

UK-Reading: evaluation consultancy services

2010/S 42-061970

CONTRACT NOTICE – UTILITIES

Services

SECTION I: CONTRACTING ENTITY

I.1) NAME, ADDRESSES AND CONTACT POINT(S):

Thames Water Utilities Limited, Procurement Support Centre - 3rd Floor East, Clearwater Court, C/O Mail Room Rose Kiln Court, Reading RG2 0BY , UNITED KINGDOM. E-mail: procurement.support.centre@thameswater.co.uk.

Further information can be obtained at: As in above-mentioned contact point(s).

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained at: As in above-mentioned contact point(s).

Tenders or requests to participate must be sent to: As in above-mentioned contact point(s).

I.2) MAIN ACTIVITY OR ACTIVITIES OF THE CONTRACTING ENTITY:

Water.

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting entity:

TC969 Water Auditing Services.

II.1.2) Type of contract and location of works, place of delivery or of performance:

Services.

Service category: No 9.

Main place of performance: Whole of Thames Water Region.

II.1.3) The notice involves:

A public contract.

II.1.4) Information on framework agreement:

II.1.5) Short description of the contract or purchase(s):

Thames Water Utilities Ltd is seeking to award a contract to provide services for the Auditing of and Reporting on information submissions to the Office of Water Services (Ofwat) as requested by the Director General of Ofwat.

These include Annual Returns in June, Principal Statement in December, Quarterly Monitoring reports and Periodic Review submissions including the company's Business Plan.

II.1.6) Common procurement vocabulary (CPV):

79419000, 79212300.

II.1.7) Contract covered by the Government Procurement Agreement (GPA):

No.

II.1.8) Division into lots:

No.

II.1.9) Variants will be accepted:

Yes.

II.2) **QUANTITY OR SCOPE OF THE CONTRACT**

II.2.1) **Total quantity or scope:**

Information to be provided in the Invitation to Negotiate.

II.2.2) **Options:**

No.

II.3) **DURATION OF THE CONTRACT OR TIME LIMIT FOR COMPLETION:**

Duration in months: 60 (from the award of the contract).

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) **CONDITIONS RELATING TO THE CONTRACT**

III.1.1) **Deposits and guarantees required:**

N/A.

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them:**

Specified in Invitation to Negotiate (ITN) document.

III.1.3) **Legal form to be taken by the grouping of economic operators to whom the contract is to be awarded:**

Consortia may be required to form a legal entity prior to any award.

III.1.4) **Other particular conditions to which the performance of the contract is subject:**

No.

III.2) **CONDITIONS FOR PARTICIPATION**

III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:**

Information and formalities necessary for evaluating if requirements are met: Information and formalities necessary for evaluating if requirements are met: As detailed in section VI.3.

III.2.2) **Economic and financial capacity:**

Information and formalities necessary for evaluating if requirements are met: As detailed in section VI.3.

III.2.3) **Technical capacity:**

Information and formalities necessary for evaluating if requirements are met: Information and formalities necessary for evaluating if requirements are met: As detailed in section VI.3.

III.2.4) **Reserved contracts:**

No.

III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

III.3.1) **Execution of the service is reserved to a particular profession:**

No.

III.3.2) **Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service:**

No.

SECTION IV: PROCEDURE

IV.1) **TYPE OF PROCEDURE**

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

Negotiated

Candidates have already been selected: no.

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria:**

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate.

IV.2.2) **An electronic auction will be used:**

No.

IV.3) **ADMINISTRATIVE INFORMATION**

IV.3.1) **File reference number attributed by the contracting entity:**

TC969.

IV.3.2) **Previous publication concerning the same contract:**

No.

IV.3.3) **Conditions for obtaining specifications and additional documents:**

Payable documents: no.

IV.3.4) **Time limit for receipt of tenders or requests to participate:**

6.4.2010 - 12:00.

IV.3.5) **Language(s) in which tenders or requests to participate may be drawn up:**

English.

IV.3.6) **Minimum time frame during which the tenderer must maintain the tender:**

IV.3.7) **Conditions for opening tenders:**

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) **THIS IS A RECURRENT PROCUREMENT:**

No.

VI.2) **CONTRACT(S) RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY COMMUNITY FUNDS:**

No.

VI.3) **ADDITIONAL INFORMATION:**

To pre-qualify, respondents must respond to the Mandatory Requirements set out in paragraph 1 and the Further Information request in paragraph 2 below. Any respondent who is unable to satisfy the Mandatory Requirements or who does not provide the Further Information may not be considered further and may not be invited to tender.

