

# EP UK Investments Ltd

## SELECTION QUESTIONNAIRE

for the provision of

**Black Start Infrastructure and Gas Engines in Northern Ireland**

**MAY 2021**

**Upon downloading the Selection Questionnaire, Economic Operators must immediately provide a contact name, email address and telephone number for their organisation to [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk) in order to receive clarification responses. It is the sole responsibility of each Economic Operator to register in this manner.**

## 1 Introduction

EP UK Investments Limited ("**EPUKI**") is the owner of the existing Kilroot Power Station in Northern Ireland. In mid-2019, this station was acquired by its subsidiary EP Kilroot Limited ("**EPKL**") from AES Kilroot Limited. EPUKI is a subsidiary of Energetický a Průmyslový Holding (EPH).

EPH owns and operates circa 20 GW of energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, France and the United Kingdom. EPH also has interests in natural gas transmission, gas storage, mining, renewables, gas and electricity distribution and supply. EPH employs over 25,000 people and generates annual revenues of circa €4.6 billion.

EPKL operates Kilroot Power Station which is situated on the north shore of Belfast Lough near Carrickfergus in County Antrim, Northern Ireland. Kilroot Power Station has an installed generating capacity of 560 MW from dual coal and oil fuelled generators, plus 142 MW from additional gas turbines.

The plant was commissioned in 1981 solely as an oil burning station. In 1989, the plant converted to dual fuel firing with coal. Flue Gas Desulphurisation equipment was installed in 2007 to meet the requirements of the EU Large Combustion Plant Directive.

More recently EPKL has advanced plans to install 2 x OCGT and associated infrastructure at its Kilroot site.

### The opportunity

EPUKI on behalf of EPKL (together, the "**Client**") is inviting qualification responses from Economic Operators to Engineer, Procure and Construct (EPC) electrical infrastructure associated with black start and the provision of a new containerised Gas Engine package to provide the site standing loads which have a range from circa 1MW to 3.5MW at its Kilroot site in Northern Ireland ("**Procurement**"). This package of work forms part of a wider site programme.

The major items of plant for consideration are as follows;

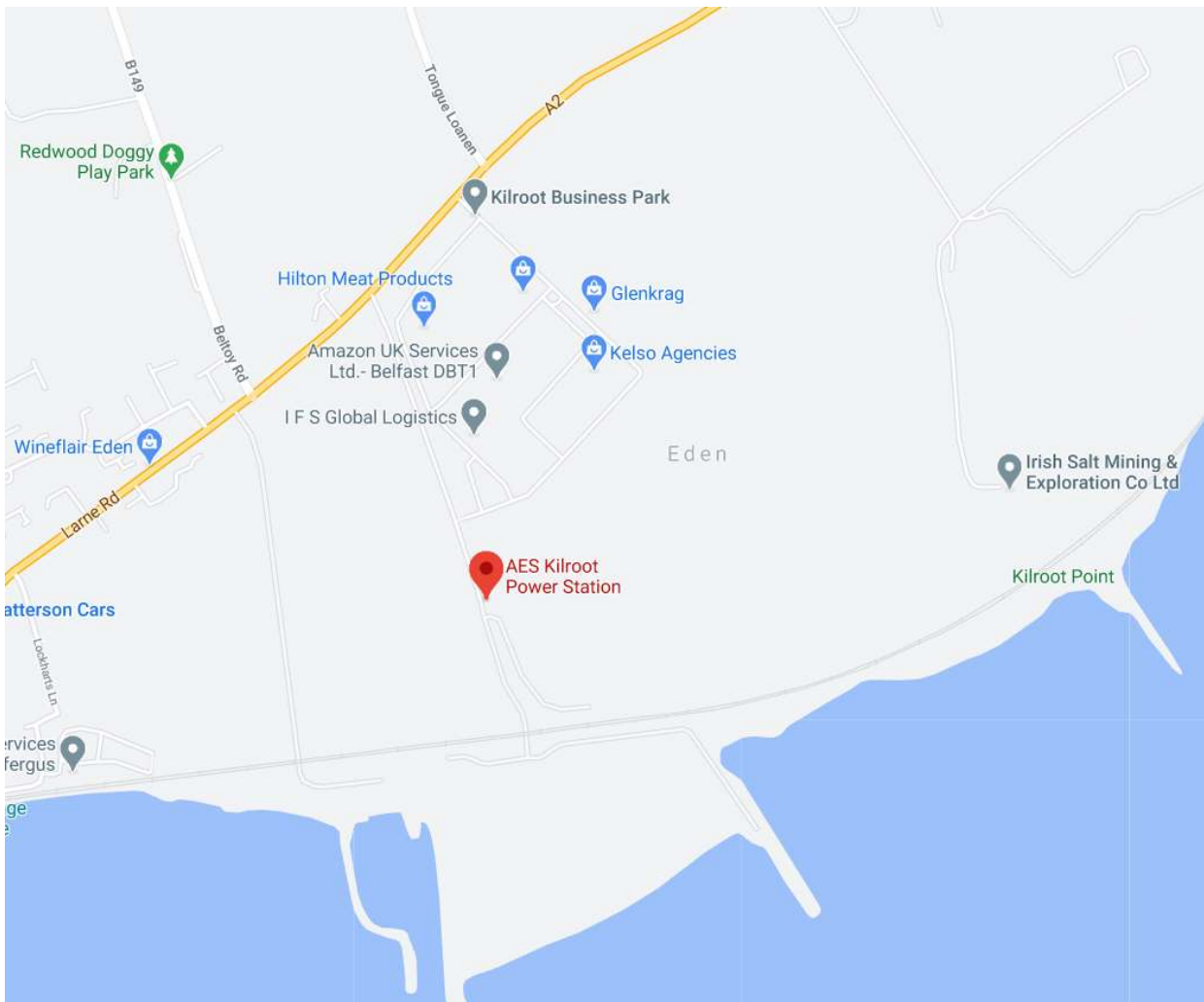
- Gas Engine package
- 11kV switchboard
- Auxiliary Transformers
- 11kV Ring Main Units
- 11kV underground and over-ground cabling
- Expansion of the existing 11kV BESS switchboard
- Feeding the existing BESS 11kV switchboard from a new 11kV switchboard
- Temporary 11kV cable connection to existing station board 2A
- Modifications to the Gas Turbines 6 and 7 control system
- Protection, control and SCADA
- Settlement metering
- System monitoring

- Auxiliary supplies

The scope shall include all necessary civil and mechanical works required to install and operate the electrical system.

### Location of the project

The existing Kilroot power station is located near to Carrickfergus, Northern Ireland as shown in Figure 1



**Figure 1 - Map showing the location of Kilroot Power Station**

The address for the site is, Kilroot Power Station, Larne Rd, Eden. Carrickfergus, BT38 7LX.

### Site background

Kilroot Power station has 2 coal fired units, 4 GT units and a Battery Energy Storage System (“**BESS**”). Soon the 2 coal fired units may be decommissioned and 1 or 2 new gas-fired Open Cycle Gas Turbine (“**OCGT**”)

peaking units will be installed. These are referred to as OCGT6 and OCGT7 in this document. The 4 existing GT units (GT1 to GT4) will remain and continue to provide services to SONI along with the BESS.

Figure 2 (below) provides a general layout of the Kilroot site. The 275kV Kilroot substation is located to the north of the site and enclosed within its own building. The location for the new OCGTs is within the existing turbine building for the coal fired power station. When Kilroot was originally built one half of the building was fitted out with two coal fired units. The other half of the building remained empty except for being used for storage / workshop.

The existing GT units, GT1 to GT4, are located to the south east side of the site. GT1 and GT2 are located within a building and connected to the 275kV grid via the coal station electrical systems. GT3 and GT3 are located in separate cabinets, north of the building which houses GT1 and GT2, and connected to the 275kV grid via a common grid connection that is independent to the coal station. The step-up transformer for GT3 and GT4 is located just to the north of GT3 and GT4, this compound also has the 275kV cable sealing ends.

