



To: All Assembly Members

16 May 2018

Dear Assembly Member

The new Wales and Borders rail service will be the largest contract ever awarded by the Welsh Government.

All members have been given the opportunity to be briefed by Transport for Wales on the process we have been using and the outcomes we are aiming to achieve.

During the briefing, TfW highlighted that one of the risks we have been conscious of during the procurement process is that an unsuccessful bidder may seek to challenge our process. To mitigate this, we have adopted best practice in our procurement approach.

To continue to mitigate ourselves from this risk, Transport for Wales and I will follow the process used by the Department for Transport when they make a contract award. We have adapted this for our use, so the process will comprise a number of steps:

1. Thorough evaluation of the received bids against agreed evaluation criteria
2. A period of contract optimisation to ensure that the highest scoring bidder's promises and commitments are contractualised.
3. A recommendation from Transport for Wales to Welsh Ministers, supplemented by a Full Business Case, setting out the most economically advantageous tender.
4. Presentation of TfW's recommendation to the Cabinet of Welsh Government
5. Subject to Cabinet's agreement of the recommendation, an announcement of the identity of the preferred bidder at 7am on the day following Cabinet's decision (ie before the stock market opens).
6. A Written Ministerial Statement will be issued to the Assembly at the same time. No further details will be released at this time.
7. A 10-day standstill period to allow for a possible legal challenge by the unsuccessful bidder
8. A Written Ministerial Statement describing the new Wales and Borders Rail service to members once the standstill period has concluded, subject to no legal challenge being received.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

9. A formal launch event where details of the winning bidder's solution can be set out to the public
10. A technical briefing session for AMs from Transport for Wales
11. An Oral Statement to the Assembly describing the new franchise arrangements, providing an opportunity for members to scrutinise the decisions once members have had chance to understand the details of the new service
12. Briefings for other stakeholders

As the First Minister reiterated yesterday, the procurement and associated activities remains on programme so that I can award the contract. I am not aware of any reason why I will not be able to make an announcement this month, with services commencing in October.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken', with a long, sweeping horizontal stroke above the name.

Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport