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Tender

## **Supply of Electricity Framework Agreement**

Scottish Government

F02: Contract notice

Notice identifier: 2022/S 000-032749

Procurement identifier (OCID): ocds-h6vhtk-038664

Published 18 November 2022, 11:34am

The closing date and time has been changed to:

**12 January 2023, 1:00pm**

See the [change notice](#).

### **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](mailto: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](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.3) Communication**

Access to the procurement documents is restricted. Further information can be obtained at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/esop/pts-host/public/pts/web/login.html>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/esop/pts-host/public/pts/web/login.html>

**I.4) Type of the contracting authority**

Ministry or any other national or federal authority

**I.5) Main activity**

General public services

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## **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

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

This contract is divided into lots: No

### **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.

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 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.2.5) Award criteria**

Quality criterion - Name: Technical / Weighting: 70

Price - Weighting: 30

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

Three 1 year extension options

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

Variants will be accepted: No

#### **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

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### **Section III. Legal, economic, financial and technical information**

#### **III.1) Conditions for participation**

##### **III.1.2) Economic and financial standing**

Minimum level(s) of standards possibly required

Minimum level(s) of standards required:

SPD Statement 4B.1.1: Bidders will be required to have a minimum “general” yearly turnover of 350,000,000 GBP for the last 3 years. The reason for this figure is that the

services include a requirement to forward purchase significant volumes of electricity, up to 2.5 years ahead, for which the customer shall not pay until soon after the point of consumption, creating exposure and financial capacity considerations justifying the turnover figure used. The figure is considered to be below 2 x the annual contract value of the contract.

It is a requirement that bidders hold or can commit to obtain prior to the commencement of any subsequently awarded contract the types of insurance indicated below:

SPD Statement 4B.5.1a: Professional Risk Indemnity Insurance in the sum of not less than 5,000,000 GBP for any 1 incident and unlimited in total

SPD Statement 4B.5.1b: Employers Liability Insurance 5,000,000 GBP (in accordance with any legal obligation for the time being in force)

SPD Statement 4B.5.2: Public Liability Insurance in the sum of not less than 10,000,000 GBP for any 1 incident and unlimited in total

Bidders who do not currently have or cannot commit to obtaining the levels of Insurance requested may be excluded from the procurement process. In event of award of a Framework, Scottish Government will seek proof that these Insurance provisions have been fully complied with.

### **III.1.3) Technical and professional ability**

Minimum level(s) of standards possibly required

Minimum level(s) of standards required:

SPD statement 4.C.4 - Bidders should confirm they have (or have access to) relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. This will include confirmation that the systems in place allow to pay subcontractors through the supply chain promptly and effectively. Bidders must also provide:

- a. evidence of your standard payment terms
- b. evidence at least 95% payment on time of valid invoices,

OR

- c. can provide an improvement plan to drive timely progress towards 95% payment on time of valid invoices.

Responses to Q4.C.4 will be evaluated as a “Pass” or “Fail”. Tenderers who do not achieve a “Pass” for this question will not be considered further.

SPD Statement 4C.6: Bidders will be required to hold an electricity supply licence.

Responses to Question 4.C.6 will be evaluated as a “Pass” or “Fail”. Tenderers who do not hold an electricity licence will not achieve a “Pass” for this question and will not be considered further.

SPD Statement 4C.7: Bidders will be required to demonstrate knowledge of the climate emergency and the impact of their organisation, including their organisation’s own scope 1 and 2 emissions. Accepted evidence to include but is not limited to: A completed copy of the Bidder ‘priority contract’ Climate Change Plan Template, including the bidder’s calculated scope 1 and 2 carbon emissions and their planned projects and actions to reduce their carbon emissions.

SPD Statement 4D.1: Bidders will be required, by the framework commencement date, to demonstrate that they have controls in place to mitigate against cyber-attacks and ensure continuity of service; this may be demonstrated by accreditation to applicable standards such as ISO 27001, ISO 22301, ISO/IEC 20000, Cyber Essentials or their equivalents. Bidders will also be required, by the framework commencement date, to have an effective Quality Management System in place; this may be demonstrated by accreditation to an applicable standard such as ISO 9001, or equivalent, or by submitting a copy of their own Quality Management System.

SPD Statement 4D.2: See statement contained within VI.3 Additional Information

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

### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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## **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

Framework agreement with a single operator

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

Originally published as:

Date

23 December 2022

Local time

1:00pm

Changed to:

Date

12 January 2023

Local time

1:00pm

See the [change notice](#).

#### **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: 9 (from the date stated for receipt of tender)

#### **IV.2.7) Conditions for opening of tenders**

Date

23 December 2022

Local time

1:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: 2029

### **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 buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 21557. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:  
<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

- a. The creation of employment, training and recognised transferable skills development opportunities relevant to the Framework, including those 'Green Skills' as described in the Climate Emergency Skills Action Plan that support the Purchaser's objectives to decarbonise relevant services, including through innovative solutions, with a particular focus on those further from the jobs market, such as the long term unemployed, ex-offenders or others furthest from the jobs market.
- b. To provide employment, apprenticeship, training or work experience for young people, which seek to support the Young Person's Guarantee.
- c. The creation of career advice, education and experience opportunities for young people, with a particular focus on those from deprived areas.
- d. Support for community energy schemes.

(SC Ref:693877)

## **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>