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Contract

## **Provision of Solar Photovoltaic (PV) systems and Battery**

West Sussex County Council

F03: Contract award notice

Notice identifier: 2023/S 000-034836

Procurement identifier (OCID): ocds-h6vhtk-03eb72

Published 24 November 2023, 2:45pm

### **Section I: Contracting authority**

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

West Sussex County Council

County Hall, West Street

Chichester

PO19 1RQ

#### **Contact**

Neil Robb

#### **Email**

[neil.robb@westsussex.gov.uk](mailto:neil.robb@westsussex.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UKJ27 - West Sussex (South West)

**Internet address(es)**

Main address

<https://www.westsussex.gov.uk/default.aspx>

Buyer's address

<https://www.westsussex.gov.uk/default.aspx>

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

Regional or local 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**

Provision of Solar Photovoltaic (PV) systems and Battery

Reference number

I-0428

**II.1.2) Main CPV code**

- 45261215 - Solar panel roof-covering work

**II.1.3) Type of contract**

Works

**II.1.4) Short description**

This project involves the following activities carried out in phases. In the first phase the Contractor is required to survey and confirm the suitability / viability of the installation of

equipment at the Designated Sites in and to price the installation and commissioning and ongoing maintenance of the equipment at that site.

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

This contract is divided into lots: No

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

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

NUTS codes

- UKJ27 - West Sussex (South West)

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

This project involves the following activities carried out in phases. In the first phase the Contractor is required to survey and confirm the suitability / viability of the installation of equipment at the Designated Sites in and to price the installation and commissioning and ongoing maintenance of the equipment at that site.

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

Quality criterion - Name: Quality / Weighting: 65

Cost criterion - Name: Price / Weighting: 35

#### **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

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## **Section IV. Procedure**

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

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

Open procedure

#### **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 000-022057](#)

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## **Section V. Award of contract**

A contract/lot is awarded: No

### **V.1) Information on non-award**

The contract/lot is not awarded

No tenders or requests to participate were received or all were rejected

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## **Section VI. Complementary information**

### **VI.3) Additional information**

Please note that we have taken the decision not to proceed with this procurement for the following reasons:

(a) The Instructions to Tenderers Document 01 did not stipulate with sufficient clarity that in their pricing of Phase 2 and Phase 3 works at the 5 Designated Sites, tenderers were to price the battery storage capacity specified for each of those Designated Sites as set out in the Asset List (Pricing Schedule Document 09).

(b) The Instructions to Tenderers Document 01 and the Pricing Schedule Document 09 contained contradictory instructions regarding the completion of two tabs within the Pricing Schedule – the Schedule of Rates and the Dayworks Schedule. The obligation to complete all of the cells within these two tabs was unclear and no test of compliance was imposed in relation to the completion of those cells.

As a result of (a) and (b), tenderers did not interpret the instructions in a uniform way and the Council was unable to assess compliance with its instructions or to evaluate bids on a like for like basis in order to identify the Most Economically Advantageous Tender.

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

#### **VI.4.1) Review body**

The High Court

London

London

EC4A 1NL

Country

United Kingdom

Internet address

<https://www.judiciary.uk/courts-and-tribunals/high-court/>