There is no application form available for completion - Applicants are required to respond directly to this Notice. Responses to the Notice should consist of a maximum of 20 pages (40 sides) of A4 paper. Accounts and copies of certificates may be appended to the main body of the response. Applicants should submit one hard copy in a flat or spiral binder and one copy on CD Rom. The envelope must be clearly marked with project number (969). Storage is limited, and applicants are requested not to use lever arch folders or other bulky bindings, or to submit more than one copy. Applicants should not include non-requested sales literature with their applications. Packages weighing more than 10kgs cannot be accepted. Companies who qualify for inclusion on the Tender List may be required to demonstrate their services in practical trials or presentations at no cost to Thames Water Utilities Limited. Applicants who fail to supply all of the information requested in response to this Notice risk elimination. The contents of this Notice are sufficient for submissions of pre-qualification data; all other communications are discouraged. Applications must be clear and concise and contain all the information requested in this notice. The format of supplier's responses must be such that each point is restated and immediately followed by the supplier's answer.

We intend to invite up to 6 respondents to tender for this contract. If more than 6 respondents satisfy the Mandatory Requirements, their responses to the further Information request will be evaluated. Weighted criteria will be used to evaluate the Further Information responses.

The maximum planned duration is 60 months and may contain a break point at Thames water's option, but will contain provision for limited extension to facilitate change of service provider on planned expiry of the contract. Evaluation criteria will be stated within the Invitation to Negotiate specifications. Negotiation will then take place with one or more pre-qualified tenderers to secure the most economically advantageous offer to TWUL. Contracts will be under English law.

1 Mandatory Requirements

1.1 Supply audited accounts for the previous 2 years, where this is not possible (new organisation/joint venture), applicants must provide business plan information covering a 2 year period.

1.2 Provide evidence of turnover in excess of GBP 2 000 000,00 p.a

1.3 Confirm ability to provide a single point of contact for resolution of day-to-day queries and a dedicated, key account manager who will oversee the running of the agreement.

1.4 Confirm ability to provide a 24 hour, seven day a week contact and call out facility with a four hour emergency response.

1.5 Experience: Provide reference details of at least 2 contracts undertaken in the last 2 years for requirements similar to those outlined above in 11.1.5, specifically demonstrating compliance with Ofwat Protocol issue 3.3.2003. For each contract, describe the range, scope, value and duration, including referee contact details. Confirm your willingness for us to approach referees on receipt of your application. Please note that customer site visits may be required as part of the enquiry process.

1.6 Confirm ability to accept orders via telephone, fax, e-mail and the internet.

1.7 Provide evidence of having an accredited quality assurance system, with the appropriate scope, at a minimum this must be ISO9001. Please provide copies.

1.8 Confirm a health and safety policy is in place.

1.9 Confirm an environmental policy in place.

1.10 Provide relevant contact name, address, telephone number and email details of person responsible for this submission.

1.11 Confirm that your company have had no court judgments and prosecutions within the last 3 years.

2 Further Information

2.1 Experience in Auditing and Reporting on Water Utilities' submissions to Ofwat is required. Confirm the length of the relevant experience of individuals available to act as Reporter and Chief Auditor including CV and details of their professional qualifications.

2.2 Please provide an Organogram providing details of relevant resource available to perform services including number of staff, qualifications and role undertaken.

2.3 Provide details of whether these services would be delivered in – house, within any group company, by your existing group contracts or by your long term subcontractors and from what location. Please provide details of how far provision of services would be contracted out.

2.4 Provide full details of your health and safety policy, records and systems, including:

a. A copy of your H&S policy statement and arrangement for implementing the policy and minimising the risk of identifiable hazards.

b. An explanation of how the H&S policy is audited.

c. Details of accidents and any convictions and court/tribunal awards in respect of any safety offences in the last two years – define types of accidents and incidents in accordance with UK Health and Safety Executive report requirements.

d. Details reported on or behalf of your organisation to the Health and Safety Executive of the number of RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) 1995 (SI 1995/3163) for the previous three years. Details should be for the operating division who will be carrying out the work.

e. Demonstrate how you manage RIDDOR accidents and what actions are undertaken to reduce these accidents.

f. Details of how risk assessments are carried out and provide a copy of a recently completed risk assessment report.

g. Provide the name, contact details of the person responsible for H&S within your organisation, stating their qualifications and experience (as required by the management of Health and Safety at Work Regulations)

2.5 Provide full details of your Environmental policy, records and systems, including:

a. A copy of your environmental policy.

b. Describe how this policy is implemented and audited.

c. The name and position of the person within your organisation who is responsible for the environmental policy.

d. Whether you currently hold or are you working towards ISO 14000 or similar environmental accreditation.

e. Whether details of your organisations Environmental performance are available

f. Details of any environmental infringements during the past 3 years including any convictions.

