GREEN DISTILLERIES COMPETITION: further questions and answers

An SBRI Competition: TRN 2564/08/2020

Further questions and answers



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# Further Q&A

This Q&A covers answers to questions that may be relevant to applicants to Phase 1 of the Green Distilleries Competition.

Slides from the Stakeholder Engagement Day are available online at the Green Distilleries web page <https://gov.uk/government/publications/green-distilleries-competition>.

Abbreviations:

|  |  |
| --- | --- |
| TRL | Technology Readiness Level |
| ITT | Invitation to Tender |
| IETF | Industrial Energy Transformation Fund |
| IFS | Industrial Fuel Switching  |
| ESCO | Energy Service Company |
| RHI | Renewable Heat Incentive |
| RED | Renewable Energy Directive |

1. Must a Phase 1 application include a named technology supplier, or can the feasibility study include an optioneering study at the outset for the technology sought? A team would then partner with the appropriate supplier in Phase 2 if successful.

Optioneering is not ruled-out. Partners can change between Phase 1 and Phase 2 subject to BEIS approval.

1. Are more criteria available to clarify the difference between Lot 1 and Lot 2?

There is no further detail on the difference between Lots. If the technology fits the eligibility criteria then please allocate to the Lot you think is the most appropriate. BEIS will make the final decision as to which Lot an application best sits in.

1. Does successful participation in Phase 1 mean that an application must be made to Phase 2?

Application to Phase 2 is not mandatory if successful for Phase 1.

1. Could we please have some clarity on what is meant by: Switching of feedstocks, (except where feedstock provides chemical energy to drive the process) – is this whisky ingredients, for example?

Please see Q31 in the ITT Q&As. The Competition is focussed on switching fuel, where fuel provides energy for the process, rather than raw materials.

1. Is there a limit to how many bids a legal entity may support?

Lead organisations may only enter one bid into each lot as the project lead. Consortium members/Subcontractors may be part of multiple bids, however it is the duty of the lead organisation to manage any arrangements with regards to conflict of interests with sub-contractors/consortium members where those sub-contractors/consortium members are part of other bids. Further detail is available in section 3.3 of the ITT.

1. Can you advise if the competition is open to applicants who do not yet have an operational distillery?

The demonstration does not have to take place at a distillery. However, the technology must be directly transferable to the distilleries sector (from malting to maturation).

1. The TRLs in the ITT are not identical to others on gov.uk, in particular those for the nuclear decommissioning authority, which include using a commercial technology in a different industry as TRL 7. Is this also the case for the Green Distilleries Competition?

The Green Distilleries Competition uses the TRLs as defined in the Green Distilleries ITT (Appendix 1).

1. Is brewer’s spent grain permissible under RED2 regulations?

Please refer to the RED2 regulations. More information is available at this [link](https://ec.europa.eu/jrc/en/jec/renewable-energy-recast-2030-red-ii#:~:text=In%20RED%20II%2C%20the%20overall,has%20been%20raised%20to%2032%25.&text=The%20Directive%202009%2F28%2FEC,and%20overall%20potential%20for%20renewables.).

1. Do you support the development of business models?

The competition is focused on technology innovation rather than commercial innovation. It is to support the development of innovative fuel switching/fuel switching enabling technologies. The technology to be developed must be at a TRL between 4 and 7 at the start of the project and must be directly transferable to the distilleries sector (from malting to maturation).

1. In relation to the practical application of condition 4 & condition 28 of the contract terms and conditions:-

a)Subject always to compliance by the multi-party project team with condition 28 of the contract terms and conditions, can the project team reach a separate agreement (i.e. a collaboration agreement) between themselves regarding ownership and exploitation of Arising Intellectual Property including which specific project team member(s) will (for example) fund and apply for patent applications (if applicable)? Or is it intended that the lead project team member/project co-ordinator should own all Arising Intellectual Property?

b) If a collaboration agreement is permissible, as per a):-

i) does the Authority need to prior-approve or have sight of the collaboration agreement agreed between the multi-party project team?

ii) Presumably condition 28(6) then applies and binds each project team member only to the extent that the collaboration agreement prescribes said member owns Arising Intellectual Property?

As provided in the ITT, consortium bids are welcomed, but it is intended that the contracting party alone is able to enter into the necessary commitments with BEIS regarding IP as they are the only party that BEIS will have a contractual relationship with. The T&Cs therefore assume that the lead project team member/project co-ordinator will own all Arising Intellectual Property in order for example to provide the licence at condition 27(3).

1. T&Cs: 12, 1) Accounts: What records and vouchers are we expected to retain as there is an obligation to retain these records for 6 years from the termination or expiry of the contract, for example will timesheets be required?

Contractors are expected to keep full and proper accounts of the costs they incur relevant to the service charges. This is to ensure BEIS can independently audit what we have been charged throughout the project. Your example of timesheets will be relevant to this.

1. T&Cs: 15, 1) Provision of Services: What is the form of the Contract please? This Condition refers to the Contract but we have not seen a form of it among the documents.

The contract will consist of the standard T&Cs (as published), the specification (ITT) and the bidder’s proposal (including annexes), together with a brief front end cover letter contract that sets out the order of priority of the above (i.e. which terms prevail in the event of a conflict between any of these elements) and the basic details of the contract (including commencement, expiry, final price, payment, management, points of contact, etc).

1. T&Cs: 16, 1) Progress Report: How often will these reports be required? Will the form of these be determined? If so, can this be provided?

Projects will be expected to produce a progress report at the midpoint in the project, BEIS will provide a template for this report. Additionally, regular catchups will be held with the assigned monitoring officer.

1. T&Cs: 17 3) Contractor’s Personnel: is there a requirement that a statement that a required person understands that the Official Secrets Acts 1911 to 1989 must be in a prescribed form?

No, there is no requirement that it must be in a prescribed form.

1. T&Cs: 35) Welsh Language Act: Please can we have some more information about what the Welsh Language Scheme is?

 The BEIS Welsh language scheme can be found here: [https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy/about/welsh-language-scheme](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Forganisations%2Fdepartment-for-business-energy-and-industrial-strategy%2Fabout%2Fwelsh-language-scheme&data=02%7C01%7CShak.Choudhury%40beis.gov.uk%7Cea33fb25f4b742e5c6a008d86535d6d5%7Ccbac700502c143ebb497e6492d1b2dd8%7C0%7C0%7C637370629190756145&sdata=M5vs5mfFMAsgd132I5KawT1Refeu2vFHF6jbseQoZEY%3D&reserved=0)

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