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Tender

## **DfE Gigabit Infrastructure Subsidy – Regional Supplier Contract for Northern Ireland**

Department for the Economy

F02: Contract notice

Notice identifier: 2024/S 000-036420

Procurement identifier (OCID): ocds-h6vhtk-04b578

Published 11 November 2024, 1:43pm

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

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

Department for the Economy

Adelaide House, 39-49 Adelaide Street

BELFAST

BT2 8FD

#### **Email**

[strategicdelivery.cpd@finance-ni.gov.uk](mailto:strategicdelivery.cpd@finance-ni.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

#### **Internet address(es)**

Main address

<https://www.economy-ni.gov.uk>

Buyer's address

<https://www.finance-ni.gov.uk/topics/procurement>

## **I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

## **I.3) Communication**

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

<https://etendersni.gov.uk/epps>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://etendersni.gov.uk/epps>

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

Body governed by public law

## **I.5) Main activity**

General public services

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## **Section II: Object**

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

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

DfE Gigabit Infrastructure Subsidy – Regional Supplier Contract for Northern Ireland

Reference number

4303295

**II.1.2) Main CPV code**

- 64200000 - Telecommunications services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

The UK Government has committed GBP5bn to enable hard-to-reach communities to access gigabit-capable broadband. This is being spent through a package of coordinated and mutually supportive interventions, collectively known as Project Gigabit. Project Gigabit, is a UK Government intervention to provide a subsidy to support the deployment of a gigabit speed broadband network to cover premises across Northern Ireland that would otherwise not be provided with access to gigabit broadband speeds, as these premises do not present a commercially viable investment for a private sector operator. Project Gigabit is a strategically important initiative for Northern Ireland's society (people and businesses), is a key enabler for delivering the DfE Minister's Economic Vision, and will help to maintain Northern Ireland's connectivity and infrastructure at a level that is competitive with Great Britain and the Republic of Ireland and is attractive to inward investment. As part of this DfE, along with Building Digital UK (BDUK), is developing a procurement approach to incentivise the telecoms market to invest in delivering gigabit capable wholesale infrastructure in areas not considered to be commercially viable for new infrastructure. This procurement approach will be a successor to the much-needed Superfast broadband programme and DfE's broadband intervention, Project Stratum. The overarching aim of Project Gigabit is, simply stated, to provide universal, or near universal, gigabit-capable broadband coverage in Northern Ireland by increasing provision in areas which are currently poorly served and not capable of attracting wholly commercial investment. The project aim can be categorised into three key objectives:

- Address market failure, whilst maintaining and promoting competition within the market. It is currently not commercially viable for telecoms service providers to extend gigabit-capable broadband infrastructure to many of the presently unserved premises in Northern Ireland.
- Maximise gigabit-capable broadband coverage in a way that is balanced and supportive of rural areas and communities.
- Choose procurement and delivery options which seek to maximise value for money (in terms of a balance of quality of technology/products, coverage, timescale and cost to Government), mitigate risk, incentivise performance and meet affordability criteria for Government and for end users.

**II.1.5) Estimated total value**

Value excluding VAT: £81,000,000

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

This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 32520000 - Telecommunications cable and equipment
- 32412100 - Telecommunications network
- 32412110 - Internet network
- 32424000 - Network infrastructure
- 32420000 - Network equipment
- 32425000 - Network operating system
- 32500000 - Telecommunications equipment and supplies
- 32510000 - Wireless telecommunications system
- 32521000 - Telecommunications cable
- 32522000 - Telecommunications equipment
- 32523000 - Telecommunications facilities
- 32531000 - Satellite communications equipment
- 32532000 - Satellite dishes
- 32562200 - Optical telecommunication cables
- 32570000 - Communications equipment
- 32571000 - Communications infrastructure
- 32572000 - Communications cable
- 32572200 - Communications cable with coaxial conductors
- 45232300 - Construction and ancillary works for telephone and communication lines
- 45232332 - Ancillary works for telecommunications
- 45232340 - Mobile-telephone base-stations construction work

- 45231600 - Construction work for communication lines
- 45314000 - Installation of telecommunications equipment
- 45314300 - Installation of cable infrastructure
- 45314310 - Installation of cable laying
- 50330000 - Maintenance services of telecommunications equipment
- 50332000 - Telecommunications-infrastructure maintenance services
- 50334400 - Communications system maintenance services
- 51300000 - Installation services of communications equipment
- 64210000 - Telephone and data transmission services
- 64227000 - Integrated telecommunications services
- 65300000 - Electricity distribution and related services
- 71316000 - Telecommunication consultancy services
- 72220000 - Systems and technical consultancy services
- 72222000 - Information systems or technology strategic review and planning services
- 72400000 - Internet services
- 72410000 - Provider services
- 72411000 - Internet service providers ISP
- 32530000 - Satellite-related communications equipment
- 32562100 - Optical-fibre cables for information transmission
- 32562300 - Optical-fibre cables for data transmission

