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1. PURPOSE

1.1 The Department for Communities and Local Government or “DCLG” (here after referred to as “The Authority”) is inviting tenders to produce the fourth UK report on the Energy Performance of Buildings Directive Article 14 Equivalence (Boiler Equivalence Report).

2. BACKGROUND TO THE CONTRACTING AUTHORITY

2.1 The Authority is a ministerial department, supported by 11 executive agencies and public bodies. The Authority aims to create great places to live and work, and to give more power to local people to shape what happens in their area.

2.2 The Recast of the Energy Performance of Buildings Directive (EPBD)¹ is an EU measure designed to tackle climate change by reducing the amount of carbon produced by buildings.

3. BACKGROUND TO THE REQUIREMENT

3.1 The European Commission recast the Energy Performance of Buildings Directive (EPBD) in 2010. Article 14 of the EPBD required the inspection of heating systems in buildings. This extended the boiler inspection requirements of Article 8 of the original EPBD.

3.2 Article 14 of the Directive requires the establishment of a system for the regular inspection of boilers above a certain size. Member States may opt-out of this provided they ensure appropriate advice and adopt alternative solutions that achieve the same goals as an inspection regime. The latter approach has been adopted in the UK in England, Wales, Scotland and Northern Ireland.

3.3 The impact of this advice must be at least equivalent to the impact of a regular inspection system. A report demonstrating this must be submitted to the Commission by 30 June 2017. This report must be updated every three years. A consequence of not delivering the report to deadline is that the EU could begin infraction proceedings against the UK for not implementing the Directive. An outcome of these potentially unlimited fines until the requirement is met.

3.4 The UK chose to opt-out of the requirement for an inspection system and, to date, has submitted boiler equivalence reports in 2007, 2010, 2012 and 2015. The last report is available from - <https://www.gov.uk/government/publications/energy-performance-of-buildings-directive-article-8-equivalence-uk-biennial-reports>. A further report covering the period from 2017 to May 2020 now needs to be prepared.

3.5 Gibraltar, which is the responsibility of the UK Government with respect to reporting on the implementation of Article 14, chose to introduce an inspection regime and so is not considered as part of the equivalence assessment.

4. DEFINITIONS

Expression or Acronym	Definition
DCLG	Department for Communities and Local Government

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:153:0013:0035:EN:PDF>



EPBD	Energy Performance of Buildings Directive 2010/31 (recast)
Directive	Energy Performance of Buildings Directive 2010/31 (recast)
Commission	The European Commission - responsible for proposing legislation, implements decisions, upholding the EU treaties and managing the day-to-day business of the EU.
UK	England, Scotland and Wales

5. SCOPE OF REQUIREMENT

5.1 The report must:

- 5.1.1 cover accessible parts of systems used for heating buildings, such as heat generator, control system and circulation pump(s), with boilers of an effective rated output for space heating purposes of more than 20kW.
- 5.1.2 cover boilers in England Wales and Scotland for the 3-year period July 2017 to June 2020;
- 5.1.3 reflect existing UK energy efficiency policy as it impacts on improving the efficiency of existing and new boilers, for example appropriate changes to Building Regulations, Green Deal ECO etc.;
- 5.1.4 demonstrate clearly how the UK's alternative approach is equivalent or better than adoption of an 'hypothetical' inspection regime with respects to reducing carbon emissions;
- 5.1.5 where appropriate update facts and assertions provided in the previous equivalence reports produced in 2015, 2013 and 2010;
- 5.1.6 assess the impact of advice on energy efficiency improvement measures and whether it is at least equivalent to or greater than the impact of a regular inspection system;
- 5.1.7 also conform to EC guidance on requirements, such as the time periods that the report should cover, and what policy measures should be included in the calculated savings from both the hypothetical inspection regime and the 'alternative' approach;
- 5.1.8 incorporate contributions, advice and amendments from Devolved Administrations, Government Departments and the appropriate Executive Agencies;
- 5.1.9 establish whether Gibraltar, which is the responsibility of the UK Government, continues to operate an inspection regime to implement the Article 14 requirements, and where appropriate this should be reflected in the report;
- 5.1.10 A draft report must be provided to DCLG in a format that can be easily edited / amended using Microsoft Word version 14, by 8 May 2017; and
- 5.1.11 The final report must be submitted to the Authority by 5 June 2017.

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6. THE REQUIREMENT

- 6.1 The Production of an Equivalence report which will be used to demonstrate to the Commission how the UK has met the requirement under Article 14 of the Directive. Format, content and style of report must be consistent with the previous reports which the EU has deemed acceptable. The final report must be delivered by 5 June 2017.

7. KEY MILESTONES

- 7.1 The Potential Provider should note the following project milestones that the Authority will measure the quality of delivery against:

Milestone	Description	Timeframe
1	Confirmation of project plan and meeting between Authority and Supplier teams.	Within week 1 of Contract Award
2	Weekly progress reports (by email) each Wednesday for duration of contract.	Within week 1 of Contract Award
3	Finalise agreed project plan.	Within week 2 of Contract Award
4	Draft report must be submitted to contract manager by email 8 May 2017	Within week 4 – 5 of Contract Award
5	Meeting with the contract manager to discuss report findings by 15 May.	Within week 5 – 6 weeks of Contract Award
6	Deliver final report to contract manager – 5 June 2017.	Week 6

8. REPORTING

- 8.1 The Supplier must provide weekly oral reports, by telephone or face to face as agreed, to the Authority, supported by summary written reports of progress by Wednesday of each week of the Contract. The reports must immediately highlight any problems the Supplier has with accessing information critical to producing the report.