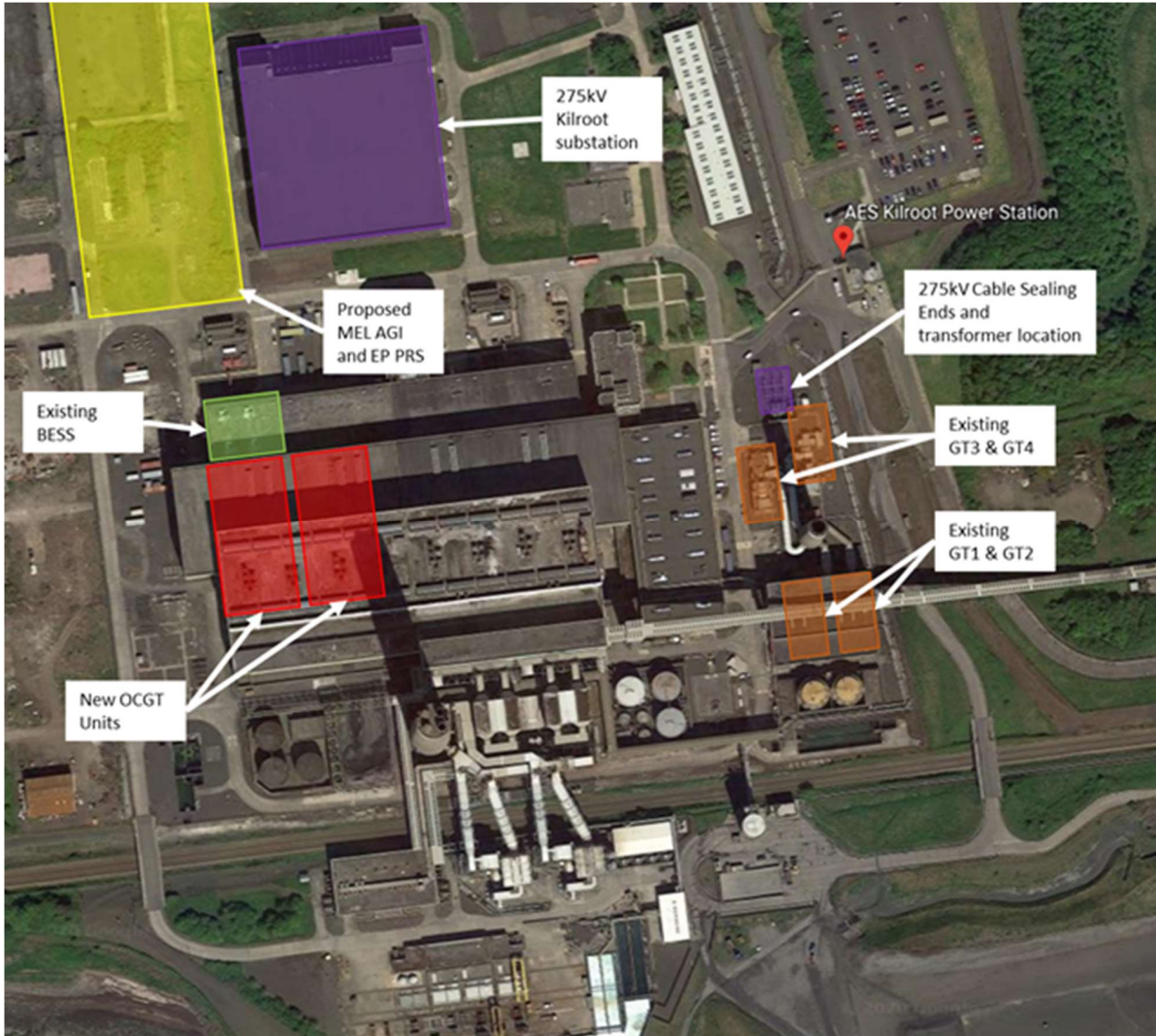
The BESS system is physically located in the coal station and connected into one of the coal unit electrical systems for import and export.

There is currently no natural gas onsite, however a natural gas supply will be brought onto the Kilroot site for the new OCGTs and gas engine package.

The works will be undertaken on an operational Power Station Site.

Further detail in relation to the Client requirements can be found in the Market Brochure appended to this SQ. The technical specifications for the Procurement will be formally issued to all Economic Operators shortlisted for the tender stage.

It is anticipated that any contract awarded will commence around August 2021



**Figure 2 - Kilroot Power Station - General layout showing key locations**

### 1.1 The tender process

This tender process is being conducted in accordance with the negotiated procedure with prior call for competition under Regulation 47 of the Utilities Contracts Regulations 2016 (as amended) (the "**Regulations**"). Economic Operators should complete and submit this Selection Questionnaire ("**SQ**") in accordance with the instructions in this document prior to the return deadline of **Monday 31<sup>st</sup> May 2021, 12pm GMT**.

This SQ sets out the information required by the Client to assess the suitability of Economic Operators in terms of their technical knowledge and experience, capability/capacity, organisational and financial standing to deliver the Client's requirements as currently envisaged. Following the SQ stage, the intention is to arrive at a shortlist of qualified Economic Operators to be invited to formally tender around June 2021. Following submission and evaluation of SQ responses, the Clients envisage inviting a maximum of the top 5 scoring Economic Operators (plus ties, if applicable) to the tender stage.

All Economic Operators will be informed of the outcome of the evaluation of SQ responses and those Economic Operators shortlisted for the tender stage will be provided with the tender documents and invited to complete and return their tender response(s) in accordance with the Invitation to Negotiate ("ITN"). Economic Operators should note at this stage that it will be a condition of participating in the ITN stage that each Economic Operator enters into a non-disclosure agreement in the format specified by the Client, to protect the sensitivity and confidentiality of information that may be disclosed by the Client at the ITN stage.

Once the Client has evaluated the ITN submissions, the Client reserves the right to undertake negotiations with one or all of the remaining Economic Operator(s). Further details about the conduct of negotiations will be set out in the ITN. Prior to such negotiations, the Client may decide to down-select Economic Operators, whilst always maintaining adequate competition throughout the Procurement as far as possible. EPUKI reserves the right to request one or all of the remaining Economic Operators submit a final tender.

Any contract(s) awarded by the Client shall be awarded to the Economic Operator submitting the most economically advantageous tender response.

## 1.2 Indicative Timetable

- The proposed timetable for the SQ process is set out below. This represents a guide only and the Client reserves the right to depart from the stated timescales at any time.

Indicative Date	Action
<b>Pre-Qualification Stage</b>	
<b>14<sup>th</sup> May 2021</b>	Contract Notice submitted to Find a Tender.  SQ and Market Brochure made available to Economic Operators upon publication
<b>12pm BST on 24<sup>th</sup> May 2021</b>	SQ Clarification Questions Deadline
<b>12pm BST on 31<sup>st</sup> May 2021</b>	SQ Response Submission Deadline
<b>31<sup>st</sup> May to 7<sup>th</sup> June</b>	Evaluation of SQ Responses
<b>7<sup>th</sup> June 2021</b>	Notification of outcome of Pre-Qualification Stage delivered to all Economic Operators
<b>Invitation to Negotiate (ITN) Stage</b>	
<b>8<sup>th</sup> June 2021</b>	ITN issued to shortlisted Economic Operators
<b>14<sup>th</sup> June 2021</b>	ITN Clarification Deadline
<b>21<sup>st</sup> June 2021</b>	ITN Submission Deadline
<b>22<sup>nd</sup> June to 16<sup>th</sup> July</b>	ITN Submission Evaluation and Clarification
<b>Negotiation Period (Optional)</b>	
<b>19<sup>th</sup> July to 27<sup>th</sup> August 2021</b>	Negotiation Period
<b>Preferred Tenderer Stage</b>	
<b>27<sup>th</sup> August 2021</b>	Notification of successful and unsuccessful Tenderers (Standstill letters)
<b>30<sup>th</sup> August 2021</b>	Standstill Period commences
<b>9<sup>th</sup> September 2021</b>	Contract Signature Date

### **3. Instructions to Economic Operators**

#### **3.1. Consortia**

Economic Operators may wish to form a consortium (i.e. a group of suppliers and/or sub-contractors) for this tender process. Economic Operators wishing to apply in this way must complete the relevant sections of the SQ detailing the information required in relation to the consortium (as indicated within the SQ).

Each consortium member will be required to contract with the Client on such basis as the Client consider appropriate, having regard to the nature, size and complexity of the contract(s). In particular, the Client may require:

- some or all consortium members to contract on the basis of joint and several liability;
- one consortium member to contract as the prime contractor (with other consortium members entering into direct agreements, collateral warranties or guarantees); or
- the consortium to form an incorporated, special purpose vehicle to contract with the Client.

Failure to comply with any of the above requirements may result in the disqualification of the Economic Operator from the tender process.

#### **3.2. Reliance on Third Parties**

Economic Operators (including, for the avoidance of doubt, consortium members) may rely on the resources of third-party entities, with which they are directly or indirectly linked, in order to meet the SQ requirements. The Client reserves the right to require such assurances as considered necessary and/or the provision of a guarantee, performance bond, direct agreement or collateral warranty from the third-party entities.

Where a third-party entity is being relied on to support the obligations of the Economic Operator, the relevant information must be provided in the SQ, for example, in relation to economic and financial standing. It is important for Economic Operators to note that, if sufficient evidence is not provided to rely on a third-party's resources in the manner proposed, the Economic Operator (or consortium member as appropriate) will be evaluated on its own merits.

Failure to comply with any of the above requirements may result in the disqualification of the Economic Operator from the tender process.

