

SELECTION QUESTIONNAIRE

for the provision of

Gas Fired Generating Units in Northern Ireland

February 2020

Upon downloading the Selection Questionnaire, Economic Operators must immediately provide a contact name, email address and telephone number for their organisation to gas-generation2020.SQ-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 is the owner of the existing Kilroot and Ballylumford Power Stations in Northern Ireland. In mid-2019, these stations were acquired by its subsidiaries EP Kilroot Limited and EP Ballylumford Limited from AES Kilroot Limited and AES Ballylumford Limited respectively. 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, Hungary, Poland 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.

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.

EP Ballylumford operates Ballylumford Power Station, situated on the shore of Larne Lough in County Antrim, Northern Ireland. Ballylumford generates a combination of 600MW from combined cycle gas turbine units and 120MW from two open cycle gas turbines.

2. Background to the requirement

2.1. Overview

EP UK Investments Limited ("**EPUKI**") on behalf of EP Kilroot Limited and EP Ballylumford Limited (together, the "**Clients**") are inviting qualification responses from Economic Operators for the provision of new power generation equipment to be installed in Northern Ireland at its assets (the "**Procurement**"). This new generation will take the form of peaking generation that will operate primarily on natural gas and may be required to operate with a back-up fuel. The Economic Operator will be required to offer equipment delivered to site, generally comprising the prime mover, generators, intake filtration system, control system and close auxiliaries. The Clients anticipate the equipment will be supplied under an agreed Equipment Supply Agreement that shall either incorporate, or be packaged with, an Agreement to provide Erection Supervision and Commissioning Services for the completed equipment supplied by the Economic Operator. An optional Services Agreement that covers parts and services during the operational phase may also be awarded where the Economic Operator has included the relevant services within its final tender submission.

EPUKI is currently appraising options to develop its generation portfolio through investment in thermal asset new build in line with group strategy, the ISEM electricity market and considering the likelihood that some existing assets, particularly the Kilroot coal-fired units, which are likely to reach the end of their lifetime over the coming 3-8 years.

The project may install up to 600MW configured to provide flexible generation (in terms of start-up, turndown and ramping), security of supply and system services. In addition to meeting these requirements, the project may be configured to provide maximum electrical efficiency and availability at the lowest possible installed cost, whilst providing safe economic operability and excellent environment performance. The project will need to meet the requirements of United Kingdom, Northern Ireland, European & International Regulations, Orders, Directives, BREF and standards, and comply with local permits, licences and [Grid Code¹](#). The project may be constructed at existing EPUKI brown field site(s) in Northern Ireland and integrated with existing infrastructure where sensible.

EPUKI wishes to select equipment in the form of Heavy-Duty Gas Turbines and/or Reciprocating Engines, along with options for associated Service Agreements.

Economic Operators for the following equipment types and scale, when operating on Natural Gas and a frequency of 50Hz, are invited to express interest in supplying equipment:

- Heavy Duty Gas Turbines greater than 290MW (ISO); and
- Reciprocating Engines of a capacity greater than 10MW (ISO) (per unit, simple cycle) and capable of forming part of a larger array of at least 40MW.

This opportunity is divided into two (2) separate lots, as follows:

- **Lot 1** – Heavy Duty Gas Turbine including options for service agreements
- **Lot 2** – Reciprocating Engine including options for service agreements

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

It is anticipated that any contract(s) awarded will commence around September 2020 at the earliest. Equipment delivery would be required within 12 months of contract award.

2.2. 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 (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 **Wednesday 25th March 2020, 12pm GMT**.

Economic Operators wishing to participate in this tender process are permitted to apply for one or more Lots, with no limit on the number of Lots which may be applied for. Economic Operators should note however in this regard that:

¹ SONI Grid Code dated 7 August 2015 which can be found online at <http://www.soni.ltd.uk/media/documents/Operations/Grid-Code/SONI%20Grid%20Code%20Version%20Aug%202015.pdf>

- It is anticipated, following conclusion of the tender process, that the Client(s) may award a contract for one or more Lot(s) and that the tender process for any remaining Lot(s) may be terminated. The Client(s) also reserve the right to award an optional Services Agreement covering the equipment's operational lifespan. For the avoidance of doubt, an Economic Operator that has not included services within their final tender submission will not be awarded the optional Services Agreement under this Procurement; and
- The Client(s) will only invite those Economic Operators that achieve a "Pass" in all sections for the relevant Lot(s) to tender for that Lot. Economic Operators will also only be invited to tender for those Lot(s) which they have provided a response for and for which they have been shortlisted. Economic Operators must therefore take care when completing the SQ in accordance with the instructions below that they respond to, and provide all information required, for all of the Lots that they wish to tender for.

This SQ sets out the information required by the Client(s) 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 for each Lot as currently envisaged. Following the SQ stage, the intention is to arrive at a shortlist of qualified Economic Operators for each Lot to be invited to formally tender on or around March / April 2020. Following submission and evaluation of SQ responses, the Clients envisage inviting a minimum of 3 Economic Operators to the tender stage. If, in the Client's opinion there are more than 3 suitable Economic Operators, the Client reserves the right to invite all Economic Operators or a number higher than the minimum but less than the total number of SQ respondents to ITT stage.