2.6 Provide full details of your quality assurance policy, records and system, including:

a. Top tier Quality Assurance document

b. How the systems are administered and audited

c. Length of time actively followed

d. How the Quality Management System is reviewed and updated? Please demonstrate that a process of continuous improvement operates.

e. The name and position of the person responsible for Quality within your organisation

f. Examples of project documentation produced in accordance with Quality Management Procedures

g. Any established KPI's and reports which are currently available and carried out for other customers, which would also be relevant to Thames Water

2.7 Confirm your capability to accept payment via a range of methods including individual and consolidated invoicing and purchasing cards.

2.8 Confirm your willingness to participate in TWUL's electronic purchasing system.

3. Supplementary information

Evaluation will not take place against the following questions. However, respondents are requested to answer each point as fully as possible.

3.1 Provide a one page covering letter to include relevant contact address, telephone, fax and e-mail details

3.2 Your organisation: Please provide the address of your registered office, and details of the UK locations you operate from, together with the named person responsible for this application. Please state whether your company is part of a group or is affiliated in any way with other companies. If so, please provide details of the group company structure or other company relationships. Alternatively provide details if you propose to develop a new partnership with another company to deliver this service.

3.3 Please provide brief details on how your organisation is working towards meeting the ten universal principles in the areas of human rights, labour, the environment and anti corruption. (www.unglobalcompact.org)

3.4 Please provide brief details on your Corporate Social Responsibility and Sustainable Procurement Policies and how your organisation is working towards implementing these policies.

General.

Thames Water operates an ongoing risk management approach with regard to the economic and financial capacity of its suppliers. Information will be obtained either from the supplier or an externally recognized

provider. Information will be gathered upon commencement of the process and over the duration of the contract period.

Respondents should note that this process might require references to be provided and verified, attendances at meetings, talks and presentations at no cost to Thames Water.

Consortia may be required to form a legal entity prior to any award.

Thames Water Utilities Limited reserves the right to award no contract(s) as a result of this award procedure.

Any agreement resulting from this contract notice may be modified to include further similar requirements at any site under the management of Thames Water Utilities Limited or its associated companies (subsidiaries, sister, parent company (and Group of Companies) within the EU, five years from the agreement date.

This contract notice does not preclude Thames Water Utilities Limited or its associated companies (subsidiaries, sister, parent companies etc) from issuing other contract notices for specific requirements from time to time.

There will be no further call for competition.

VI.4) **PROCEDURES FOR APPEAL**

VI.4.1) **Body responsible for appeal procedures:**

See Section VI.4.2.

VI.4.2) **Lodging of appeals:**

Precise information on deadline(s) for lodging appeals: Precise information on deadline(s) for lodging appeals:

The contracting authority will comply with Regulation 33A of the Utilities Contracts Regulations, 2006.

The contracting entity, in conformity with regulation 33A, will not enter into the contract before whichever of the following occurs first—(a) midnight at the end of the 15th day after the relevant sending date; (b) midnight at the end of 10th day after the date on which the last of the economic operators to receive such a notice receives it. The relevant sending date means the date on which the regulation 33(1) notices are sent to the relevant economic operators, and if the notices are sent to different relevant economic operators on different dates, the relevant sending date is the date on which the last of the notices is sent. This period allows unsuccessful tenderers to seek further debriefing from the contracting authority before the contract is entered into.

Any proceedings for breach of the contracting authority's duties under clauses 45A and 45B of the Utilities Contracts Regulations must be brought in the High Court. Where no declaration of ineffectiveness is sought, such proceedings must be brought promptly (generally within 3 months). Other time limits, prescribed by Regulation 45E apply where a declaration of ineffectiveness is sought.

Where a contract has not been entered into the court may order the settling aside of the award decision or order the authority to amend any document and may award damages. If the contract has been entered into the Court may declare the contract ineffective, shorten the contract term, order payment of a civil financial penalty and award damages.

VI.4.3) **Service from which information about the lodging of appeals may be obtained:**

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

25.2.2010.