#### **3.3. Changes to information provided in SQ responses**

Where information provided in an SQ response changes following submission, Economic Operators must notify the Client as soon as possible, providing full details of, and reasons for, the changes. Failure to notify such changes may result in the disqualification of the Economic Operator from the tender process.

In particular, but without limitation, the Economic Operator must notify the Client of:

- any proposed changes to consortium members or any third-party entities being relied on;
- any significant deterioration in the financial standing of the Economic Operator, or any consortium member or third-party entity being relied on; and
- whether any exclusion grounds set out in Regulation 57 of the Public Contracts Regulations 2015 (as amended) apply in respect of the Economic Operator, or any consortium member or third-party entity being relied on.

The Client may require the Economic Operator to provide such further information as may be required to enable it to assess the Economic Operator's ability to continue participating in the tender process. The Client reserves the right, at its absolute discretion, to accept or reject any changes to an Economic Operator's structure and to reject an Economic Operator from the tender process on this basis.



### **3.4. Clarifications**

Economic Operators may seek clarification where they consider any part of the documentation or any other aspect of this Procurement is unclear. Requests for clarification in relation to the SQ must be sent via email to [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk) by no later than **12pm GMT on 24<sup>th</sup> May 2021**. The Client may at its absolute discretion refuse to answer any questions submitted after this date. The Client will endeavour to respond to requests for clarification within 36 hours of receipt of the clarification.

No approach of any kind in connection with this SQ should be made to any other person within, or associated with, the Client. This SQ is being provided on the same basis to all Economic Operators. The Client will not enter into detailed discussion of the tender requirements at this stage.

Clarification requests and responses will be circulated to all Economic Operators and shall form part of the tender process. It is the responsibility of Economic Operators to monitor and take into consideration all clarification responses issued. Where an Economic Operator considers a clarification to be confidential in nature, this should be clearly stated on the request and the reason why. In all circumstances, the Client reserves the right to communicate clarification responses to all Economic Operators, at any stage, at its sole discretion.

### **3.5. Submission of SQ responses**

Economic Operators must complete all questions in the SQ in the format requested. Where a question is not relevant to the Economic Operator's organisation, this should be indicated, with an explanation. Where questions cannot be answered fully, please provide a full explanation.

Where a word limit has been stipulated, only the information within this word limit will be assessed. Unless expressly stated otherwise, additional information will not be assessed and therefore should not be submitted. This includes any hyperlinks inserted into the submission and any text included in diagrams and drawings. Economic Operators should note that the Client will limit any assessment to the stipulated length of any such answer and the remainder of the response will not be considered or assessed.

In respect of individual question responses, Economic Operators should ensure that each response is self-contained and does not seek to rely upon cross-referencing to responses provided in respect of other questions. For the avoidance of doubt, unless otherwise stated, no account will be taken in the assessment of the response to a particular question or information referenced and contained in a response or responses to other questions.

Questions must be answered in English.

Financial information must be stated in Pounds Sterling.

The completed SQ response must be returned to [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk) by no later than **12pm GMT on 31<sup>st</sup> May 2021**.

**Economic Operators should note that late responses will not be accepted.**

Returns must be submitted in accordance with the instructions in this SQ. Completed SQs may be submitted at any time before the return date and time. The Client does not accept any responsibility for the premature opening or mishandling of SQ returns that are not submitted in accordance with these instructions.

Economic Operators are requested to consider if any information supplied in their SQ response should not be disclosed because of sensitivity. If so, this should be expressly identified by the Economic Operator within the SQ response.

Failure to provide the required information, provide a satisfactory response to any question, or failure to supply documentation referred to in the responses, within the specified timescale, may mean that the



Economic Operator is not invited to participate further in the Procurement. In the event that none of the SQ responses are deemed satisfactory, the Client reserves the right to terminate the Procurement (in whole or part) and, where appropriate, re-advertise the contract opportunity (in whole or part).

Economic Operators must be explicit and comprehensive in their responses to this SQ as this will be the single source of information on which responses will be scored.

### **3.6. Evaluation of SQ responses**

The SQ is structured with the following parts:

- **Question 1: Potential Supplier Information (Information only)**
- **Question 2: Grounds for Mandatory Exclusion (Pass/Fail)**
- **Question 3: Grounds for Discretionary Exclusion (Pass/Fail)**
- **Section 4: Economic and Financial Standing (Pass/Fail)**
- **Section 5: Technical and Professional Ability (Pass/Fail and Scored)**
- **Section 6: Declaration**

The evaluation of SQ responses will be carried out by a single evaluation panel on behalf of the Client.

SQ responses will be evaluated as follows:

#### ***Completeness and Compliance Check***

SQ responses will be subject to a completeness and compliance check to ensure that the SQ response is fully compliant with the requirements of this document.

#### ***Evaluation***

##### **Stage 1:**

- **Question 1: Potential Supplier Information (Information only)**
- **Question 2: Grounds for mandatory exclusion (Pass/Fail)**
- **Question 3: Grounds for discretionary exclusion (Pass/Fail)**
- **Section 4: Economic and Financial Standing (Pass/Fail)**
- **Section 6: Declaration**

Question 1 and Section 6 is for the Client information and compliance purposes only and will not be evaluated. Economic Operators must however provide all information requested.

The Client reserves the right to exclude any Economic Operator that submits an incomplete or incorrect Declaration for Section 6.

Question 2 and Section 4 will be evaluated by the Client on a Pass/Fail basis in accordance with the evaluation criteria stipulated within the question/section. Any Economic Operator that fails any question and/or section within the SQ will not be shortlisted for the tender stage of the process.

Question 3 will be evaluated by the Client on a Pass/Fail basis in accordance with the evaluation criteria stipulated within the question/section. If any question is answered with a 'Yes' response, then the Client will consider the supporting information provided (as well as any other relevant information available to it) against the magnitude of the issue to determine whether or not the Economic Operator should be excluded from the Procurement. The Economic Operator may be permitted to continue its participation in the Procurement, but this is at the Client's sole discretion and in line with its obligations under the Regulations, particularly the duty to treat all bidders equally and the duty to act proportionately.

## **Stage 2:**

### **▪ Section 5: Technical and Professional Ability (Pass / Fail and Scored)**

For Economic Operators that have passed Stage 1, the Client will assess responses provided to Section 5 of this SQ in accordance with the instructions stipulated for each question.

Section 5 includes a mixture of questions, some of which will be assessed on a pass/fail basis whilst others are scored. Questions which are 'for information purposes only' will not be assessed by the Client.

Economic Operators that receive a "Fail" score for one or more questions in Section 5 will be excluded from the Procurement.

Question 5.1(c) has a weighting of 30% and Question 5.3 has a weighting of 70%. Following the assessment of these questions, Economic Operators will be ranked by their overall weighted scores in order to determine which Economic Operators shall be shortlisted for the next stage of the Procurement.

The Client reserves the right to contact any named customer contact in Question 5.3 of the SQ either by phone or email in order to verify the information provided by the Economic Operator. The named contact provided should be able to provide the evidence requested in Question 5.3 to confirm the accuracy of the information provided in response to that Section.

Should the Client elect to contact the named client, any information given shall not be individually scored but may be used to validate information given in response to this SQ.

After having evaluated the SQ responses, the Client will notify all Economic Operators individually whether they have been successful or unsuccessful at the SQ stage of this Procurement.

### **Clarification**

Where an SQ response is not complete/compliant with the instructions set out in this document, the Client reserves the right, at its absolute discretion and subject to the Regulations, to:

- Reject the SQ response as non-compliant;
- Without prejudice to the above, to:
  - Seek clarification or supplementary information from the Economic Operator(s); and
  - To request the Economic Operator(s) to provide information or items which have been provided in an incorrect format; and/or
  - To waive a requirement which, in the opinion of the Client, is minor and/or procedural.

For the avoidance of doubt, whilst the Client reserves the right to carry out the above action, it shall not be obliged to do so.

Economic Operators must comply with and facilitate any requests in this regard within such timeline as the Client may, at its discretion, stipulate. The Client's decision in relation to the compliance of any SQ response shall be final.

## **4.7. Conditions of Procurement**

### **Introduction**

In addition to regulating the conduct of Economic Operators and the Client throughout the Procurement, these Conditions of Procurement grant the Client specific rights and limit the Client's liability.

In providing any information in connection with this tender process, whether in this SQ or otherwise, the Client makes no representation, and accepts no responsibility for, the accuracy, comprehensiveness or adequacy of the information provided.

The above exclusion extends to liability in relation to any statement, opinion or conclusion contained in, or any omission from, any of the appendices to the Procurement Documents<sup>1</sup> and in respect of any other written or oral communication transmitted or otherwise made available to any Economic Operator, and no representations or warranties are made in relation to such opinions, statements or conclusions.

Despite the above, the Client does not exclude liability for fraud.

Any information provided to any Economic Operators as part of the Procurement is not intended to form the basis of any investment decision and should not be considered as an investment recommendation by the Client or any of its advisors, agents and representatives.

The timeframes specified in the Procurement Documents are indicative only and may be revised by the Client from time to time. If they are revised, the Client shall notify all the Economic Operators accordingly.

### ***Costs of participation***

Economic Operators will remain responsible for all costs and expenses incurred by them, their staff, and their advisors or by any third-party acting under their instructions in connection with this Procurement.

For the avoidance of doubt, the Client shall have no liability whatsoever to Economic Operators for (i) any costs incurred through participation in the Procurement, including costs incurred in the preparation and submission of the SQ response and/or tender submission; (ii) any costs of any amendments or changes made to the Procurement Documents or other documentation by the Client at any time, or discussions or communications and (iii) any costs or any other liability in respect of the cancellation of the Procurement for any reason howsoever arising.

### ***Confidentiality***

The Procurement Documents contain information that is proprietary and confidential to the Client. Any dissemination, distribution, reproduction or disclosure of any content of the Procurement Documents is forbidden, without obtaining the prior written consent of the Client. By receiving the information contained in the Procurement Documents and any associated documents, the Economic Operator agrees to keep confidential the information contained in these documents and/or any further information made available in connection with any further enquiries regarding the Procurement. The Procurement Documents, and any associated documents, may only be made available to the Economic Operator's employees or professional advisors directly involved in the appraisal of such information on the same confidential basis and the Economic Operator shall be responsible for ensuring that such employers and professional advisors maintain the confidentiality of information disclosed by or on behalf of the Client. As specified above, Economic Operators are reminded that it will be a condition of participating in the ITN stage that each Economic Operator enters into a non-disclosure agreement in the format specified by the Client, to protect the sensitivity and confidentiality of information that may be disclosed by the Client at the ITN stage.

### ***Intellectual Property***

Economic Operators are reminded that all intellectual property rights, including copyright, in the Procurement Documents and any other documents and materials supplied by the Client and/or its advisors in this

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<sup>1</sup> "**Procurement Documents**" means at the SQ stage of the Procurement, any one, more or all of the procurement documents issued by the Client including (but not limited to) the contract notice, this SQ and the Market Brochure made available to all Economic Operators at the same time as this SQ. This definition shall be updated at later stages of the Procurement. Procurement Documents may also be referred to in the singular to denote one of these documents.

Procurement, in whatever format, belongs to the Client, its advisors or the relevant owner/licensor. Economic Operators shall not copy, reproduce, distribute or otherwise make available any part of these documents to any third-party (except for the purpose of preparing an SQ response and/or tender submission) without the prior written consent of the Client. All documentation supplied by the Client in relation to this Procurement must be returned or destroyed on demand, without any copies being retained by the Economic Operator.

### ***Publicity***

Economic Operators should not make available to the press, or in any other way make public, any information in relation to the Procurement, including, without limitation, the selection of the long or short list of Economic Operators, the appointment of the preferred Tenderer, the award of the contract(s) or the Procurement in general without the prior written consent of the Client.

The Client retains the right to publicise or otherwise disclose to any third-party, information in relation to the Procurement, the selection of the long or short list of Economic Operators (including details of any respective person considered to form part of an Economic Operator as identified in the SQ response, sub-contractors, representatives, advisers, consultants, servants or agents), the Procurement in general or the award of the contract at any time.

### ***Conflict of Interest***

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Economic Operator to inform the Client, detailing the conflict in a separate Appendix.

In the event of any actual, potential or perceived conflict of interest, the Client shall in its absolute discretion decide on the appropriate course of action. The Client reserves the right to:

- disqualify Economic Operators where the Economic Operator fails to notify the Client that there is an actual, potential or perceived conflict of interest or where an actual conflict of interest exists;
- request further information from Economic Operators and require Economic Operators to put certain measures in place. This may include requiring Economic Operators to enter into a specific conflict of interest agreement with the Client.

### ***Canvassing and Non-Collusion***

Any attempt by an Economic Operator, its advisers or agents to:

- directly or indirectly, canvass any representative of the Client concerning the award of a contract(s);
- obtain information on another Economic Operator or another SQ response or tender submission from any employees of the Client, its advisers or agents;
- offer, give or agree to give any gift, inducement, fee or reward to any member, employee, agent or advisor of the Client;
- do anything which would constitute an offence under the Bribery Act 2010;
- collude with any other person in order to influence the Procurement;
- contact any officer, employee, agent or advisor of the Client about any aspect of the competition except as authorised in the Procurement Documents, including (but without limitation) for the purposes of discussing the possible transfer to the employment of the Economic Operator of such employee for the purpose of the competition or for soliciting information in connection with the competition;
- fix or adjust the amount or content of any tender submission in accordance with any agreement or arrangement with any other person, other than in good faith where such other person is considered to form part of an Economic Operator as identified in the SQ response, or a supplier, adviser or provider of finance to the Economic Operator;

- communicate to any person other than the Client, or seek or obtain from such other person, information about the amount or content of any tender, other than in good faith to obtain quotations for supplies, services or finance;
- enter into any agreement or arrangement with any other Economic Operator to fix or adjust the form, content or amount of any tender submission;
- enter into any agreement or arrangement with any other Economic Operator that will result in such other Economic Operator refraining from submitting any tender submission;
- obtain details of the tender submission of another Economic Operator;
- carry out any other co-operation or collusion which the Client considers has actually or potentially undermined competition;
- communicate to any person other than the Client the contents of any tender except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of any tender (for example, for insurance or a guarantee); or
- disclose to any person other than the Client and except as permitted by the Procurement Documents the whole or any part or any details of the Procurement,

may result in an Economic Operator being disqualified from the procurement process, without prejudice to any other civil or legal remedies available to the Client and without prejudice to any criminal liability that such conduct by an Economic Operator may attract.

### ***Anti-Competitive Behaviour***

In order to create a level playing field for Economic Operators, the Client may require evidence from Economic Operators that their arrangements are not anti-competitive. The Client reserves the right to require Economic Operators to comply with any reasonable measures which may be needed to verify that no anti-competitive arrangements are in place.

Any evidence of any anti-competitive behaviour may result in Economic Operators being disqualified from the Procurement.

### ***Right to cancel or vary the tender***

The advertisement of this opportunity in no way commits the Client to appoint an Economic Operator to provide the requirements described in this document and the Client reserves the right to terminate this tender process in whole or part, at any time.

The Client is under no obligation to proceed with a contract(s) and may, at its absolute discretion, withdraw, change, vary or suspend this tender process in whole or part. Nothing in this document constitutes an agreement or representation that an Economic Operator will be awarded a contract(s).

If it is necessary for the Client to amend this documentation in any way, prior to the receipt of responses, all Economic Operators shall be notified in writing simultaneously. If appropriate, the deadline for responses may be extended.

### ***Third Parties***

Nothing in these terms is intended to confer any rights on any third-party under the Contracts (Rights of Third Parties) Act 1999. This does not affect any right or remedy of any person which exists or is available apart from that Act.

### ***Applicable law***

The law of Northern Ireland is applicable to this Procurement.

The parties agree to submit to the exclusive jurisdiction of the Courts of Northern Ireland in relation to any dispute arising out of or in connection with this Procurement.

## SELECTION QUESTIONNAIRE

### Question 1: Potential Supplier Information (Information Only)

All Economic Operators, or in the case of a consortium the lead Economic Operator, must complete the questions in Question 1. Responses to Question 1 are provided for information only and do not form part of the scored evaluation of SQ responses. However, Economic Operators must provide a full response to each question (unless not applicable, in which case Economic Operators must enter "N/A").

Do not leave the answer to any question blank.

Question 1		
Question number	Question	Response
1.1(a)	Please enter the full name of the Economic Operator submitting the information	
1.1(b) – (i)	Please enter the Economic Operator's registered office address (if applicable)	
1.1(b) – (ii)	Please enter the Economic Operator's registered website address (if applicable)	
1.1(c)	Please state the Economic Operator's trading status: a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify)	
1.1(d)	Please enter date of registration in country of origin	
1.1(e)	Please enter company registration number (if applicable)	
1.1(f)	Please enter registered VAT number	
1.1(g) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(g) - (ii)	If you responded yes to 1.1(g) - (i), please provide the relevant details, including the registration number(s).	
1.1(h) - (i)	Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(h) - (ii)	If you responded yes to 1.1(h) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(j)	Details of immediate parent company:  - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable)	

	<ul style="list-style-type: none"> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p>	
1.1(k)	<p>Details of ultimate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of the ultimate parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p>	

Question 1 Bidding model		
Question number	Question	Response
1.2(a) - (i)	<p>To be completed by the lead Economic Operator:</p> <p>Are you bidding as the lead contact for a consortium?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If yes, please complete the details requested in the remainder of this question 1.2 and then complete the remainder of the SQ (as applicable). If no, please complete questions 1.2(b) – (i) and 1.2(b) – (ii) and then complete the remainder of the SQ (as applicable).</p>
If you are bidding as the lead Economic Operator for a consortium, please provide the following details:		
1.2(a) - (ii)	Name of consortium (if applicable)	
1.2(a) - (iii)	Proposed legal structure if the consortium intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.	
1.2(b) – (i)	Are you relying on other third-party entities (i.e. parent companies, affiliates, associates or essential sub-contractors) to meet the selection criteria?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
1.2(b) – (ii) (cont'd)	If you answered 'Yes' to the above question each third-party entity must complete and attach the relevant section(s) of the SQ as indicated below.	