All Economic Operators will be informed of the outcome of the evaluation of SQ responses for the Lot(s) applied for and those Economic Operators shortlisted for the tender stage will be provided with the tender documents for the relevant Lot(s) and invited to complete and return their tender response(s) in accordance with the Invitation to Negotiate ("ITN").

Once the Client(s) has evaluated ITN submissions, the Client(s) reserves the right to undertake negotiations with the remaining Economic Operators for one or both Lots. Further details about the conduct of negotiations will be set out in the ITN. Prior to such negotiations, the Client(s) may decide to down-select Economic Operators, whilst always maintaining adequate competition throughout the Procurement as far as possible. The remaining Economic Operators will then be sent an Invitation to Submit Final Tenders ("ISFT") following the conclusion of negotiations.

The Clients intend to award the contract to the Economic Operator submitting the most economically advantageous tender response for each Lot.

2.3. Indicative Timetable

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

Indicative Date	Action
Pre-Qualification Stage	
25th February 2020	Contract Notice dispatched on OJEU.
	SQ and Market Brochure made available to Economic Operators upon publication

5pm GMT on 6th March 2020	SQ Clarification Questions Deadline
12pm GMT on 25th March 2020	SQ Response Submission Deadline
26th March to 3rd April 2020	Evaluation of SQ Responses
17th April 2020	Notification of outcome of Pre-Qualification Stage delivered to all Economic Operators
Invitation to Negotiate (ITN) Stage	
24th April 2020	ITN issued to shortlisted Economic Operators
6th May 2020	ITN Clarification Deadline
22nd May 2020	ITN Submission Deadline
25th May to 12th June 2020	ITN Submission, Evaluation and Clarification
Revised ITN and Invitation to Submit Final Tenders (ISFT) Stage (Optional)	
15th June to 10th July 2020	Negotiation Period
12pm GMT on 10th July 2020	Revised ITN Submission Deadline
13th July to 21st August 2020	Revised ITN Evaluation and Clarification
24th August 2020	Optional down-selection of Economic Operators
24th August to 18th September 2020	Negotiation Period
9th September 2020	ISFT issued to remaining Economic Operators
21st September 2020	ISFT Submission Deadline
22nd September to 5th October 2020	ISFT Submission Evaluation
Preferred Bidder Stage	
9th October 2020	Notification of successful and unsuccessful Economic Operators (Standstill letters)
12th October 2020	Standstill Period commences
26th October 2020	Contract Award 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(s) on such basis as the Client(s) consider appropriate, having regard to the nature, size and complexity of the contract. In particular, the Client(s) 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(s).

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(s) reserve 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(s) 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(s) 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 apply in respect of the Economic Operator, or any consortium member or third-party entity being relied on.

The Client(s) may require the Economic Operator to provide such further information as may be required to enable them to assess the Economic Operator's ability to continue participating in the tender process. The Client(s) reserve the right, at their 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 gas-generation2020.SQ-NI@epuki.co.uk by no later than **5pm GMT on 6th March 2020**. The Client(s) may at its absolute discretion refuse to answer any questions submitted after this date. The Client(s) will endeavour to respond to requests for clarification within 5 working days 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(s). This SQ is being provided on the same basis to all Economic Operators. The Client(s) 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(s) reserve the right to communicate clarification responses to all Economic Operators, at any stage, at their sole discretion.

3.5. Submission of SQ responses

Economic Operators must complete all questions in the SQ according to the Lot(s) they wish to apply for in full, in the format requested for each Lot that the Economic Operator wants to apply for – please refer to the SQ for further details. 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(s) 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 for each Lot must be returned to gas-generation2020.SQ-NI@epuki.co.uk by no later than **12pm GMT on 25th March 2020**.

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(s) do 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 for any Lot(s) 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 for any or all of the Lot(s), the Client(s) reserve 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 for each Lot 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**

Economic Operators should note that if they wish to apply for both Lot(s) and the Economic Operator's structure/supply chain/suppliers are the same for each Lot(s), Questions 1 – 3 (inclusive) and Section 4 only needs to be completed once for all Lots which the Economic Operator wishes to apply for. Likewise, the Economic Operator is only required to return a single signed copy of the Declaration at Section 6. However, Section 5 will need to be separately completed for each Lot the Economic Operator wishes to apply for.

In any other case, the Economic Operator should complete a full and separate SQ response for each Lot that it wishes to apply for. Further guidance is provided below.

The evaluation of SQ responses for all Lot(s) will be carried out by a single evaluation panel on behalf of the Client(s).

SQ responses for each Lot 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(s) information and compliance purposes only, and will not be evaluated. Economic Operators must however provide all information requested.

The Client(s) reserve 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(s) on a Pass/Fail basis for each Lot in accordance with the evaluation criteria stipulated within the question/section applicable to each Lot. Any Economic Operator that fails any question and/or section within the SQ applicable to a Lot will not be shortlisted for the tender stage of the process for that Lot.

Question 3 will be evaluated by the Client(s) on a Pass/Fail basis for each Lot in accordance with the evaluation criteria stipulated within the question/section applicable to each Lot. If any question is answered with a 'Yes' response, then the Client(s) will consider the supporting information provided (as well any other relevant information available to it) against the magnitude of the breach 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(s) 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(s).

