

# Conditions of Participation

## Flare Stack Maintenance and Repair

**CM3097**

**Ryan Gledhill**



**YorkshireWater**

## Defined Terms

---

<b>Ariba</b>	Yorkshire Water's SAP Ariba sourcing e-procurement system which is used to undertake this Procurement Process (unless otherwise stated by Yorkshire Water).
<b>Bidder(s)</b>	an entity (e.g. company, limited liability partnership, firm, joint venture, etc) participating in this Procurement Process to be considered for the opportunity to supply the relevant goods, services and/or works which are the subject matter of this Procurement Process.
<b>Competitive Flexible Procedure</b>	competitive tendering procedure under the Procurement Act 2023 that provides contracting authorities with the opportunity and flexibility to design and undertake a bespoke multi-stage procurement process.
<b>Contract Opportunity</b>	the opportunity to supply the relevant goods, services and/or works to Yorkshire Water on conclusion of the Procurement Process, which are the subject matter of this Procurement Process.
<b>Conditions of Participation or CoP</b>	the Conditions of Participation stage of the Procurement Process by which Yorkshire Water will identify one or more Bidder(s) which meet Yorkshire Water's minimum requirements.
<b>Conditions of Participation Criteria</b>	the criteria by which the Conditions of Participation will be assessed.
<b>Conditions of Participation Questionnaire</b>	the questions asked at the Conditions of Participation stage.
<b>Contractual Compliance</b>	the Contractual Compliance stage of the Procurement Process during which the Bidder(s) will have an opportunity to comment on (if stated by Yorkshire Water) and ultimately agree the terms and conditions of the Proposed Contract.
<b>ITT or Invitation to Tender</b>	the Invitation to Tender stage of the Procurement Process whereby Bidder(s) are assessed using award criteria to assess the quality and/or commercial aspects of their bid for the Proposed Contract.
<b>Procurement Act 2023</b>	an act of the Parliament of the United Kingdom that defined public procurement. Replaces in full the Utilities Contracts Regulations 2016.

---

---

<b>Procurement Process</b>	the procurement process for the relevant Contract Opportunity from start to finish including the Conditions of Participation stage, Contractual Compliance stage and ITT stage.
<b>Proposed Contract</b>	the contract that Yorkshire Water and the successful Bidder(s) will enter into following award of the Contract Opportunity on completion of the Procurement Process.
<b>Rules for the Procurement Process</b>	Yorkshire Water's rules for the procurement process contained in the Bidder Agreement accepted by the Bidder in Ariba or otherwise communicated to the Bidder by Yorkshire Water.
<b>Yorkshire Water</b>	Yorkshire Water Services Limited (a company registered in England with company number 02366682).

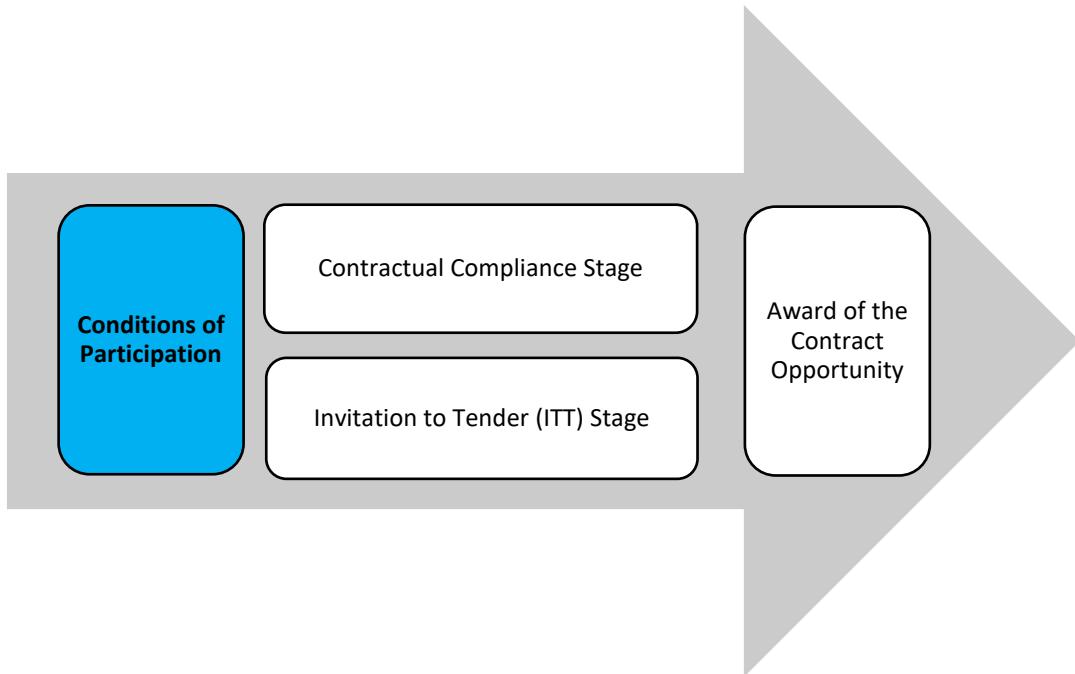
---

## 1. Conditions of Participation

### 1.1 Overview

The purpose of the Conditions of Participation stage is to identify Bidder(s) capable of meeting Yorkshire Water's minimum requirements.

