

Deutschland-Bayreuth: Bauwesenversicherungen
OJ S 155/2023 14/08/2023
Bekanntmachung eines Qualifizierungssystems – Sektoren
Dienstleistungen

Rechtsgrundlage:
Richtlinie 2014/25/EU

Abschnitt I: Auftraggeber

I.1. Name und Adressen

Offizielle Bezeichnung: TenneT Offshore GmbH
Nationale Identifikationsnummer: HRB 4516
Postanschrift: Bernecker Straße 70
Ort: Bayreuth
NUTS-Code: DE Deutschland
Postleitzahl: 95448
Land: Deutschland
Kontaktstelle(n): Nils Norden
E-Mail: nils.norden@tennet.eu
Telefon: +49 5132892838
Internet-Adresse(n):
Hauptadresse: <https://www.tennet.eu/en>
Adresse des Beschafferprofils: <https://s2c.mercell.com/buyer/1163>

I.1. Name und Adressen

Offizielle Bezeichnung: TenneT TSO B.V.
Nationale Identifikationsnummer: Arnhem 09155985
Postanschrift: Utrechtseweg 310
Ort: Arnhem
NUTS-Code: NL Nederland
Postleitzahl: 6800 AS Arnhem
Land: Niederlande
Kontaktstelle(n): Nils Norden
E-Mail: nils.norden@tennet.eu
Telefon: +49 5132892838
Internet-Adresse(n):
Hauptadresse: <https://www.tennet.eu/en>
Adresse des Beschafferprofils: <https://s2c.mercell.com/buyer/1163>

I.2. Informationen zur gemeinsamen Beschaffung

Der Auftrag betrifft eine gemeinsame Beschaffung
Im Falle einer gemeinsamen Beschaffung, an der verschiedene Länder beteiligt sind –
geltendes nationales Beschaffungsrecht:
Germany

I.3. Kommunikation

Die Auftragsunterlagen stehen für einen uneingeschränkten und vollständigen direkten
Zugang gebührenfrei zur Verfügung unter: <https://s2c.mercell.com/today/46811>
Weitere Auskünfte erteilen/erteilt die oben genannten Kontaktstellen

Angebote oder Teilnahmeanträge sind einzureichen elektronisch via: <https://s2c.mercell.com/today/46811>

Angebote oder Teilnahmeanträge sind einzureichen an die oben genannten Kontaktstellen

I.6. Haupttätigkeit(en)

Andere Tätigkeit: Transmission system operator

Abschnitt II: Gegenstand

II.1. Umfang der Beschaffung

II.1.1. Bezeichnung des Auftrags

Qualification System - Construction All Risks (CAR) Insurance for the 2GW-Program

II.1.2. CPV-Code Hauptteil

66513200 Bauwesenversicherungen

II.1.3. Art des Auftrags

Dienstleistungen

II.2. Beschreibung

II.2.2. Weitere(r) CPV-Code(s)

66516000 Haftpflichtversicherungen, 66515000 Schaden- oder Verlustversicherungen, 66514000 Fracht- und Transportversicherungen, 66513000 Rechtsschutz- und Allgefahrenversicherungen, 66510000 Versicherungen

II.2.3. Erfüllungsort

NUTS-Code: DE Deutschland

II.2.4. Beschreibung der Beschaffung

The scope of this qualification system (qs) involves the project insurances (CAR) of the 2GW-Program for on- and offshore projects and consist of the following two sections:

Section I – ‘All Risks’ of physical loss or physical damage in respect of the project property as scheduled

Section II – Third-Party Liability

Based on legitimate confidentiality interests, the client will make the tender documents available to the tenderer only after receipt of the confidentiality agreement signed by the applicant.

II.2.5. Zuschlagskriterien

Der Preis ist nicht das einzige Zuschlagskriterium; alle Kriterien sind nur in den Beschaffungsunterlagen aufgeführt

II.2.8. Dauer der Gültigkeit des Qualifizierungssystems

Unbestimmte Dauer

II.2.13. Angaben zu Mitteln der Europäischen Union

Der Auftrag steht in Verbindung mit einem Vorhaben und/oder Programm, das aus Mitteln der EU finanziert wird: nein

