

2015/16 AUGE Evaluation Panel – Terms of Reference

Initial Draft for Discussion

Approach is Subject to Final Approval by Xoserve Legal Team

1.0 Purpose

To support the appointment process for a new Allocation of Unidentified Gas Expert (AUGE) by representing their industry “constituency” during the development of a Request for Proposal and the Tender Evaluation and scoring process.

The involvement of industry representatives will ensure that the beneficiaries of the future AUGÉ service have a recognised and structured input to the selection of the successful candidate.

This Evaluation Panel will be time limited and will support the appointment process which is scheduled to take place during 2015/16, after which the Panel will no longer need to exist.

2.0 Scope

2.1 In Scope

- a. Input to the development of a Request for Proposal, to be issued to a “long list” of potential service providers and agreement of scoring criteria prior to receipt of responses. Request for Proposal to be consistent with UNCC’s “Criteria for Appointment.
- b. Individual review of the RFP responses against the agreed scoring criteria.
- c. Attendance at Xoserve evaluation scoring meeting(s) to jointly score all RFP responses, providing rationale for scores as requested.
- d. Attendance at Xoserve meetings with the short-listed suppliers for presentation/clarification of responses (meetings to be organised by Xoserve at mutually convenient dates/times/locations).
- e. Update of scores following presentation/clarification meetings, session(s) to be facilitated by Xoserve.
- f. Joint recommendation for a preferred bidder.
- g. Recommendations for changes to the Framework document, following a review of the procurement process.

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2.2 Out of Scope

- a. *Provision of specialist procurement or legal advice in support of this process (this will be provided by Xoserve or their advisers).*
- b. *Development of the Criteria for Appointment as specified in the "Framework for Appointment of the AUGÉ" document, as this remains a UNCC obligation.*
- c. *Publication of any notices under procurement regulations which will remain an Xoserve responsibility.*
- d. *Pre-qualification process prior to issue of Request for Proposal (i.e. development of a pre-qualified "long list"), which will remain an Xoserve responsibility, based on the Criteria for Appointment.*
- e. *Contractual negotiations with potential service providers.*
- f. *Provision of feedback to potential service providers during/after the selection process – Xoserve will manage all communications with third parties*
- g. *Oversight of the development of the AUG Statement and Table, following appointment of an AUGÉ, which is a UNCC responsibility under the Framework document.*

3.0 Membership

The Panel will be made up of one representative from each constituency listed below:

- Large Gas Transporter
- UNC User with a major Smaller Supply Point portfolio
- UNC User with a predominantly I&C portfolio in the Larger Supply Point market
- [UNC User – Small/newer entrant shipper]

3.1 Preferred Attributes of Members

Panel members should have at least an appreciation of previous Unidentified Gas discussions and a basic working knowledge of the impacts of Unidentified Gas on their business and the overall gas industry

Members should, as far as possible, represent the views of companies that fall within their constituency.

However, the details of potential service provider responses and evaluation scores will be commercially confidential and cannot be disclosed outside the Panel. Members will need to sign a confidentiality agreement (wording to be provided by Xoserve) to confirm their compliance with this requirement.

Due to the need for consistency and confidentiality, Members will not be able to nominate deputies or alternates if they are not available for meetings. However, due to

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the small size of the Panel, meetings will be arranged for dates and locations that are convenient for all members.

3.2 Timescales

Prospective members should be able to commit to attending a series of meetings during the period November 2015 to February/March 2016. The initial estimate is for around 5 days of meetings across that period, which are most likely to take place in the Solihull area.

The Evaluation Panel will operate only for the duration of the selection process and will cease to operate after award of contract has been confirmed, at the very latest.

3.3 Appointment of Members

This section of the document to be updated to reflect UNCC's preferred option.

There are a number of options for appointment of Members:
<p><i>Option 1 – UNCC names the members of the Evaluation Panel – with the individuals' agreement.</i></p> <p>Individuals can volunteer or can be identified by UNCC to fill the agreed number of representative roles. Identified Evaluation Panel members do not need to be existing members of UNCC but must agree to participate and be able to commit to the estimated time requirements.</p>
<p><i>Option 2 – Each constituency selects its representative</i></p> <p>Each constituency, either formally through a trade association or informally through adhoc discussions, agrees on its nominee. Individuals can volunteer or can be identified by the constituency group to fill the relevant representative role. Identified Evaluation Panel members do not need to be existing members of UNCC but must agree to participate and be able to commit to the estimated time requirements.</p> <p>UNCC reviews and accepts the full list of Members, unless there are any obvious anomalies, such as duplicates (highly unlikely).</p>
<p><i>Option 3 – Formal nomination and election process</i></p> <p>A formal election takes place, run by Gemserv, to fill each of the constituency representative roles. Candidates do not need to be existing members of UNCC but must agree to participate and be able to commit to the estimated time requirements.</p> <p>Note that this is likely to be the lengthiest approach.</p>
<p><i>Option 4 – hybrid approach</i></p> <p>Different roles could be filled using different approaches: e.g. large GTs could agree on their representative (Option 1), whilst other constituency roles could be filled using formal elections (Option 3).</p>

4.0 Decisions

Wherever possible decisions will be reached by consensus, otherwise by a simple majority.

Where scoring is applied, each Evaluation Panel member's scores will count equally with all other panel members' score and with a single set of scores for Xoserve, regardless of how many Xoserve employees participate in the evaluation. (Total [5] sets of scores).

5.0 Communication

Xoserve will communicate with Evaluation Panel members (and vice versa) mainly via email. Wherever possible a file sharing system, e.g. Sharepoint or similar, will be used to give access to any confidential documentation.

Xoserve will provide updates on progress to UNCC, having obtained input from Evaluation Panel members on the content and tone of those updates. These updates will need to take account of the need for confidentiality of potential service providers and their service offerings.