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STATUTORY INSTRUMENTS

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**2016 No. 274**

**The Utilities Contracts Regulations 2016**

**PART 3**

**PARTICULAR PROCUREMENT REGIMES**

**CHAPTER 1**

**Social and other specific services**

**Publication of notices**

**91.**—(1) Utilities intending to award a contract for the services referred to in regulation 90 shall make known their intention by any of the following means—

- (a) a contract notice;
- (b) a periodic indicative notice, which shall—
  - (i) be published continuously;
  - (ii) refer specifically to the types of services that will be the subject-matter of the contracts to be awarded; and
  - (iii) indicate that the contracts will be awarded without further publication and invite interested economic operators to express their interest in writing; or
- (c) a notice on the existence of a qualification system, which shall be published continuously.

(2) Paragraph (1) shall not apply where a negotiated procedure without prior call for competition could have been used, in accordance with regulation 50, for the award of a service contract.

(3) Utilities that have awarded a contract for the services referred to in regulation 90 shall make known the results by mean of a contract award notice.

(4) Utilities may, however, group contract award notices on a quarterly basis, in which case they shall send the grouped notices within 30 days of the end of each quarter.

(5) The notices referred to in paragraphs (1), (3) and (4) shall contain the information referred to in the relevant part of Annex XVIII to the Utilities Contracts Directive.

(6) Utilities shall send the notices referred to in this regulation for publication in accordance with regulation 71.