**Question 2: Grounds for Mandatory Exclusion (Pass/Fail)**

All Economic Operators, consortium members and any third-party entities being relied on by the Economic Operator (or its consortium members), e.g. essential sub-contractors, must complete Question 2.

Any Economic Operator, consortium member or third-party entity being relied that answers “Yes” to any part of Question 2 must provide sufficient information in relation to the circumstances and evidence of any remedial action taken in order to demonstrate self-cleaning, in accordance with Regulation 57(5) and (13) - (17) of the Public Contracts Regulations 2015 (as amended). If the Client considers the information provided is sufficient, the Economic Operator will be permitted to continue in the tender process.

An SQ response will be marked as a “Fail” and excluded from the tender process where an Economic Operator, consortium member or third-party entity being relied on responds “Yes” to any part of Question 2 and fails to provide a sufficient explanation (in Question 2.2 or 2.3(b)) to the Client’s satisfaction in accordance with the self-cleaning measures outlined in Regulation 57(5) and (13) - (17) of the Public Contracts Regulations 2015 (as amended).

Question 2		Grounds for Mandatory Exclusion	
Question number	Question	Response	
2.1(a)	<p><b>Regulations 57(1) and (2) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</b></p> <p>The detailed grounds for mandatory exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the <a href="#">webpage</a>.</p>		
2.1(a)(i)	Participation in a criminal organisation	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)	
2.1(a)(ii)	Corruption	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)	
2.1(a)(iii)	Fraud	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)	
2.1(a)(iv)	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)	
2.1(a)(v)	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)	

2.1(a)(vi)	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide the following details:</p> <ul style="list-style-type: none"> <li>▪ Date of conviction</li> <li>▪ Specify which of the grounds listed the conviction was for, and the reasons for conviction</li> <li>▪ Identity of who has been convicted</li> </ul> <p>If the relevant documentation is available electronically, please provide the web address, issuing authority, precise reference of the documents.</p>	
2.2	If you have answered “Yes” to any of the points above, explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (i.e. self-cleaning)?	
2.3(a)	<p><b>Regulation 57(3) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</b></p> <p>Has it been established, for your organisation, by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>
2.3(b)	If you have answered “Yes” to question 2.3(a), please provide further details. Please also confirm you have paid or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.	

### Question 3: Grounds for Discretionary Exclusion (Pass/Fail)

All Economic Operators, consortium members and any third-party entities being relied on by the Economic Operator (or its consortium members) e.g. essential sub-contractors, must complete Question 3.

Any Economic Operator, consortium member or third-party entity being relied that answers “Yes” to any part of Question 3 must provide sufficient information in relation to the circumstances and evidence of any remedial action taken in order to demonstrate self-cleaning, in accordance with Regulation 57(13) – (17) of the Public Contracts Regulations 2015 (as amended). If the Client considers the information provided is sufficient, the Economic Operator will be permitted to continue in the tender process.

An SQ response will be marked as a “Fail” and excluded from the tender process where an Economic Operator, consortium member or third-party entity being relied on responds “Yes” to any part of Question 3.1 and fails to provide a sufficient explanation (in Question 3.2) to the Client’s satisfaction in accordance with the self-cleaning measures outlined in Regulation 57(13) - (17) of the Public Contracts Regulations 2015 (as amended).

Question 3		Grounds for Discretionary Exclusion	
		Question	Response
3.1	<p><b>Regulation 57(8) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</b></p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.</p>		
3.1(a)	Breach of environmental obligations	Yes <input type="checkbox"/>	No <input type="checkbox"/> If yes, please provide details at 3.2
3.1 (b)	Breach of social obligations	Yes <input type="checkbox"/>	No <input type="checkbox"/> If yes, please provide details at 3.2
3.1 (c)	Breach of labour law obligations	Yes <input type="checkbox"/>	No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State	Yes <input type="checkbox"/>	No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct	Yes <input type="checkbox"/>	No <input type="checkbox"/>

		If yes, please provide details at 3.2
3.1(f)	Entered into agreements with other Economic Operators aimed at distorting competition	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(g)	Aware of any conflict of interest within the meaning of Regulation 42 of the Utilities Contracts Regulations 2016 due to the participation in the procurement procedure	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(j)	Please answer the following statements:	
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(j) - (ii)	The organisation has withheld such information.	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(j) –(iii)	The organisation is not able to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015 (as amended).	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.1(j)-(iv)	The organisation has influenced the decision-making process of the Client to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details at 3.2
3.2	If you have answered "Yes" to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (i.e. self-cleaning)?	

**Question 4: Economic and Financial Standing (Pass/Fail)**

All Economic Operators must complete sections 4.1 to 4.4 inclusive.

Where a consortium is formed, only the lead Economic Operator should complete question 4.1 and 4.4. For the avoidance of doubt, the lead Economic Operator and all consortium members and/or Third-party entities being relied upon must answer question 4.2 and 4.3.

An SQ response will be marked as a “Fail” and excluded from the tender process where the Economic Operator does not demonstrate that it meets the turnover requirement specified in Question 4.1 below and/or responds "No" to Question 4.1, 4.2, 4.3 and/or 4.4 or, if relevant, where a consortium member or third-party entity relied upon responds “No” to Question 4.2 and/or 4.3.

<b>Question 4 Financial Information</b>		
<b>Question</b>		<b>Response</b>
4.1	<p>Economic Operators are required to demonstrate an annual turnover of at least <b>£10,000,000</b> in each of the previous three (3) years.</p> <p>Economic Operators must agree to provide a copy of their full<sup>2</sup> audited accounts<sup>3</sup> for each of the last three (3) years in order to demonstrate that they meet this requirement.</p> <p>Please confirm that your organisation meets the financial threshold specified and the required evidence has been provided:</p>	<b>Yes / No</b>
4.2	Please confirm that you are NOT in a state of bankruptcy, insolvency, compulsory winding up, administration, receivership, composition with creditors or in any analogous state or subject to relevant proceedings:	<b>Yes / No</b>
4.3	Please confirm that you have fulfilled all obligations relating to the payment of taxes and social security contributions:	<b>Yes / No</b>
4.4	<p>Economic Operators are required to confirm that they have in place or have the ability to obtain<sup>4</sup> (and maintain for the duration of the Contract, if successful) insurance at the following levels:</p> <ul style="list-style-type: none"> <li>▪ <b>Professional Indemnity Insurance</b> - £5 million for each and every claim</li> <li>▪ <b>Public Liability Insurance</b> - £10 million for each and every claim</li> <li>▪ <b>Employers Liability Insurance</b> - £10 million for each and every claim</li> <li>▪ <b>Civil Liability for Motor Insurance</b> - £1 million for each and every claim</li> </ul>	<b>Yes / No</b>

<sup>2</sup> Including profit and loss, balance sheet, directors and (as appropriate) auditor’s reports.

<sup>3</sup> If audited accounts are not a legal requirement for your organisation, please provide signed accounts as prepared by a recognised firm of accountants.

<sup>4</sup> Only the successful Economic Operator will be required to provide evidence of current insurance cover in each of the above areas as a pre-condition to award of any contract(s).

**Section 5: Technical and Professional Ability (Pass / Fail and Scored)**

Economic Operators (where appropriate, as lead Economic Operator on behalf of all consortium members and third parties being relied upon) must complete Section 5.

**Question 5.1 – Health and Safety Management (30%) – Pass / Fail and Scored**

- The Economic Operator shall provide the following details of its health, safety and environmental management systems:
  - a) A copy of the Economic Operator's company safety statement and/or Corporate Policy (Information Only).
  - b) Evidence of the Economic Operator's certification to an approved level of Health and Safety Management, such as BS OHSAS 18001 - Occupational Health and Safety Management (OHS) or equivalent (Pass/Fail).

Responses to Question 5.1(b) will be marked as a "Fail" where the Economic Operator does not provide sufficient evidence of Health and Safety Management accreditation. Evidence of BS OHSAS 18001 - Occupational Health and Safety Management (OHS) certification (or equivalent) will be marked as a "Pass".