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 have successfully passed the SQ stage of this Procurement.

The Client(s) reserve 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(s) elect to contact the named clients, 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(s) 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 for any Lot is not complete/compliant with the instructions set out in this document, the Client(s) reserve the right, at their absolute discretion and subject to the Regulations, to:

- Reject the SQ response for that Lot 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.

For the avoidance of doubt, whilst the Client(s) reserve the right to carry out the above action, they 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(s) may, at their discretion, stipulate. The Client(s)' decision in relation to the compliance of any SQ response for any Lot shall be final.

4.7. Conditions of Procurement

Introduction

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

In providing any information in connection with this tender process, whether in this SQ or otherwise, the Client(s) make no representation, and accept 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 Documents² 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(s) do not exclude liability for fraud.

² "**Procurement Documents**" means at the SQ stage of the Procurement, any one, more or all of the procurement documents issued by the Client(s) 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.

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(s) 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(s) from time to time. If they are revised, the Client(s) 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(s) 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 Submission and/or tender submission; (ii) any costs of any amendments or changes made to the Procurement Documents or other documentation by the Client(s) 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 tender documents contain information that is proprietary and confidential to the Client(s). Any dissemination, distribution, reproduction or disclosure of any content of this document is forbidden, without obtaining the prior written consent of the Client(s). By receiving the information contained in this document 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 contract. This document, 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(s).

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(s) and/or its advisors in this Procurement, in whatever format, belongs to the Client(s), 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(s). All documentation supplied by the Client(s) 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, the selection of the long or short list of Economic

Operators, the appointment of the Preferred Bidder, the award of the Contract for each Lot or the Procurement in general without the prior written consent of the Client(s).

The Client(s) 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 for each Lot 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(s), detailing the conflict in a separate Appendix.

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

- disqualify Economic Operators where the Economic Operator fails to notify the Client(s) 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(s).

Canvassing and Non Collusion

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

- directly or indirectly, canvass any representative of the Client(s) concerning the award of a contract for any Lot(s);
- obtain information on another Economic Operator or another tender submission from any employees of the Client(s), its advisors or agent;
- offer, give or agree to give any gift, inducement, fee or reward to any member, employee, agent or advisor of the Client(s);
- 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(s) 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(s), 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(s) considers has actually or potentially undermined competition;
- communicate to any person other than the Client(s) 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(s) 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(s) and without prejudice to any criminal liability that such conduct by an Economic Operator may attract.

Solicitation

Economic Operators are required to undertake that during the Procurement and for a period of twelve months after the award of the Contract for each Lot they will not solicit the Client(s) key personnel as defined in the ITN or other procurement documents with a view to offering them work or employment.

Anti-Competitive Behaviour

In order to create a level playing field for Economic Operators, the Client(s) may require evidence from Economic Operators that their arrangements are not anti-competitive. The Client(s) reserve 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(s) to appoint an Economic Operator to provide the requirements described in this document and the Client(s) reserve the right to terminate this tender process in whole or part, for any or all Lot(s) at any time.

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

If it is necessary for the Client(s) to amend this documentation in any way, prior to the receipt of responses for any Lot, 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)

If the Economic Operator is bidding for more than one Lot and its structure/supply chain/suppliers are the same for each Lot that it wishes to apply for, the response to this Question 1 need only be completed once. Otherwise, the Economic Operator should complete this question for each Lot that it wishes to apply for

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 Potential Supplier information		
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	Yes <input type="checkbox"/>

	particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?	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)	<p>Details of immediate parent company:</p> <ul style="list-style-type: none"> - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) <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"> - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) <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).</p> <p>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?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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.	
1.3	Please indicate which Lot(s) you wish to apply for	Lot 1 <input type="checkbox"/> Lot 2 <input type="checkbox"/>

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

If the Economic Operator is bidding for more than one Lot and its structure/supply chain/suppliers are the same for each Lot that it wishes to apply for, the response to this Question 2 need only be completed once. Otherwise, the Economic Operator should complete this question for each Lot that it wishes to apply for

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 Clients consider 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 Clients’ 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>Regulations 57(1) and (2) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</p> <p>The detailed grounds for mandatory exclusion of an organisation are set out on this webpage, 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 webpage.</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"> ▪ Date of conviction ▪ Specify which of the grounds listed the conviction was for, and the reasons for conviction ▪ Identity of who has been convicted <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>Regulation 57(3) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</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</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>

	the organisation is in breach of obligations related to the payment of tax or social security contributions?	
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)

If the Economic Operator is bidding for more than one Lot and its structure/supply chain/suppliers are the same for each Lot that it wishes to apply for, the response to this Question 3 need only be completed once. Otherwise, the Economic Operator should complete this question for each Lot that it wishes to apply for

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(s) consider 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 Clients’ 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>Regulation 57(8) of the Public Contracts Regulations 2015, per Regulation 80 the Utilities Contracts Regulations 2016</p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this webpage, 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 2 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	Yes <input type="checkbox"/> No <input type="checkbox"/>

	Regulation 59 of the Public Contracts Regulations 2015.	If yes, please provide details at 3.2
3.1(j)-(iv)	The organisation has influenced the decision-making process of the Clients 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)

Please complete the questions below according to the Lot(s) you wish to apply for.

All of the following must each complete the questions in Question 4:

- Economic Operators
- Consortium members
- Third-party entities being relied on by the Economic Operator to satisfy the economic and financial standing requirements in the SQ (where relevant)

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.

Question 4		Financial Information
Question	Response	
4.1	<p>Economic Operators are required to demonstrate an annual turnover of at least £160,000,000 in each of the previous three (3) years.</p> <p>Economic Operators must agree to provide a copy of their full³ audited accounts⁴ 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>	Yes / No
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:	Yes / No
4.3	Please confirm that you have fulfilled all obligations relating to the payment of taxes and social security contributions:	Yes / No
4.4	<p>Economic Operators are required to confirm that they have in place or have the ability to obtain⁵ (and maintain for the duration of the Contract, if successful) insurance at the following levels:</p> <ul style="list-style-type: none"> ▪ Professional Indemnity Insurance - £5 million for each and every claim ▪ Public Liability Insurance - £10 million for each and every claim 	Yes / No

³ Including profit and loss, balance sheet, directors and (as appropriate) auditor's reports.

⁴ If audited accounts are not a legal requirement for your organisation, please provide signed accounts as prepared by a recognised firm of accountants.

⁵ 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 the Contract.

Question 4		Financial Information
Question		Response
	<ul style="list-style-type: none">▪ Employers Liability Insurance - £10 million for each and every claim▪ Civil Liability for Motor Insurance - £1 million for each and every claim	

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

Please complete the questions below according to the Lot(s) you wish to apply for.

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), RIDDOR⁶ 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'.

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

⁶ Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

		incidents have occurred.
7	Good	The Economic Operator has provided evidence which demonstrates a good approach towards enhancing Health and Safety Performance during the last 3 years. The Economic Operator has put in place reasonable measures to remedy/improve its health and safety record where incidents have occurred.
5	Satisfactory	The Economic Operator has provided evidence which demonstrates a satisfactory approach towards enhancing Health and Safety Performance during the last 3 years. 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.
2	Poor	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. 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.
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 a contract of a similar scale and complexity to the work anticipated under these Lot(s) by providing a reference list containing up to 10 separate projects with basic project details, as well as providing more detailed information in

relation to at least 3 (three) of the (up to) 10 (ten) projects, using the template within Question 5.3 to demonstrate that you can supply in the capacity and configuration that EPUKI are considering. These projects should have been completed within the last 10 (ten) years prior to the SQ Response Submission Deadline.

Your response needs to detail where the project was located globally and confirmation that, as an Original Equipment Manufacturer, you manufactured and supplied new Gas Turbines and / or Reciprocating Engine generating units.

The (up to) 10 (ten) basic and 3 (three) detailed examples shall include:

- Gas fired heavy duty gas turbine units – supply of gas turbines greater than 200 MW; and/or
- Individual gas reciprocating units with a capacity greater than 5MW and net combined plant capacity greater than 40MW.

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’.

<u>Score</u>	<u>Term</u>	<u>Typical Characteristics</u>
10	Excellent	The Economic Operator has demonstrated strong and relevant robust experience on all three Project Examples, with the inclusion of examples 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.
7	Good	The Economic Operator has demonstrated a good level of experience in most areas, which is demonstrated to be robust on all three Project Examples and meet environmental requirements including the Industrial Emissions Directive. Some minor deficiencies in the completeness and/or relevance.
5	Satisfactory	The Economic Operator has demonstrated a basic level of experience in most areas on all three Project Examples with some minor deficiencies in the completeness and/or relevance.
2	Poor	The Economic Operator has demonstrated a poor level of experience / irrelevant experience on at least one of the Project Examples.
0	Unacceptable	No response provided, insufficient or irrelevant information provided on all three of the Project Examples.

Project Example 1

No.	Project Details	Project 1		
1.	Name of the Project			
2.	Location (City/Town/Country)			
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.	Individual Unit Capacity			
8.	Total Plant Net Capacity			
9.	Fuel (s)			
10.	Date of Notice to Proceed			
11.	Date of delivery of Generating Sets to site			
12.	Date of commercial operation			
13.	Total Hours of Operation since commissioned			
14.	Equipment Model			
15.	Economic Operator's Scope of Work (please confirm "yes" or "no" in the list below or "outsourced" in case done by a sub-contractor)			
	a. Supply of Equipment			
	b. Supply of Full EPC			
16.	Value of Project			
17.	Detail what environmental compliance was met. Please expand as necessary.	Emission	Limit	Source of Compliance
		<i>e.g. NOx</i>	<i>50mg/Nm³</i>	<i>e.g. Industrial Emissions Directive</i>
18.	Any further details			

Project Example 2

No.	Project Details	Project 1		
1.	Name of the Project			
2.	Location (City/Town/Country)			
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.	Individual Unit Capacity			
8.	Total Plant Net Capacity			
9.	Fuel (s)			
10.	Date of Notice to Proceed			
11.	Date of delivery of Generating Sets to site			
12.	Date of commercial operation			
13.	Total Hours of Operation since commissioned			
14.	Equipment Model			
15.	Economic Operator's Scope of Work (please confirm "yes" or "no" in the list below or "outsourced" in case done by a sub-contractor)			
	a. Supply of Equipment			
	b. Supply of Full EPC			
16.	Value of Project			
17.	Detail what environmental compliance was met. Please expand as necessary.	Emission	Limit	Source of Compliance
		<i>e.g. NOx</i>	<i>50mg/Nm³</i>	<i>e.g. Industrial Emissions Directive</i>
18.	Any further details			

Project Example 3

No.	Project Details	Project 1		
1.	Name of the Project			
2.	Location (City/Town/Country)			
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.	Individual Unit Capacity			
8.	Total Plant Net Capacity			
9.	Fuel (s)			
10.	Date of Notice to Proceed			
11.	Date of delivery of Generating Sets to site			
12.	Date of commercial operation			
13.	Total Hours of Operation since commissioned			
14.	Equipment Model			
15.	Economic Operator's Scope of Work (please confirm "yes" or "no" in the list below or "outsourced" in case done by a sub-contractor)			
	a. Supply of Equipment			
	b. Supply of Full EPC			
16.	Value of Project			
17.	Detail what environmental compliance was met. Please expand as necessary.	Emission	Limit	Source of Compliance
<i>e.g. NOx</i>		<i>50mg/Nm³</i>	<i>e.g. Industrial Emissions Directive</i>	
18.	Any further details			

Section 6: Declaration

If the Economic Operator is bidding for more than one Lot and its structure/supply chain/suppliers are the same for each Lot that it wishes to apply for, this Declaration need only be completed once. Otherwise, the Economic Operator should complete this Declaration for each Lot that it wishes to apply for

Contact details and declaration	
By submitting an SQ response for Lot 1/Lot 2 [<i>please delete as applicable</i>]:	
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(s) may reject my submission for any Lot 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.	
Completed by:	
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.

SQ – Appendix 1
SQ section –
Question number –

SQ – Appendix 2
SQ section –
Question number –

SQ – Appendix 3
SQ section –
Question number –

APPENDIX

MARKET BROCHURE EP UK INVESTMENTS LIMITED FEBRUARY 2020

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INTRODUCTION

Tender Overview

The Clients are conducting this Procurement to identify the Supplier of new power generation equipment for potential installation at its assets in Northern Ireland.

The Procurement is formed of two different lots. The Clients intend to award a contract for either one or both of the two lots for a term of two years. The contract is anticipated to commence on the date stated in Section 0 and, subject to the provisions for early termination set out in the Contract, shall continue in force until 2022.

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.

Purpose of the Brochure

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

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

- background information as described in Section 0;
- an overview of the Clients' requirements as described in Section 0; and
- an outline of the contracting model and procurement process, including the proposed evaluation process for selecting Bidders for participation in the next stage of the procurement, as described in Sections 0 and 0.

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 25th March 2020** 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 Bidders following the SQ stage. The Clients believe the information contained within this brochure is sufficient to enable interested potential Bidders to decide whether this is an opportunity they wish to participate in. The Clarification Process outlined in Section 0 can be used to clarify aspects of this Procurement and the documentation issued with the OJEU 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.

Openness, Transparency and Fairness

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

The Clients 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, potential bidders must immediately provide a contact name, email address and telephone number for their organisation to gas-generation2020.SQ-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.

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 gas-generation2020.SQ-NI@epuki.co.uk by no later than **5pm GMT on 6th March 2020**. The Clients may at its absolute discretion refuse to answer any questions submitted after this date. The Clients will endeavour to respond to requests for clarification within 5 working days 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 Clients. The Clients 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 Clients reserve the right to communicate clarification responses to all Economic Operators, at any stage, at their sole discretion.

Please note that the Clients reserve the right not to answer clarification questions received after the clarification deadline.

Key Contact Information

The point of contact for this Procurement is:

Andrew Jarvis
EP UK Investments Limited
Berger House
36-38 Berkeley Square
London
W1J 5AE

Email: gas-generation2020.SQ-NI@epuki.co.uk

Jacqueline Roose
EP UK Investments Limited
Berger House
36-38 Berkeley Square
London
W1J 5AE

Email: gas-generation2020.SQ-NI@epuki.co.uk

Detailed information relating to the procedure for this Procurement can be found in Section 0 of this brochure.

BACKGROUND & CONTEXT

Introduction

EPUKI is the owner of the existing Kilroot and Ballylumford Power Stations in Northern Ireland. In mid-2019, these stations were acquired by its subsidiary's EP Kilroot Limited and EP Ballylumford Limited from AES Kilroot Ltd and AES Ballylumford Ltd. EPUKI is a subsidiary of Energetický A Prumyslový Holding (EPH).

EPH owns and operates circa 20 GW of energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, Hungary, France, Poland and the United Kingdom. EPH also has significant 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.

EP Kilroot Limited (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.

EP Ballylumford (EPBL) operates Ballylumford Power Station, situated on the shore of Larne Lough in County Antrim, Northern Ireland. Ballylumford generates a combination of 600MW from combined cycle gas turbine units and 120MW from two open cycle gas turbines.

Background to the Requirement

EP UK Investments Limited (EPUKI) on behalf of EPKL and EPBL is considering installing new power generation equipment at its assets in Northern Ireland. The new generation units are anticipated to take the form of peaking generation that will operate primarily on natural gas and may be required to operate with a back-up fuel. The Supplier will be required to offer equipment delivered to site, comprising of the prime mover, generators, intake filtration system, control system and close auxiliaries. The Clients anticipate the equipment will be supplied under an agreed Equipment Supply Agreement that shall either incorporate or be packaged with an Agreement to provide Erection Supervision and Commissioning Services for the completed equipment supplied by the Economic Operator. An optional Services Agreement may also be awarded to the Supplier provided that it has included the relevant services within its final tender submission in accordance with the ITN and/or ISFT.

EPUKI is currently appraising options to develop its generation portfolio through investment in thermal asset new build in line with group strategy, the ISEM electricity market and with consideration that there is a likelihood that some existing assets, particularly the Kilroot coal-fired units may reach the end of their lifetime over the coming 3-8 years.

The project may install up to 600MW configured to provide flexible generation (in terms of start-up, turndown and ramping), security of supply and system services. In addition to meeting these requirements the project will aim to provide maximum electrical efficiency and availability at the lowest possible installed cost while providing safe economic operability and excellent environment performance. The project will need to meet the requirements of United Kingdom, Northern Ireland, European & International Regulations, Orders, Directives, BREF and standards, and comply with local permits, licences and [Grid Code](#). The generating units are intended to be constructed at EPUKI brown field site(s) in Northern Ireland and integrated with existing infrastructure where sensible.

Contracts are expected to be awarded for heavy duty gas turbines and / or reciprocating engines in various combinations up to a maximum of 600 MW overall. This is expected to comprise up to 400 MW of heavy-duty gas turbine equipment that may comprise 1 or 2 individual units and up to 200 MW of reciprocating engine equipment, comprising multiple units. Dependent on the final size of the overall project, and the expected operating regime, the cost of the equipment supply and maintenance support for 10 years is anticipated to range from £20m to £80m.

REQUIREMENTS

Overview of the Supplies

This Procurement is for Heavy-Duty Gas Turbines and/or Reciprocating Engines along with options for associated Service Agreements.

Suppliers for the following equipment types and scale, when operating on Natural Gas and a frequency of 50Hz are invited to express interest in supplying equipment:

- Heavy Duty Gas Turbines greater than 290MW (ISO); and
- Reciprocating Engines of a capacity greater than 10MW (ISO) (per unit, simple cycle) and capable of forming part of a larger array of at least 40MW.

This opportunity is divided into two (2) separate lots, as follows:

- Lot 1 – Heavy Duty Gas Turbine including options for service agreements.
- Lot 2 – Reciprocating Engine including options for service agreements.

Further detail in relation to the Clients' technical requirements is set out below for reference. These technical specifications will formally be issued to all Economic Operators shortlisted for the tender stage.

It is anticipated that the Contract(s) will commence from September 2020 at the earliest. Equipment delivery would be required within 12 months of contract award.

Core Requirements

The Core Requirements outlined in the table below are likely to be the minimum requirements for the purpose of this Procurement.

Core Requirement	Description
Meet the requirements of the ISEM Market in Northern Ireland	Including but not limited to: <ul style="list-style-type: none"> ▪ Compliance with SONI Grid Code; ▪ Capable of operation on Natural Gas and Distillate Fuel; and ▪ Operate at 50Hz.
Provide reliable peaking operation	Suitable and optimised to provide reliable fast starts, fast ramping and wide turndown without experiencing high levels and wear and tear.

Meet Northern Ireland, UK and European Legislation	Including but not limited to: <ul style="list-style-type: none"> ▪ CE Marking; ▪ Clean Energy Package Legislation; ▪ Industrial Emissions Directive; and ▪ BREF emissions directives with Best Available Techniques.
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CONTRACTING MODEL

Contracting Model and Overview

The Clients anticipate that the Contract for each Lot, if awarded, will comprise:

- An Equipment Supply Agreement, under which the Supplier will supply equipment;
- An associated Erection and Commissioning Services Agreement; and
- An optional Services Agreement, under which the Supplier would provide parts and services during the equipment's operational lifespan, provided that this has been included in the Supplier's final tender submission.

The Supplier will be responsible for all of the Supplies and Services including where the Supplier sub-contracts Supplies or Services to sub-contractors.

The Clients envisage that the Equipment Supply Agreement may also contain an option for the Supplier to provide a limited number of additional generating units, subject always to the provisions of Regulation 88 of the Regulations regarding the modification of contracts during their term.

PROCUREMENT PROCESS

Overview

The Procurement is a competitive procurement under the OJEU process, using the **Competitive Procedure with Negotiation** and is to be conducted in accordance with Regulation 47 of the Regulations.

In accordance with the Competitive Procedure with Negotiation, the Clients may choose to proceed to award after initial evaluation of tenders without proceeding to a negotiation phase(s).

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.

