



Attachment No 15

Mini-Competition Process Guidance

Freight Capacity Procurement - Invitation to Tender

For information: It sets out how a Mini-Competition will be undertaken.

Terms used but not defined herein shall have the meaning ascribed to them in the Glossary.

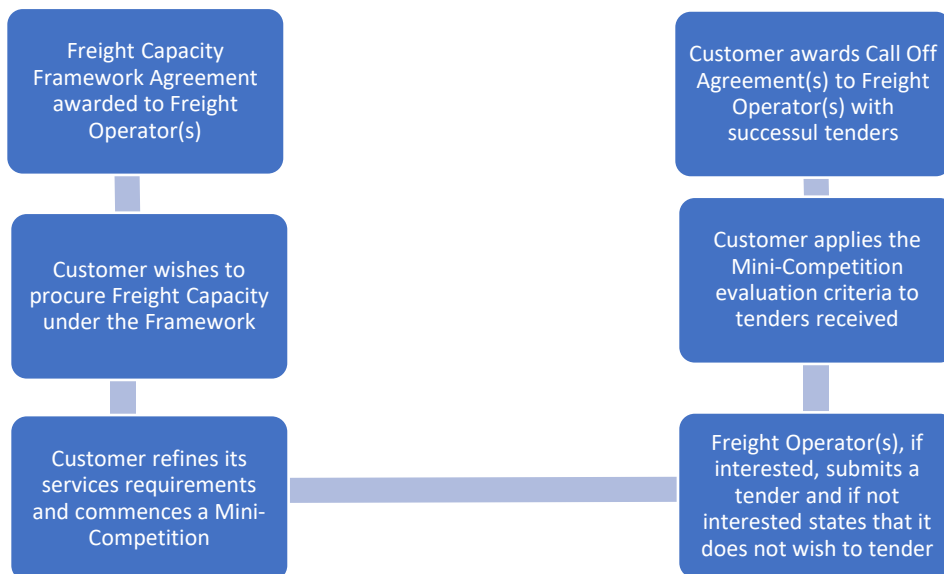
How Call Off Agreements Are Awarded

The Freight Capacity Framework Agreement sets up a process allowing a Customer to procure freight capacity by entering into a Call Off Agreement with a Freight Operator on the Framework. This process is known as a “**Mini-Competition**”.

The Freight Capacity Framework Agreement sets out the parameters that apply in relation to any Mini-Competition used to award Call Off Agreement(s) for Freight Capacity, as follows:

- A Customer may amend or refine the Template Call Off Order Form (Attachment 7) and Template Call Off Terms and Conditions (Attachment 6) for project specific reasons and as indicated and permitted in the Freight Capacity Framework Agreement;
- as described in further detail below, all Freight Operators on the Framework will be invited by email or via notification on an e-sourcing portal or in such other format as the Customer may specify to submit a tender in writing in response to a Call Off Request as part of any Mini-Competition. The Customer will set a time limit for submission of tenders by taking into account factors such as the complexity of the Customer’s services requirements and the time needed to submit tenders; and
- the award criteria and how they will be used to assess tenders submitted in a Mini-Competition (as set out in the Mini-Competition Evaluation Methodology (Attachment 12)).

The process to be followed in awarding a Call Off Agreement is broadly as set out in the diagram below.



Note: All Freight Operators on the Framework will be invited to submit tenders in respect of a Mini-Competition. The term and the services to be provided pursuant to a specific Call Off Agreement may extend beyond the termination or expiry of the Freight Capacity Framework Agreement.

A Call Off Agreement may expire or be terminated in accordance with its terms but such expiry or termination shall not, in and of itself, give rise to an expiry or termination of any other Call Off Agreement or this Freight Capacity Framework Agreement.

At any time during the duration of the Freight Capacity Framework Agreement, Customers may identify specific services requirements in response to particular Disruption Events and invite all Freight Operators on the Framework to participate in a Mini-Competition. The Customer reserves the right not to award a Call Off Agreement following this process.

Where a Customer is undertaking a Mini-Competition it will issue a statement of requirements specifying the services to be provided, attaching the evaluation model and terms of participation, as well as the proposed Call Off Agreement based on the Template Call Off Terms and Conditions and Template Call Off Order Form.

Upon receipt of a Call Off Request, a Freight Operator on the Framework shall:

- within 2 days of receiving the Call Off Request, confirm receipt via AWARD e-Sourcing portal (or in any other format as may be specified by the Customer);
- follow the Mini-Competition process, which will be set out in the Call Off Request and will set out how the Mini-Competition will be undertaken, the timeline and the process for evaluation of tenders and award;
- confirm in writing its intention to participate (or not to participate) in the Mini-Competition; and
- if it intends to participate in the Mini-Competition, submit its tender response in accordance with the terms of participation by the stated deadline.

The Customer will:

- Issue formal notifications of the Call Off Request and all relevant documents to all of the Freight Operators on the Framework;
- Treat all Freight Operators fairly ensuring all receive the same information at the same time;
- Respect and safeguard all information marked as commercially confidential;
- Evaluate all tenders in accordance with the procedure and award criteria set out in the Call Off Request; and
- Following evaluation, will award Call Off Agreement(s) to the successful Call Off Bidders or provide an explanation of why no award has been made. It will provide feedback to all Freight Operators that submitted a tender in that respective Mini-Competition.