This diagram shows an overview of the stages of the Procurement Process:



## **1.2 Rules for the Procurement Processes**

Yorkshire Water's Rules for Regulated Procurement Processes apply to this Procurement Process. Please read the rules carefully and ensure that you comply with them. This Conditions of Participation document should be read in conjunction with the rules.

## **1.3 Procurement Procedure**

The procedure being used for this tender pursuant to the Procurement Act 2023 is the competitive flexible procedure (CFP) initiated via a Competition Notice on the Find a Tender Service (FTS) and managed through Ariba. The process includes a selection stage (Assessment Summary submission) followed by an invitation to submit tenders (ITT), with evaluation criteria weighted at 60% Commercial and 40% Quality.

Yorkshire Water will evaluate the completed Conditions of Participation Questionnaire against the predefined Conditions of Participation Criteria to assess if the Bidder(s) are able to meet Yorkshire Water's minimum requirements to undertake the Proposed Contract.

## **1.4 Proposed Details of the Contract Opportunity**

- The objective of this Procurement Process is to secure a single contract arrangement for the supply of Flare Stack Inspection, Maintenance and Repair services across Yorkshire Water's estate.
- The purpose of this contract is to ensure the reliable maintenance, repair, and proof testing of all 12 flare stacks across bio-resource sites, including occasional replacements where repairs are not feasible.
- Statutory inspections must be carried out on a bi-annual, in compliance with the Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Industrial Emissions Directive (IED).
- Suppliers must also have the capability of readiness to transact via SAP Ariba for ordering and invoicing.
- The estimated annual value of the contract is £128K, with a total estimated value of £640K
- The proposed contract duration is five years, with options to extend for up to a further three years (5+3), subject to satisfactory performance and business requirements.

## **1.5 Conditions of Participation Questionnaire**

Each Bidder should make its response to the Conditions of Participation by completing and submitting the Conditions of Participation Questionnaire in full.

No alterations or additions to the Conditions of Participation Questionnaire shall be permitted, unless authorised by Yorkshire Water via the clarification process.

The Conditions of Participation Questionnaire contains criteria for qualitative selection and will be used to shortlist bidders, in accordance with the criteria set out below.

Yorkshire Water reserves the right to hold multiple rounds of Conditions of Participation whereby Bidders may be removed from the Procurement Process if they do not meet a certain threshold and as such will not progress to later rounds of CoP and/or ITT.

## 1.6 **Conditions of Participation Criteria**

Prior to making a detailed evaluation of the Conditions of Participation Questionnaire response, Yorkshire Water will carry out an initial review of each response to confirm completeness and compliance with the requirements and may, at its discretion, reject a Conditions of Participation Questionnaire response which is incomplete and/or non-compliant.

The Conditions of Participation Criteria are as follows:

Question Ref	Question Category	Question Type
1.1-1.2	Pre-Requisite	Pass/Fail
2.1-2.6	Introduction	Info Only
3.1-3.3	Regulatory and Conflict of Interest	Info Only
3.4	Regulatory and Conflict of Interest	Pass/Fail
3.5	Regulatory and Conflict of Interest	Info Only
4.1-4.2	Financial	Pass/Fail
5.1-5.10	Health & Safety	Pass/Fail
6.1-6.6	Environmental	Pass/Fail
7.1-7.6	Human Rights	Pass/Fail
8.1	Quality Management	Pass/Fail
9.1-9.3	Information Security	Pass/Fail
10.1-10.3	Insurance	Pass/Fail
11.01-11.07	Capability	Pass/Fail
11.08	Capability	Info Only
11.09-11.13	Capability	Pass/Fail
11.14	Capability	Info Only

11.15-11.16	Capability	Pass/Fail
-------------	------------	-----------

For all pass/fail criteria, a 'fail' being incurred will mean that the Bidder fails in the process and will not progress further.

## 1.7 Conditions of Participation Timescales

Process Stage	Date	Type of Activity	Description
CoP documents issued	19/01/26	Milestone	Yorkshire Water to issue the CoP documents.
Clarification correspondence deadline	26/01/26	Correspondence	Bidder(s) can correspond via Ariba in order to raise any matters for clarification.
CoP submission deadline	13/02/26	Milestone	Bidder(s) to submit CoP responses via Ariba.
CoP evaluation	14/02/26 – 02/03/26	Yorkshire Water Process	Yorkshire Water to evaluate the CoP submissions.
CoP notification	02/03/26	Milestone	Yorkshire Water to notify successful and unsuccessful Bidder(s) and advise on the commencement of the ITT process.

These timescales are indicative, and Yorkshire Water is not bound by them. Yorkshire Water will communicate any updated timescales to Bidders accordingly.

## 1.8 Conditions of Participation Notification of Result

Yorkshire Water will notify all Bidder(s) of the outcome of the Conditions of Participation Stage.

Successful Bidder(s) will be invited to the next stage of the Procurement Process. Unsuccessful Bidder(s) will be notified.