- c) Details of the Economic Operator's Health and Safety Performance for the previous 3 years based on similar engineering, procurement and construction projects including accident statistics such as accident frequency rate (AFR), accident incident frequency rate (AIFR), lost time incidents (LTI), RIDDOR<sup>5</sup> reportable incidents, first aid injuries and major near misses. Where any such incidents have been recorded, please detail the measures put in place to remedy/mitigate the circumstances that gave rise to these incidents with the objective of improving overall health and safety management (Scored).

Responses to Question 5.1(c) will be marked based on the scoring indicators below. An SQ response will be marked as a "Fail" and excluded from the Procurement where the Economic Operator does not achieve a score of at least 'Satisfactory'.

<b>Score</b>	<b>Term</b>	<b>Typical Characteristics</b>
10	Excellent	<p>The Economic Operator has provided evidence which demonstrates an excellent approach towards enhancing Health and Safety Performance during the last 3 years.</p> <p>The Economic Operator has put in place robust demonstrable measures to remedy/improve its health and safety record where incidents have occurred.</p>
7	Good	<p>The Economic Operator has provided evidence which demonstrates a good approach towards enhancing Health and Safety Performance during the last 3 years.</p> <p>The Economic Operator has put in place reasonable measures to remedy/improve its health and safety record where incidents have occurred.</p>

<sup>5</sup> Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

5	Satisfactory	<p>The Economic Operator has provided evidence which demonstrates a satisfactory approach towards enhancing Health and Safety Performance during the last 3 years.</p> <p>Evidence has been provided to show that the Economic Operator has put in place basic measures to remedy/improve its health and safety record where incidents have occurred.</p>
2	Poor	<p>The Economic Operator has failed to provide sufficient evidence which demonstrates a satisfactory approach towards enhancing Health and Safety Performance during the last 3 years.</p> <p>No evidence has been provided to demonstrate that the Economic Operator has put in place measures to remedy/improve its health and safety record where incidents have occurred.</p>
0	Unacceptable	No response provided by the Economic Operator.

**Question 5.2 – Environmental Management – Pass / Fail**

- a) A copy of the Economic Operator’s company environmental management policy statement. (Information only)
- b) Evidence of the Economic Operator’s certification to an approved level of Environmental Management, such as ISO 14001 – Environmental Management or equivalent. (Pass / Fail)

Responses to Question 5.2(b) will be marked as a "Fail" where the Economic Operator does not provide sufficient evidence of Environmental Management accreditation. Evidence of ISO 14001 certification (or equivalent) will be marked as a "Pass".

**Question 5.3 – Experience (70%) - Scored**

Demonstrate your experience of successfully delivering work of a similar scale and complexity to the work anticipated under this Procurement, by providing examples (within the templates provided below) of up to a maximum of 5 separate projects in total, to demonstrate that you can supply the services in the capacity and configuration that the Client is considering for the project.

Two (2) of your example projects should be detailed using the Detailed Example Response Templates below. The remaining example projects (up to three in total) should be described using the Basic Example Response Templates below.

All projects must have been completed within the last 10 (ten) years prior to the SQ Response Submission Deadline.

In relation to each example project, your response must detail where the project was located globally and confirmation that you were the key contractor for these projects. If confirmation that you were the key contractor for the projects listed is not provided, or if the Client otherwise determines through verification (as described in Section 3.6 above) or otherwise, that this was not the case, your response may be rejected.



Collectively, the example projects provided must include:

- Evidence of at least 3 projects in the past 10 years where the Economic Operator has acted as the key contractor for the installation of gas engines and electrical equipment installation in each project on gas-engine based power generation projects.
- Evidence of Construction management provisions in the past 5 years within the UK.

Responses to Question 5.3 will be marked based on the scoring indicators below. An SQ response will be marked as a “Fail” and excluded from the procurement process where the Economic Operator does not achieve a grade of at least ‘Satisfactory’.

<b>Score</b>	<b>Term</b>	<b>Typical Characteristics</b>
10	Excellent	The Economic Operator has fully demonstrated comprehensive experience of all key elements outlined above. The examples provided include examples of meeting stringent environmental requirements including the Industrial Emissions Directive and latest Best Available Techniques and exceeding requirements and/or adding value to the overall project delivery. Overall, the examples give the Client full confidence that the Economic Operator has the ability to deliver the services for the project to an excellent standard. The examples demonstrate no or only insignificant weaknesses.
7	Good	The Economic Operator has demonstrated experience of almost all key elements outlined above. The examples provided meet environmental requirements. Overall, the examples give the Client confidence that the Economic Operator has the ability to deliver the services for the project to a good standard. The examples demonstrate some minor weaknesses e.g. the response details are incomplete in relation to some minor elements of the details requested.
5	Satisfactory	The Economic Operator has demonstrated a satisfactory level of experience in most key elements outlined above. The examples give the Client confidence that the Economic Operator has the ability to deliver the services for the project to a satisfactory standard. Overall, the examples demonstrate some weaknesses e.g. the response details are incomplete in relation to some significant elements of the details requested.
2	Poor	The Economic Operator has demonstrated a poor level of experience in relation to the key elements outlined above. Overall, the examples give the Client significant concerns that the Economic Operator does not have the ability to deliver the services for the project to a good standard. The examples demonstrate serious weaknesses e.g. very limited detail is provided.
0	Unacceptable	No response provided, insufficient or irrelevant information provided.

#### Detailed Example Response Template 1

<b>No.</b>	<b>Project Details</b>	<b>Project 1</b>

1.	Name of the Project	
2.	Location (City/Town/Country) (for information only)	
3.	Name of Project Owner/Operator	
4.	Name and Contact Details of Reference in employment of Plant Operator (name, telephone, email)	
5.	Type of Plant	
6.	Number of Generating Units	
7.	Total Plant Net Capacity	
8.	Fuel (s)	
9.	Date of Notice to Proceed	
10.	Date of commercial operation	
11.	Detailed description of Economic Operator's Scope of work	
12.	Value of Project	
13.	Any further details	

**Detailed Example Response Template 2**

No.	Project Details	Project 2
1.	Name of the Project	
2.	Location (City/Town/Country) (for information only)	
3.	Name of Project Owner/Operator	
4.	Name and Contact Details of Reference in employment of Plant Operator (name, telephone, email)	
5.	Type of Plant	
6.	Number of Generating Units	
7.	Total Plant Net Capacity	
8.	Fuel (s)	
9.	Date of Notice to Proceed	
10.	Date of commercial operation	
11.	Detailed description of Economic Operator's Scope of work	
12.	Value of Project	
13.	Any further details	

**Basic Example Response Template 1**

No.	Project Details	Project 1
1.	Name of the Project	
2.	Location (City/Town/Country) (for information only)	
3.	Name of Project Owner/Operator	
4.	Type of Plant	
5.	Number of Generating Units	
6.	Total Plant Net Capacity	
7.	Basic description of Economic Operator's Scope of work	
8.	Value of Project	

**Basic Example Response Template 2**

No.	Project Details	Project 2
1.	Name of the Project	
2.	Location (City/Town/Country) (for information only)	
3.	Name of Project Owner/Operator	
4.	Type of Plant	
5.	Number of Generating Units	
6.	Total Plant Net Capacity	
7.	Basic description of Economic Operator's Scope of work	
8.	Value of Project	

**Basic Example Response Template 3**

No.	Project Details	Project 3
1.	Name of the Project	
2.	Location (City/Town/Country) (for information only)	
3.	Name of Project Owner/Operator	
4.	Type of Plant	
5.	Number of Generating Units	
6.	Total Plant Net Capacity	
7.	Basic description of Economic Operator's Scope of work	
8.	Value of Project	

**Section 6: Declaration**

<b>Contact details and declaration</b>	
By submitting an SQ response:	
I declare that to the best of my knowledge the answers submitted, and information contained in this document are correct and accurate.	
I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.	
I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this tender process.	
I understand that the Client may reject my submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.	
I am aware of the consequences of serious misrepresentation.	
<b>Completed by:</b>	
Contact name	
Name of organisation	
Role in organisation	
Phone number	
E-mail address	
Postal address	
Signature (electronic is acceptable)	
Date	

## SQ - Appendices

Economic Operators should complete the tables below to indicate any appendices included within their SQ response.

<b>SQ – Appendix 1</b>
<b>SQ section –</b>
Question number –

<b>SQ – Appendix 2</b>
<b>SQ section –</b>
Question number –

<b>SQ – Appendix 3</b>
<b>SQ section –</b>
Question number –

# **EP UK Investments Ltd**

## **MARKET BROCHURE**

for the provision of

**Black Start Infrastructure and Gas Engines in Northern Ireland**

**May 2021**

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## 1. INTRODUCTION

### 1.1 Tender Overview

The Client is conducting this Procurement to identify a contractor to Engineer, procure and construct (EPC) electrical infrastructure associated with black start and the provision of a new containerised Gas Engine package to provide the site standing loads which have a range from circa 1MW to 3.5MW at its Kilroot site in Northern Ireland (“**Procurement**”). This package of work forms part of a wider site programme.