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

NUTS codes

- UKN - Northern Ireland

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

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and mutually supportive interventions, collectively known as Project Gigabit. Project Gigabit, is a UK Government intervention to provide a subsidy to support the deployment of a gigabit speed broadband network to cover premises across Northern Ireland that would otherwise not be provided with access to gigabit broadband speeds, as these premises do not present a commercially viable investment for a private sector operator. Project Gigabit is a strategically important initiative for Northern Ireland's society (people and businesses), is a key enabler for delivering the DfE Minister's Economic Vision, and will help to maintain Northern Ireland's connectivity and infrastructure at a level that is competitive with Great Britain and the Republic of Ireland and is attractive to inward investment. As part of this DfE, along with Building Digital UK (BDUK), is developing a procurement approach to incentivise the telecoms market to invest in delivering gigabit capable wholesale infrastructure in areas not considered to be commercially viable for new infrastructure. This procurement approach will be a successor to the much-needed Superfast broadband programme and DfE's broadband intervention, Project Stratum. The overarching aim of Project Gigabit is, simply stated, to provide universal, or near universal, gigabit-capable broadband coverage in Northern Ireland by increasing provision in areas which are currently poorly served and not capable of attracting wholly commercial investment. The project aim can be categorised into three key objectives:

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

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

### **II.2.6) Estimated value**

Value excluding VAT: £81,000,000

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

Duration in months

120

This contract is subject to renewal

No

**II.2.10) Information about variants**

Variants will be accepted: No

**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**

The Supplier should note that there may be future changes in the scale of the services required during the term of the Contract that could not be identified or foreseen at the time of this procurement exercise, but which are consistent with the overall nature of the Authority's' current and future operational requirements for a gigabit speed broadband network to cover premises across Northern Ireland as defined in the specification and associated documents/appendices. In such circumstances, the Authority may seek to agree a modification to the Contract to facilitate the provision of such services by the Supplier, with the Charges. for such services to be determined in accordance with Clause 48 by reference to and consistent with the pricing parameters and assumptions used by the Supplier in its Financial Model and by reference to the mechanisms and protections provided in the Conditions of Contract. It is envisaged that such modifications would be made without requiring a new procurement procedure in accordance with Regulation 72 of the Public Contracts Regulations 2015. An example of such changes could include future requirements to include premises identified through OMR / PR as "White" but the Authority has decided to defer build until later in the contract, and/or premises identified through OMR / PR as "Under Review". Examples: • premises identified through OMR / PR as "White" which could be targeted. under a procurement but the contracting authority has decided to defer build until later in the contract for reasons which may include. the premises not being a priority for build within the Initial Scope; and/or • premises in areas where gigabit infrastructure may become. available through other means e.g. through commercial or voucher-funded build; and/or • premises identified through Open Market. Review / Public Review as "Under Review". The Local Area Review process will be used to monitor developments in the Lot on an annual basis and if required further premises are added using contract change control subject to further funding being made available and that it represents VFM.

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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

Candidates will be assessed in accordance with Regulation 58 of the Public Contract Regulations 2015. A selection process will also be used to identify economic operators, who having submitted a response to the Selection Questionnaire, sufficiently demonstrate to the Authority's satisfaction the appropriate technical and professional ability, economic, financial and legal standing to meet the requirements of the contract.

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

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

The appointment to the contract will be subject to the preferred Supplier demonstrating that the minimum requirements specified in the selection questionnaire continue to be met and that there being no material adverse change to the standing of the supplier. The appointment will also be subject to all other necessary due diligence being carried out by the Authority. Contract performance will be subject to the conditions specified in the contract and the successful Supplier's performance on the contract will be regularly monitored.

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## **Section IV. Procedure**

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

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

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

Date

16 December 2024

Local time

3:00pm

#### **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**

Tender must be valid until: 16 March 2025

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

The estimated contract value indicated in Section II.1.5 and II.2.6 represents the potential maximum value of the contract over the maximum contract period which ranges from £34,646,984 Million GBP (Initial Scope) to £81 Million GBP exclusive of VAT. Note this is an estimated range only and the Department reserves the right to award for a lower or

higher amount. This range reflects the potential scale of the contract and takes into account changes and potential modifications to the contract that may be required that could not be identified or foreseen at the time of this procurement exercise but which are consistent with the overall nature of the Authority's current and future operational requirements for a gigabit speed broadband network. It is envisaged that such modifications would be made without requiring a new procurement procedure in accordance with Regulation 72 of the Public Contracts Regulations 2015. Neither CPD nor the Authority can provide any guarantee as to the level of business under this contract. The Authority does not bind itself to accept the lowest or any tender. Suppliers remain responsible for all costs and expenses incurred by them or by any third party acting under instructions from the Supplier in connection with taking part in this procurement process regardless of whether such costs arise as a consequence, directly or indirectly of any amendments made to the procurement documents by the Authority at any time. No legally binding contract shall arise (and a Supplier shall have no legitimate expectation that a contract will be entered into) until such time as entry into the Contract has been confirmed by the Authority. Suppliers should note that all dates, time periods and figures in relation to values and volumes specified in this notice and the procurement documents are approximate only and the Authority reserves the right to change any or all of them.

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

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

The UK does not have any such bodies with responsibility for appeal/mediation procedures. Instead; any challenges are dealt with by the High Court, Commercial Division, to which proceedings may be issued regarding alleged breaches of the PCR 2015 as amended.

Belfast

Country

United Kingdom

##### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

CPD will comply with the Public Contracts Regulations 2015 and, where appropriate, will incorporate a standstill period (i.e. a minimum of 10 calendar days) at the point information on the award of contract is communicated to tenderers. That notification will provide full information on the award decision. This provides time for the unsuccessful tenderers to challenge the award decision before the contract is entered into.

