



Stoke-on-Trent: **Decentralised Energy
Purchasing Organisation**

CUSTOMER USER GUIDE:
Purchasing Framework #1:
Technical and Professional
Consultancy Support

Introduction

StokeDEPO has been established to allow public bodies in the UK to procure the services, goods and works they need to develop, construct, manage and maintain all types of decentralised energy networks. This applies to all projects which generate and produce energy and/or heat which is off-grid. It can include district heating and cooling, energy from waste, geothermal projects, biomass and solar energy. And more besides.

This user guide informs customers how to contract with providers through Purchasing Framework #1, and covers Technical & Professional Consultancy Support.

Legal Status

The framework was established following a legally compliant procurement process. The opportunity was advertised in compliance with the Public Contract Regulations 2015; the OJEU Contract Notice reference is 2018/S 173-392535.

Duration

The framework agreement commenced on the 1st January 2019, and will end on 31st December 2022. Contracts under this framework must be awarded prior to the latter date (although services delivered under those contracts can continue beyond the framework end date).

Specification

Users are referred to a separate Specification Document for a detailed list of eligible activities. There are nine Lots in all. Lots 1-8 cover specialist areas of consultancy and specialist support. Lot 9 combines all the other Lots plus adds an overall project management function. In summary the Lots cover the following:

Lot (Number and Title)	No. suppliers	Maximum value
Lot 1: Energy Mapping	8	£3,000,000
Lot 2: Commercial & Techno-Economic Feasibility	8	£6,000,000
Lot 3: Energy Master-planning	8	£5,000,000
Lot 4: Building & Plant Room Survey	6	£5,000,000
Lot 5: Detailed Mechanical/Electrical Design	8	£7,000,000
Lot 6: Detailed Buried District Network Civil Design	6	£7,000,000
Lot 7: Underground Utility Detection, Verification and Location Survey	6	£5,000,000
Lot 8: Buried District Network Construction Contract Management	8	£9,000,000
Lot 9: Project Management for Full Feasibility Support	6	£7,500,000

Eligible Organisations/Users

The users of this framework are limited to:

- All local authorities in the United Kingdom (including companies wholly owned by those authorities where they are operating under a “Teckal”-status);
- All higher education institutions in the United Kingdom;
- All NHS health trusts in the United Kingdom.

Using the framework

The first stage is for the user to identify a requirement which is eligible under this framework. The user will need to consider:

- Whether the requirement can be met under a single Lot;
- Or whether the requirement can only be achieved by using providers across two or more Lots. In this situation, the user has a choice of either appointing providers(s) across separate Lots OR appointing a project manager through Lot 9 to assemble the necessary supply chain.

The user needs to define a clear scope of services and commission brief against which providers on the Lot can provide a fee proposal. The two means of appointment are:

- Further competition. This is the preferred route to appoint a provider. In this situation ALL providers on the Lot must be approached and invited to submit a fee proposal;
- Direct award. Where the user identifies a strong rationale for doing so, direct awards are permissible. Usually this will be the extension of a contract with a previously-appointed provider, or it could be for other reasons (e.g. extreme urgency).

In terms of a further competition, users are encouraged to use e-Procurement platforms (where those platforms allow for a restricted procedure) to invite fee-proposals. In this situation, providers on the Lot should be e-mailed to alert them to the opportunity, and a link to the platform provided. Alternatively, for lower value and/or simpler requirements, a simple exchange of e-mails will suffice. The time allowed for providers to respond must be proportionate to the value and complexity of the scope of services.

A further competition can be evaluated on one of the following approaches:

- A straightforward commercial proposal (i.e. price only) where the scope of services is straightforward and relatively low value;
- A mix of commercial (80%) and technical (20%) responses. Technical responses are usually limited to method statements at this stage. Please bear in mind that technical competencies will have been established at the framework stage;
- A more complex proposal can be evaluated on the basis of commercial (60%) and technical (40%) scoring.

A direct award will be made following the agreement of a fee proposal between a user and provider, and the user's requirements and the provider's price agreed.



Contractual Arrangements

When calling off from the framework, users should use the “Decentralised Energy Professional Services Framework Agreement”, provided by Stoke-on-Trent City Council. This is based on the NEC4 Professional Services Contract. Users are encouraged to incorporate any alternative clauses in the Scope of Services; however, where the user requires those clauses to be included within the Agreement (“Z clauses”) such an approach may be permitted provided that they do not materially alter the Agreement nor contradict it.

Users will utilise their own order form; framework-specific order forms are not provided.

Prices

It is the responsibility of the user to establish whether or not the providers’ fee proposals exceed the daily rate tendered in establishing the framework (which is not permitted). However, please bear in mind the following:

- Providers are permitted an increase, in line with the Consumer Price Index, annually over and above the amount quoted within their tender response;
- Some providers have reserved the right to place regional variations on pricing; these variations will be made available to users.

Due Diligence

Users are required to undertake their own due diligence prior to entering into a contract with a provider, particularly in terms of that provider’s financial standing. The latter was evaluated when the framework was established, but StokeDEPO nor Stoke-on-Trent City Council can be responsible for any changes in a provider’s trading status.

Reporting Requirements

When a user enters into a contract with a provider, the user is required to inform Stoke-on-Trent City Council within 30 days of that contract coming into effect (please see contact details below). The information submitted should include: the provider; the Lot; the value of the contract; and a brief description of the nature of the works.

The user is also required to inform the City Council of the value of all invoices issues to the user by that provider, again within 30 days of the invoice being received.

Fees

The fee for accessing the framework is 2% of invoice value. Please note that this will be levied on the provider not the user. The 2% fee has been built into all providers’ day rates at tender stage (and by definition the fee proposal) so there are no additional costs to be incurred by the user. The sum quoted by the provider is what the user will pay (subject to compensation events and other variances etc).

Contact

For further information, please contact the StokeDEPO team on:

StokeDEPO@stoke.gov.uk

Tel. 01782-232747