EP Kilroot Limited operates Kilroot Power Station which is situated on the north shore of Belfast Lough near Carrickfergus in County Antrim, Northern Ireland. Kilroot has an installed generating capacity of 560 MW from dual coal and oil fuelled generators, plus 142 MW from additional gas turbines.

The plant was commissioned in 1981 solely as an oil burning station. In 1989, the plant converted to dual fuel firing with coal. Flue Gas Desulphurisation equipment was installed in 2007 to meet the requirements of the EU Large Combustion Plant Directive.

More recently EP Kilroot has advanced plans to install 2 x OCGT and associated infrastructure at its Kilroot site.

The Contract is anticipated to commence on the date stated in Section 4.2 of the Market Brochure and, subject to the provisions for early termination set out in the Contract, shall continue in force until 2023.

The tendering procedure being conducted for this Procurement will be the Negotiated Procedure with Prior Call for Competition under Regulation 47 of the Utilities Contracts Regulations 2016 (as amended).

### 1.2 Purpose of the Brochure

**This brochure supports the Contract Notice that has been published and the associated SQ.**

In order to help Economic Operators, decide whether to apply to participate in this Procurement by completing the SQ, this brochure provides:

- 1.2.1 background information as described in Section 2;
- 1.2.2 an overview of the Client’s requirements as described in Section 3; and
- 1.2.3 an outline of the contracting model and procurement process, including the proposed evaluation process for selecting Economic Operators for participation in the next stage of the procurement, as described in Sections **Error! Reference source not found.** and 4.

If you consider, having read this brochure, that this opportunity is one you would like to participate in, then you should complete the SQ and return it to EPUKI no later than **12pm GMT on 31<sup>st</sup> May 2021** in accordance with the instructions contained within the SQ.

You are advised to send your SQ allowing an adequate amount of time before this deadline in order to ensure that there is sufficient time to overcome any IT problems, which may accompany the sending of the SQ.

Some content from the Invitation to Negotiate (ITN) documentation is included (or summarised) in this brochure. The full ITN set of documentation will be issued to the shortlisted Economic Operators following the SQ stage. The Client believes the information contained within this brochure is sufficient to enable interested potential Economic Operators to decide whether this is an opportunity they wish to participate in. The Clarification Process outlined in Section 1.4 can be

used to clarify aspects of this Procurement and the documentation issued with the Contract Notice, including this brochure.

This brochure has been prepared for the purposes of Regulation 73(1) of the Regulations whilst acknowledging the Crown Commercial Service guidance set out in its Electronic Procurement & Electronic Communication document dated October 2016.

### **1.3 Openness, Transparency and Fairness**

In accordance with the Regulations, the Client will be undertaking a fully fair and transparent tender process.

The Client will ensure a full audit trail of all communications and decisions taken at all stages of the Procurement in accordance with its duties under Regulation 99 of the Regulations.

Upon downloading the SQ, Economic Operators must immediately provide a contact name, email address and telephone number for their organisation to [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk) in order to receive clarification responses during the Procurement. It is the sole responsibility of each Economic Operator to register in this manner.

### **1.4 Clarifications**

Economic Operators may seek clarification where they consider any part of the documentation or any other aspect of this Procurement is unclear. Requests for clarification in relation to the SQ must be sent via email to [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk) by no later than **12pm GMT on 24<sup>th</sup> May 2021**. The Client may at its absolute discretion refuse to answer any questions submitted after this date. The Client will endeavour to respond to requests for clarification within 36 hours of receipt of the clarification.

No approach of any kind in connection with this Procurement should be made to any other person within, or associated with, the Client. The Client will not enter into detailed discussion of the tender requirements at this stage of the Procurement.

Clarification requests and responses will be circulated to all Economic Operators and shall form part of the tender process. It is the responsibility of Economic Operators to monitor and take into consideration all clarification responses issued. Where an Economic Operator considers a clarification to be confidential in nature, this should be clearly stated on the request and the reason why. In all circumstances, the Client reserves the right to communicate clarification responses to all Economic Operators, at any stage, at their sole discretion.

Please note that the Client reserves the right not to answer clarification questions received after the clarification deadline.

### **1.5 Key Contact Information**

The point of contact for this Procurement is:

Jacqueline Roose  
EP UK Investments Limited  
Byron House  
7-9 St James' Street  
London  
SW1A 1EE

Email: [BlackStart2021.NI@epuki.co.uk](mailto:BlackStart2021.NI@epuki.co.uk)

Detailed information relating to the procedure for this Procurement can be found in Section 4 of this brochure.

## 2. BACKGROUND & CONTEXT

### 2.1 Introduction

EP UK Investments Limited (EPUKI) is the owner of the existing Kilroot Power Station in Northern Ireland. In mid-2019, this station was acquired by its subsidiary EP Kilroot Limited (EPKL) from AES Kilroot Limited. EPUKI is a subsidiary of Energetický A Průmyslový Holding (EPH).

EPH owns and operates circa 20 GW of energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, France and the United Kingdom. EPH also has interests in natural gas transmission, gas storage, mining, renewables, gas and electricity distribution and supply. EPH employs over 25,000 people and generates annual revenues of circa €4.6 billion.

EPKL operates Kilroot Power Station which is situated on the north shore of Belfast Lough near Carrickfergus in County Antrim, Northern Ireland. Kilroot has an installed generating capacity of 560 MW from dual coal and oil fuelled generators, plus 142 MW from additional gas turbines.

The plant was commissioned in 1981 solely as an oil burning station. In 1989, the plant converted to dual fuel firing with coal. Flue Gas Desulphurisation equipment was installed in 2007 to meet the requirements of the EU Large Combustion Plant Directive.

More recently EPKL has advanced plans to install 2 x OGCT and associated infrastructure at its Kilroot site.

### 2.2 Background to the Requirement

EPUKI on behalf of EPKL (together, the "**Client**") is inviting qualification responses from Economic Operators for the provision of a contractor to Engineer, Procure and construct (EPC) an electrical infrastructure associated with black start and the provision of a new containerised Gas Engine package to provide the site standing loads which have a range from circa 1MW to 3.5MW to be installed in Northern Ireland at its EP Kilroot Limited asset (the "**Procurement**"). The package of work forms part of a wider site programme.

Kilroot Power station has 2 coal fired units, 4 GT units and a Battery Energy Storage System (BESS). Soon the 2 coal fired units may be decommissioned and 1 or 2 new gas-fired Open Cycle Gas Turbine (OCGT) peaking units will be installed. These are referred to as OCGT6 and OCGT7 in this document. The 4 existing GT units (GT1 to GT4) will remain and continue to provide services to SONI along with the BESS.

The 275kV Kilroot substation is located to the north of the site and enclosed within its own building. The location for the new OCGTs is within the existing turbine building for the coal fired power station. When Kilroot was originally built one half of the building was fitted out with two coal fired units. The other half of the building remained empty except for being used for storage / workshop.

The existing GT units, GT1 to GT4, are located to the south east side of the site. GT1 and GT2 are located within a building and connected to the 275kV grid via the coal station electrical systems. GT3 and GT3 are located in separate cabinets, north of the building which houses GT1 and GT2. and connected to the 275kV grid via a common grid connection that is independent to the coal station. The step-up transformer for GT3 and GT4 is located just to the north of GT3 and GT4, this compound also has the 275kV cable sealing ends.

The BESS system is physically located in the coal station and connected into one of the coal unit electrical systems for import and export.

There is currently no natural gas onsite, however a natural gas supply will be brought onto the Kilroot site for the new OCGTs and gas engine package.

It is anticipated that the Project will commence in August 2021 with a Take Over date in late-2022.

### **3. REQUIREMENTS**

#### **3.1 Overview of the Services**

The major items of plant for consideration are as follows;

- Gas Engine package
- 11kV switchboard
- Auxiliary Transformers
- 11kV Ring Main Units
- 11kV underground and over-ground cabling
- Expansion of the existing 11kV BESS switchboard
- Feeding the existing BESS 11kV switchboard from a new 11kV switchboard
- Temporary 11kV cable connection to existing station board 2A
- Modifications to the Gas Turbines 6 and 7 control system
- Protection, control and SCADA
- Settlement metering
- System monitoring
- Auxiliary supplies

The scope shall include all necessary civil and mechanical works required to install and operate the electrical system.

The works will be undertaken on an operational Power Station Site.

### **4. PROCUREMENT PROCESS**

#### **4.1 Overview**

The Procurement is a competitive procurement using the Negotiated Procedure with Prior Call for Competition and is to be conducted in accordance with Regulation 47 of the Regulations.

## 4.2 Project Activities and Milestones

Below is a list of key dates and next steps relating to this Procurement. Please note that these dates and steps are indicative and subject to change.