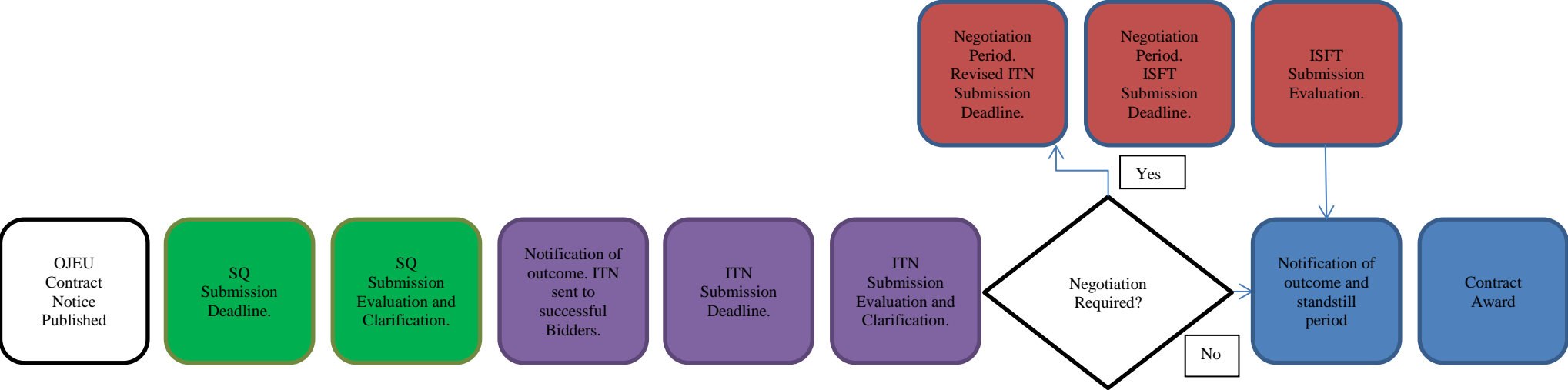
Project Activities and Milestones	Target Completion Date
Pre-Qualification Stage	
Contract Notice dispatched to OJEU	25th February 2020
SQ and Market Brochure made available to potential Bidders upon	

publication	
SQ Clarification Questions Deadline	5pm GMT on 6th March 2020
SQ Response Submission Deadline	12pm GMT on 25th March 2020
Evaluation of SQ Responses	26th March to 3rd April 2020
Notification of outcome of Pre-Qualification Stage delivered to all Economic Operators	17th April 2020
Invitation to Negotiate (ITN) Stage	
ITN issued to shortlisted Bidders	24th April 2020
ITN Clarification Deadline	6th May 2020
ITN Submission Deadline	22nd May 2020
ITN Evaluation and Clarification	25th May to 12th June 2020
Revised ITN and Invitation to Submit Final Tenders (ISFT) Stage (Optional⁷)	
Negotiation Period	15th June to 10th July 2020
Revised ITN Submission Deadline	12pm GMT on 10th July 2020
Revised ITN Evaluation and Clarification	13th July to 21st August 2020
Optional down-selection of Bidders	24th August 2020
Negotiation Period	24th August to 18th September 2020
ISFT issued to remaining Bidders	9th September 2020
ISFT Submission Deadline	21st September 2020
ISFT Submission Evaluation	22nd September to 5th October 2020
Preferred Bidder Stage	
Notification of successful and unsuccessful Bidders (Standstill letters)	9th October 2020
Standstill Period	12th October 2020
Contract Award Date	26th October 2020

⁷ Following the ITN Stage, the Clients may decide in their absolute discretion to proceed directly to the Preferred Bidder Stage or to undertake at least one round of negotiations with the Bidders. The phases within the Revised ITN and ISFT Stage are provided for indicative purposes only and may be amended at the discretion of the Clients.

Tender Approach

The diagram below outlines the various stages included as part of the procurement process.



Stage 1 – Selection Questionnaire (SQ)

The purpose of the SQ is to identify a shortlist of Bidders to be invited to the next stage of the Procurement. The SQ has been published at the same time as this Market Brochure and contains clear instructions on how the selection of potential Bidders will be conducted.

The SQ sets out the information required by the Clients to assess the suitability of Bidders in terms of their technical knowledge and experience, capability/capacity, organisational and financial standing to deliver the Clients' requirements for each Lot(s) as currently envisaged.

Following submission and evaluation of SQ responses, the Clients envisage inviting a minimum of 3 Economic Operators to the tender stage. If, in the Client's opinion there are more than 3 suitable Economic Operators, the Client reserves the right to invite all Economic Operators or a number higher than the minimum but less than the total number of SQ respondents to ITT stage.

All Bidders will be informed of the outcome of the evaluation of SQ responses for the Lot(s) applied for by way of a notification letter.

Stage 2 – Invitation to Negotiate

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

The ITN will invite Bidders to submit a tender response for the supply of the generation units and associated erection and commissioning services for one or both Lot(s). This will comprise of both a quality and financial proposal to be included in the ITN submission. Bidders shall also be invited, but shall not be obliged, to set out their service offering within their tender submission for the operational lifespan of the generation units.

Bidders which include the optional service offering in their tender submission should be aware that the Clients are under no obligation to award the optional Services Agreement and may award a 'supply only' Contract instead to the preferred Bidder.

Tender Evaluation

The precise evaluation criteria that Bidders will be assessed against will be outlined in the ITN/ISFT.

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

- is submitted in full and provides a winning Bidder that is fit and proper for the Clients 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 following ISFT or, if the Clients so elect, following ITN.

Both the ITN and the ISFT evaluation process will be 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 price (70%).