9. CONTINUOUS IMPROVEMENT

- 9.1 Changes to the way in which the Services are to be delivered must be brought to the Authority's attention immediately in writing (email) and agreed with the Authority by email prior to any changes being implemented.

10. QUALITY

- 10.1 UK authorities (England and Wales, Scotland, Northern Ireland) have opted to take measures to provide advice to users concerning the replacement of boilers, other modifications to the heating system and 'alternative' solutions to assess the efficiency and appropriate size of the boiler. The report must assess how this 'alternative' approach demonstrates how measures aimed at heating systems and supplementary



measures with information and advice programmes, designed to improve heating system efficiency, is at least equivalent to an inspection regime.

- 10.2 The report must also acknowledge how Gibraltar, which is the responsibility of the UK Government, has chosen to implement Article 14 of the Directive.
- 10.3 The report must also conform to EC guidance on requirements, such as the time periods that the report should cover, and what policy measures should be included in the calculated savings from both the hypothetical inspection regime and the ‘alternative’ approach.
- 10.4 The report must also address the range of issues on the equivalence of ‘alternative’ measures, as compared to inspection measures, under Articles 14(1) to 14(3). These issues are; the report must include potential savings from all accessible parts of the system used for heating buildings (not only the potential measures applied to boilers) as required under Article 14(1) of the recast; UK authorities are requested to perform their calculations considering the full scope of the elements to be inspected and subjected to improvement advice and to re-estimate the saving potential of the ‘alternative’ scheme (equivalence report) taking into account only new savings that would arise from the ‘alternative’ scheme from January 2017.

11. PRICE

- 11.1 Tenders should outline their costs for the entire project, including a breakdown of staff and non-staff costs.
- 11.2 Tenders should indicate the total cost of the project, broken down by each of the main outputs.
- 11.3 Prices are to be submitted via the e-Sourcing Suite using Appendix E – Pricing Schedule inclusive of expenses but excluding VAT.

12. STAFF AND CUSTOMER SERVICE

- 12.1 The Authority requires the Supplier to provide a sufficient level of resource throughout the duration of the Boiler Equivalence Contract in order to consistently deliver a quality service to all Parties.
- 12.2 The Supplier’s staff assigned to the Boiler Equivalence Contract shall have the relevant qualifications and experience to deliver the Contract. The Supplier should provide the Authority with details of its staff assigned to deliver the report, including full name, relevant experience and knowledge.
- 12.3 The Supplier shall ensure that staff understand the Authority’s vision and objectives and will provide excellent customer service to the Authority throughout the duration of the Contract.

13. SERVICE LEVELS AND PERFORMANCE

- 13.1 The Authority will measure the quality of the Supplier’s delivery by:

KPI/SLA	Service Area	KPI/SLA description	Target
1	Delivery	Supplier delivers draft report by 8 May 2017.	100%



	Timescales		
2	Delivery Timescales	Supplier delivers final report by 5 June 2017	100%
3	Quality	The final report identifies the full range of relevant policy initiatives and details these in the report.	90%
4	Quality	The Supplier provides validations of the accuracy of any energy savings calculations submitted as part of the report.	90%
5	Reporting	Weekly progress reports are to be provided by midday of each week of the contract and prior to scheduled contract meetings	100%

14. SECURITY REQUIREMENTS

- 14.1 For meetings at the Authority's premises (2 Marsham Street, London SW1P 4DF), the Supplier's representatives will need to bring current photographic identification e.g. Driving License or Passport for getting through building security, which will require x-ray bag screening and possibly body searches.

15. INTELLECTUAL PROPERTY RIGHTS (IPR)

- 15.1 All intellectual property rights in all works or supplies provided under this Contract which are written or produced on a bespoke or customised basis, including, without limitation, all future such rights when the said works are created, shall be owned by the Authority, as set out in the terms and conditions of Contract.
- 15.2 The Supplier must not disclose the report (either in part or in full) to any third parties prior to publication by the Authority, unless the Authority gives express consent to do so.
- 15.3 The Intellectual Property Rights for this contract are outlined in paragraph 9 of Appendix C.

16. PAYMENT

- 16.1 Payment can only be made following satisfactory delivery of the final report, as approved by the Authority.
- 16.2 Before payment can be considered, each invoice must include a detailed elemental breakdown of work completed and the associated costs.

17. ADDITIONAL INFORMATION

- 17.1 Reports published previously are available from:

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Gov.UK - <https://www.gov.uk/government/publications/energy-performance-of-buildings-directive-article-8-equivalence-uk-biennial-reports> and additional guidance on reporting: Reporting framework of equivalence according to the Directive 2010/31/EU on Energy Performance of Buildings Article 14 Paragraph 4 & Article 15 Paragraph 4 - <http://www.epbd-ca.eu/wp-content/uploads/2015/06/CA-EPBD-Reporting-framework-to-equivalence.pdf>

18. LOCATION

- 18.1 The location of the Services will be carried out at primarily at the Supplier's own offices. There may be a necessity to contact relevant stakeholders via email or telephone for further information