The Client reserves the right to choose to proceed to award after initial evaluation of tenders without proceeding to a negotiation phase(s).

Project Activities and Milestones	Target Completion Date
<b>Pre-Qualification Stage</b>	
Contract Notice dispatched to OJEU SQ and Market Brochure made available to potential Economic Operators upon publication	<b>14<sup>th</sup> May 2021</b>
SQ Clarification Questions Deadline	<b>12pm GMT on 24<sup>th</sup> May 2021</b>
SQ Response Submission Deadline	<b>12pm GMT on 31<sup>st</sup> May 2021</b>
Evaluation of SQ Responses	<b>31<sup>st</sup> May to 7<sup>th</sup> June 2021</b>
Notification of outcome of Pre-Qualification Stage delivered to all Economic Operators	<b>7<sup>th</sup> June 2021</b>
<b>Invitation to Negotiate (ITN) Stage</b>	
ITN issued to shortlisted Economic Operators	<b>8<sup>th</sup> June 2021</b>
ITN Clarification Deadline	<b>14<sup>th</sup> June 2021</b>
ITN Submission Deadline	<b>21<sup>st</sup> June 2021</b>
ITN Evaluation and Clarification	<b>22<sup>nd</sup> June to 16<sup>th</sup> July 2021</b>
<b>Negotiation Stage (Optional)<sup>6</sup></b>	
Negotiation Period	<b>19<sup>th</sup> July to 27<sup>th</sup> August 2021</b>
<b>Preferred Tenderer Stage</b>	
Notification of successful and unsuccessful Tenderers (Standstill letters)	<b>27<sup>th</sup> August 2021</b>
Standstill Period	<b>30<sup>th</sup> August 2021</b>
Contract Award Date	<b>9<sup>th</sup> September 2021</b>

## 4.3 Tender Approach

### 4.3.1 Stage 1 – Selection Questionnaire (SQ)

The purpose of the SQ is to identify a shortlist of Economic Operators to be invited to the next stage of the Procurement. The SQ has been published at the same time as this Market Brochure

<sup>6</sup> Following the ITN Stage, the Client may decide in its absolute discretion to proceed directly to the preferred Tenderer Stage or to undertake at least one round of negotiations with the Tenderers.

and contains clear instructions on how the selection of potential Economic Operators will be conducted.

The SQ sets out the information required by the Client to assess the suitability of Economic Operators in terms of their technical knowledge and experience, capability/capacity, organisational and financial standing to deliver the Client's requirements as currently envisaged.

Following submission and evaluation of SQ responses, the Client envisages inviting a maximum of the top 7 scoring Economic Operators (plus ties, if applicable) to the tender stage. All Economic Operators will be informed of the outcome of the evaluation of SQ responses by way of a notification letter.

#### 4.3.2 **Stage 2 – Invitation to Negotiate**

Following completion of the SQ stage, the Invitation to Negotiate (ITN) documentation will be sent to the selected Economic Operators only.

The ITN will invite Tenderers to submit a tender response for the supply of the work described in this SQ. This will comprise of both a quality and financial proposal to be included in the ITN submission.

#### 4.3.3 **Tender Evaluation**

The precise evaluation criteria that Tenderers will be assessed against will be outlined in the ITN.

The evaluation criteria have been designed to identify an ITN response and associated solution that:

- is submitted in full and provides a winning Tenderer that is fit and proper for the Client to do business with;
- is affordable;
- passes all minimum quality checks;
- provides the best value for money; and
- is capable of acceptance without further negotiation or, if the Client so elects, following ITN.

Both the ITN and any further submissions within this tender process will both be subject to the same evaluation process, conducted in the same way, using the same quality criteria.

It is envisaged that the evaluation criteria for tender submissions will be split between quality (30%) and commercial (70%).

Quality will be evaluated on the basis of the Tenderers' anticipated performance of the Contract. It is envisaged that the evaluation criteria will assess quality on the basis of the following characteristics (not in any order of priority):

- (a) Health, safety and environmental supervisory capability including track record of construction management and supervision under UK HSE regulations;
- (b) Capability and strength of the proposed team and Key Roles (Project Manager, Site Construction Manager, Resident Engineers, etc.);
- (c) Proposed use and management of subcontractors;
- (d) Compliance with the specification of Works/Services;

- (e) Quality Assurance (both onsite and design office);
- (f) Compliance with the conditions of Contract; and
- (g) Performance measures and continuous improvement.

Price will be evaluated on the basis of value for money, including price and whole life costs, and performance guarantees.

#### 4.3.4 Post Tender Clarifications

The Client reserves the right to issue post tender clarifications to Tenderers to cover any areas of their tender submissions, including but not limited to the Tenderer's responses to the procurement compliance, technical or financial aspects of their tender, in order to clarify any areas of uncertainty or lack of clarity in the tenders submitted.

#### 4.3.5 Stage 3 - Down Selection of Tenderers during Negotiation

In the event that a tender has passed all steps above compliantly the Client reserves the right to either:

- (a) Award a contract on the basis of the most economically advantageous tender received following evaluation of the initial tenders without negotiation. The detail of the circumstances in which the Client will accept an initial tender will be set out in the ITN documentation once issued to shortlisted Economic Operators following the SQ stage.
- (b) Proceed to enter into at least one round of negotiations with the Tenderers. The Client reserves the right to down select the highest scoring Tenderers during the negotiation stage(s). More detailed information will be provided in the ITN.

#### 4.3.6 Negotiation

The Negotiation Stage will continue until the Client is satisfied that one or more Tenderers can provide a Tender capable of meeting their requirements. The Client reserves the right, at its absolute discretion, to amend the duration of the Negotiation Stage and/or introduce additional stages where it deems this appropriate.

#### 4.3.7 Final Tenders

Once negotiations have concluded with all Tenderers, the Client may ask all Tenderers who took part in the negotiation phase to submit a final Tender.

Submissions will then be evaluated on the basis of the original tender award criteria to identify the preferred Tenderer.

#### 4.3.8 Stage 4 - Contract Finalisation

The Client will undertake a process to finalise the Contract with the preferred Tenderer following issue of the Notification of preferred Tenderer and Standstill Period (Contract Finalisation). Full details of what this process will be provided in the ITN.

Throughout the Procurement, Tenderers will be asked to inform the Client if there have been any changes to their status as assessed at SQ stage. If any such changes give rise to a material cause for concern the tender may be deemed invalid and the Client may award the Contract to the next placed Tenderer.



#### 4.3.9 **Stage 5 - Standstill Period and Award of Contract**

The Client will notify Tenderers of any decision as to the award of the Contract to the successful Tenderers. The Client will operate a ten clear day standstill period commencing on the date of this notification.

The Contract will not be entered into until the standstill period has concluded.

## DEFINITIONS

"Client"	means EPKL and EPUKI;
"Contract"	means the contract which is the subject of this tender process and which, if awarded, will be entered into between the Client and the Supplier and which will be developed based on the approach set out in Section <b>Error! Reference source not found.</b> of this brochure for issue to the selected Tenderers at ITN stage;
"Consortium / Consortia"	means an association of two or more organisations working together with the objective of pooling their resources and acting jointly to deliver the Contract albeit not forming a new legal entity for the purposes of doing so;
"Economic Operator"	means an economic operator, within the meaning of Regulation 2 of the Regulations, who is responding to the SQ;
"EPKL"	means EP Kilroot Limited, incorporated under the Companies Acts in Northern Ireland with company number NI026039 and having its registered office at Kilroot Power Station, Larne Road, Carrickfergus, Co Antrim, BT38 7LX;
"EPUKI"	means EP UK Investments Limited, incorporated under the Companies Acts in England and Wales with company number 09255154 and having its registered office at Byron House, 7-9 St James' Street, London, SW1A 1EE;
"ITN"	means the Invitation to Negotiate sent to those Economic Operators successful in passing the SQ stage;
"Joint Venture"	means an association of two or more organisations working together with the objective of pooling their resources and acting jointly to deliver the Contract and who have either formed a legal entity (incorporated joint venture) or have not (unincorporated joint venture) for the purposes of doing so;
"Lead Economic Operator"	means the Lead Economic Operator identified by a Consortium or Joint Venture where the Economic Operators are expressing a joint interest in the contract as a Consortium / Joint Venture. The Lead Economic Operator will be responsible for the overall preparation and submission of the SQ on behalf of the Consortium and for addressing questions about the organisation of the joint application;

<b>"Regulations"</b>	means the Utilities Contracts Regulations 2016 (as amended);
<b>"SQ"</b>	Means the Selection Questionnaire for this Procurement; and
<b>"Supplier"</b>	means the preferred Tenderer who EPUKI intends to enter into a Contract with.
<b>"Tenderer"</b>	Means the successful Economic Operators that are taking part in the ITN;
<b>"Tender"</b>	Means the Tenderers submission and/or offer at ITN stage to provide the required services