Quality will be evaluated on the basis of the Bidders' 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) Quality assurance arrangements;
- (b) Health, safety and environmental strategy;
- (c) Compliance with planning permission and other relevant consents and permits;
- (d) Compliance with applicable BREF.
- (e) Credibility of the proposed programme and its management;
- (f) Plant performance criteria, including;
 - (i) Start-up time;
 - (ii) Availability guarantee;
 - (iii) Maintainability of the Plant;
 - (iv) Spares strategy; and
 - (v) Operating and maintenance costs and requirements.

Price will be evaluated on the basis of installed specific costs and life cycle costs of the generating units. The total cost of operation will consider the initial capital cost, potential revenue streams and lifetime costs associated with fuel, operation and maintenance provision. The Clients will model and assess ITN and ISFT submissions against market conditions to assess the potential revenues over the life of the project.

All tender submissions will be evaluated against the same evaluation framework however those tenders that include optional services will be evaluated against a separate evaluation framework for the optional services questions. No additional marks will be awarded to Bidders who include optional services in their tender submission however the weightings of each question will be adjusted accordingly to ensure a level playing field for all Bidders.

Post Tender Clarifications

The Clients reserve the right to issue post tender clarifications to Bidders to cover any areas of their tender submissions, including but not limited to the Bidder'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.

Stage 3 - Down Selection of Bidders during Negotiation

In the event that a Tender has passed all steps above compliantly the Clients reserve 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 Clients will accept an initial tender will be set out in the ITN documentation once issued to shortlisted Bidders following the SQ stage.

- (b) Proceed to enter into at least one round of negotiations with the Bidders. The Clients reserve the right to down select the highest scoring Bidders during the negotiation stage(s). More detailed information will be provided in the ITN.

Negotiation

If utilised, this phase is intended to discuss with Bidders aspects of their tender which warrant further discussion and refinement following the initial evaluation.

Areas the Clients are keen to understand are:

- Payment profile
- Cost breakdown
- Contractual Terms
- Programme
- Guarantees
- Insurances
- Services

There may be other areas following evaluation that the Clients also anticipate may need refinement.

The Negotiation Stage will continue until the Clients are satisfied that one or more Bidders can provide a tender capable of meeting their requirements. The Clients reserve the right, at their absolute discretion, to amend the duration of the Negotiation Stage and/or introduce additional stages where it deems this appropriate.

It is currently envisaged that Bidders will be invited to submit a revised ITN following the first round of negotiations. The Clients also envisage engaging in a second round of negotiations with Bidders, with or without an optional down selection on the basis of the revised ITN submissions. The second round of negotiations is expected to inform the remaining Bidders' ISFT submissions.

Final Tenders

Once negotiations have concluded with all Bidders, an ISFT will be issued to all Bidders who took part in the negotiation phase.

ISFT submissions will then be evaluated on the basis of the original tender award criteria to identify the preferred Bidder.

Stage 4 - Contract Finalisation

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

The Clients reserve the right to award a 'supply only' Contract or a 'supply and optional services' Contract. Where a 'supply only' Contract is awarded, the Clients reserve the right to re-calculate the scores of the 'supply and optional services' tenders against the 'supply only' weightings to ensure that the preferred

Bidder is the most economically advantageous tenderer. For the avoidance of doubt, a 'supply and optional services' Contract shall only be awarded where there is adequate competition throughout the Procurement.

Throughout the Procurement, Bidders will be asked to inform the Clients 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 Clients may award the Contract to the next placed Bidder.

Stage 5 - Standstill Period and Award of Contract

The Clients will notify Bidders of any decision as to the award of the Contract to the successful Bidder. The Clients will operate a minimum 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.

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DEFINITIONS

"Bidder"	means an economic operator taking part in this Procurement;
"Clients"	means EPKL and EPBL;
"Contract"	means the contract which is the subject of this tender process and which, if awarded, will be entered into between the Clients and the Supplier and which will be developed based on the approach set out in Section 0 of this brochure for issue to the selected Bidders at ITN stage;
"Competitive Procedure with Negotiation"	means the procurement procedure described as such in the Utilities Contracts Regulations 2016;
"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;
"EPBL"	means EP Ballylumford Limited, incorporated under the Companies Acts in Northern Ireland with company number NI026040 and having its registered office at Ballylumford Power Station, Ballylumford, Islandmagee, Larne Co Antrim, BT40 3RS;
"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 Berger House, 36-38 Berkeley Square, London, W1J 5AE;
"ITN"	means the Invitation to Negotiate sent to those Bidders successful in passing the SQ stage;
"ISFT"	means the Invitation to Submit Final Tenders sent to Bidders following negotiation (if applicable);

"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 Bidder"	means the Lead Bidder identified by a Consortium or Joint Venture where the Bidders are expressing a joint interest in the contract as a Consortium / Joint Venture. The Lead Bidder 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;
"Minimum Standards"	means EPUKI's minimum standards of economic and financial standing and / or technical professional ability and capacity for the purposes of Regulation 78 of the Regulations as set out in the SQ;
"Procurement"	means this tender process for the provision of new power generation equipment to be installed in Northern Ireland;
"Regulations"	means the Utilities Contracts Regulations 2016 (as amended);
"Supplies"	means the supplies summarised in section 0 of this brochure;
"SQ"	Means the Selection Questionnaire for this Procurement; and
"Supplier"	means the preferred Bidder who EPUKI intends to enter into a Contract with.