
STATUTORY INSTRUMENTS

2009 No. 1340

**The Electricity (Competitive Tenders for Offshore
Transmission Licences) Regulations 2009**

PART 7

QUALIFICATION TO TENDER STAGE

Qualification to tender

11.—(1) In relation to a tender exercise, there shall be a qualification to tender stage in order to determine which qualifying applicants shall become qualifying bidders in respect of each qualifying project within that tender exercise.

(2) The Authority shall invite all qualifying applicants who have submitted a signed confidentiality agreement in accordance with paragraph 1(d)(iv) of Schedule 3 to submit a completed qualification to tender questionnaire for one or more qualifying projects in accordance with the requirements set out in the qualification documentation issued in accordance with regulation 9(2).

Determination of qualifying bidders

12.—(1) The Authority shall evaluate each completed qualification to tender questionnaire submitted to it by a qualifying applicant in accordance with the selection criteria set out in the qualification documentation, in order to determine which qualifying applicants shall become qualifying bidders.

(2) The Authority may decline to consider a qualification to tender questionnaire submitted to it by a qualifying applicant 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 documentation issued in accordance with regulation 9(2).

(3) The Authority shall give notice to each qualifying applicant of its determination in accordance with paragraph (1) or (2).