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STATUTORY INSTRUMENTS

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**2015 No. 1555**

**The Electricity (Competitive Tenders for Offshore  
Transmission Licences) Regulations 2015**

**PART 9**

**QUALIFICATION TO TENDER STAGE**

**Qualification to tender**

**16.**—(1) In respect of the qualification to tender stage the Authority must publish—

- (a) the confidentiality agreement in respect of each qualifying project to be signed and submitted to the Authority by qualifying bidders; and
- (b) any instructions that apply to the confidentiality agreement including the date, time and manner in which that confidentiality agreement is to be submitted to the Authority.

(2) As soon as reasonably practicable after a qualifying bidder has submitted one or more signed confidentiality agreements in respect of particular qualifying projects to the Authority, the Authority must issue to that qualifying bidder the qualification to tender documentation, which must include the information specified in Schedule 4.

(3) The Authority must invite all qualifying bidders who have been issued the qualification to tender documentation in accordance with paragraph (2) to submit a completed qualification to tender questionnaire in respect of one or more qualifying projects in accordance with the requirements set out in the qualification to tender documentation.

**Determination of qualifying bidders to be invited to participate in the invitation to tender stage**

**17.**—(1) The Authority must evaluate each completed qualification to tender questionnaire submitted to it by a qualifying bidder in accordance with the evaluation criteria set out in the qualification to tender documentation, in order to determine which qualifying bidders are to be invited to participate in the invitation to tender stage in respect of each qualifying project.

(2) The Authority may decline to consider a qualification to tender questionnaire submitted to it by a qualifying bidder where the Authority determines that the submitted qualification to tender questionnaire does not comply in any material respect with the requirements specified in the qualification to tender documentation issued in accordance with regulation 16(2).

(3) The Authority must give notice to each qualifying bidder of its determination in accordance with paragraph (1) or (2) and give reasons for its determination.