaire stage of the Elizabeth line Concession 2 procurement. This contract notice is supplemental to the Prior Information Notice issued on 24 October reference 2023/S 000-031324

(c) The description provided in II.1.4 and the scope described in section II.2.4 represent the current anticipated requirements of RfL for the Elizabeth line Concession 2. RfL reserves the right to amend the description and/or the scope and/or adjust the duration of the contract as a result of emerging requirements.

(d) The duration of the contract stated in section II.2.7 is an estimate based on an initial contract period of seven (7) years with an extension of up to twenty four (24) months and a separate extension for up to seven (7) months. Any contract let by RfL may contain provisions that the contract may be extended for the specified period and on the terms of the contract.

(e) Interested respondents must complete the Supplier Qualification Questionnaire which can be obtained via the SAP Ariba portal. Further information on the process of accessing SAP Ariba is included at (l) below. Respondents must note that any expression of interest submitted in response to the Prior Information Notice for these services does not apply to this contract notice and the procedure in I.3 and (l) must be followed in order to access the Supplier Qualification Questionnaire.

(f) A response to this contract notice does not guarantee that an entity will be invited to tender. The process for selection of bidders to be invited to tender is set out in the

Supplier Qualification Questionnaire and procurement documents.

(g) The award process may be terminated or suspended at any time without cost or liability to RfL, TfL or any other party.

(h) Neither RfL nor TfL binds itself to enter into any contract arising out of the procedures envisaged by this notice. No contractual rights express or implied arise out of this notice or the procedures envisaged by it.

(i) RfL reserves the right to vary the procedure relating to the conduct of the award process and to require further information from respondents.

(j) Potential bidders shall be solely responsible for any costs which they incur as a result of responding to this notice and participating in any aspect of the procurement process described in this contract notice.

(k) The conduct of this procurement is governed by Regulation 1370/2007 on public passenger transport services by rail and by road as amended by Regulation (EC) No 1370/2007 (Public Service Obligations in Transport) (Amendment) (EU Exit) Regulations 2020 (Regulation 1370/2007). The new concession agreement is being awarded in accordance with Article 5(3) of Regulation 1370/2007.

(l) Instructions for accessing SAP Ariba and Procurement Documents

To access the procurement documents on SAP Ariba, prospective respondents should:

Step 1 -

Visit the SAP Ariba platform using the following link:

<https://service.ariba.com/Supplier.aw/109539051/aw?awh=r&awssk=fx3TUyr9&dard=1&ancdc=1>

The Respondent must register as a supplier on SAP Ariba using the above link (if not already registered)

The Respondent will need to confirm in SAP Ariba what type of goods/services they supply.

For further guidance on how to create an account on SAP Ariba email [TfLRailProcurements@tfl.gov.uk](mailto:TfLRailProcurements@tfl.gov.uk)

Step 2

When the Respondent has registered on SAP Ariba the respondent must email [TfLRailProcurements@tfl.gov.uk](mailto:TfLRailProcurements@tfl.gov.uk) with:

- the Respondent's SAP Ariba Business Network ID,
- the Respondent's company name,
- Respondent name, and
- Respondent administrator email with which the Respondent used to register on SAP Ariba.

Step 3:

Follow the instructions in the PDF that you will receive from [TfLRailProcurements@tfl.gov.uk](mailto:TfLRailProcurements@tfl.gov.uk) to successfully register as a TfL Supplier on SAP Ariba (note this is different to step 1), and notify [TfLRailProcurements@tfl.gov.uk](mailto:TfLRailProcurements@tfl.gov.uk) when you have successfully completed this stage.

Step 4: Use the bespoke link in the response email from ELC2 to access SAP Ariba.

Step 5:

When you have access to the procurement's main home page on SAP Ariba, click on the 'Intend to Participate' button icon in order to fully register against the contract opportunity.

Step 6:

In the main menu bar at the left of the website click the 'All Content' tab and click through onto item 1 (ELC2 SQQ Main Body), item 1.2 (ELC2 SQQ External Request for Information (RFI) Log.docx) and items 2 to 12 which attach the Supplier Qualification Questionnaire templates the prospective respondents will need to fill out in order to submit a response. Prospective respondents must follow the instructions in the Supplier Qualification Questionnaire when completing and submitting the response to the Supplier Qualification Questionnaire.

Step 7:

Prospective respondents can access the data room containing the procurement documents through the link included in the email from ELC2 (and by following the instructions in the instruction document sent to the respondent by email) which will be sent following the Respondent's email request to access SAP Ariba as set out.

#### **VI.4) Procedures for review**

**VI.4.1) Review body**

The Royal Courts of Justice on the Strand London

London

Country

United Kingdom