Abschnitt III: Rechtliche, wirtschaftliche, finanzielle und technische Angaben

III.1. Teilnahmebedingungen

III.1.9. Qualifizierung für das System

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

SUITABILITY TO PURSUE THE PROFESSIONAL ACTIVITY, INCLUDING REQUIREMENTS RELATING TO ENROLMENT ON PROFESSIONAL OR TRADE REGISTERS

The application as a bidding consortium is admitted. A bidding consortium is treated like an individual applicant (Section 50 para. 2 SektVO). If applicants are addressed in the tender documents, this also refers to the joint form of participation of a bidding consortium. In this respect, regulations which specifically are related to bidding consortia, exclusively use the term "Bidding Consortium." The bidding consortium shall nominate an authorized representative for the conclusion and implementation of the contract and who signs the respective form. The authorized representative shall be available to the contracting entity as the contact person of the bidding consortium in this tendering procedure. Members of the bidding consortium shall jointly complete the form "Statement of Bidding Consortium", which also names the authorized representative.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in MerCell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

SUITABILITY TO PURSUE THE PROFESSIONAL ACTIVITY, INCLUDING REQUIREMENTS RELATING TO ENROLMENT ON PROFESSIONAL OR TRADE REGISTERS

Extract of commercial register: Please provide a proof of Registration in a commercial register of the relevant authority of the country in which the company is established (e. g. Kamer van Koophandel (NL), Handelsregister(DE), Companies house (UK), erhvervsstyrelsen (DK), Companies registration office (IE)) , which may not be older than three months at the date of the submission of the application.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in MerCell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

SUITABILITY TO PURSUE THE PROFESSIONAL ACTIVITY, INCLUDING REQUIREMENTS RELATING TO ENROLMENT ON PROFESSIONAL OR TRADE REGISTERS

Self-declaration of no grounds for exclusion: Please confirm that no grounds for exclusion under §§ 123, 124 GWB exist. For bidding consortia this statement must be valid for all members of the bidding consortium.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in MerCell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

SUITABILITY TO PURSUE THE PROFESSIONAL ACTIVITY, INCLUDING REQUIREMENTS RELATING TO ENROLMENT ON PROFESSIONAL OR TRADE REGISTERS

Proof of underwriting license: The applicant must be able to evidence the relevant authorization in accordance with legislation and regulation of insurance companies in the countries where the tenderer is established, e. g. FSA (UK), BaFin (GE) or WFT (NL).

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

ECONOMIC AND FINANCIAL STANDING

Annual turnover: In particular and in order to guarantee a proper claims settlement, a minimum annual turnover for lead insurer of at least Mio. EUR 300 and for to-follow insurer of at least Mio. EUR 100 must be existent for the past three financial years. The turnover must originate from services that are comparable to the services to be provided, e.g. underwriting activities. In the case of a bidder consortium the aforementioned sales are based on the cumulative turnover of the consortium partners. For each individual bidder or consortium partner, the total turnover of the group is deemed to be 100% owned by the group parent company.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

ECONOMIC AND FINANCIAL STANDING

Financial ratios: The candidate must be in sound financial health to assure the continuity of service provisioning throughout the term of the contract or (framework) agreement. In order to demonstrate sufficient economic performance, the applicants needs to prove a Standard + Poor's, Fitch and/or Moody's rating which shall have no single long term credit rating lower than BBB+ and Baa1 (BBB+ from either Standard + Poor's or Fitch and/or Baa1 from Moody's).

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

ECONOMIC AND FINANCIAL STANDING

Statement of Reference to Qualification of Third Parties - Borrowing Qualifications: In the event that the applicant makes use of the capacities of another economic operator (e.g. group company), proof must be provided that the other economic operator will be jointly and severally liable with the applicant in the event of a contract award in accordance with the

scope of the suitability borrowing. The third party must fulfil the corresponding minimum criteria of this section III.1.9) "Economic and financial standing". In addition, the third party must provide the extract from the commercial register and the form or a self-declaration on grounds for exclusion pursuant to Sections 123, 124 GWB.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

TECHNICAL AND PROFESSIONAL ABILITY

References (lead insurer only) - The applicant for lead insurer is required to perform the contract as stated in the tender documentation. To demonstrate that the applicant is capable of ensuring several similar projects and the applicant has these capabilities, the applicant must submit 2 project references for (parts of) comparable contracts performed by the applicant earlier in the previous 3 years of application.

Applicant lead insurer should have proven experience in underwriting offshore CAR / EAR insurances as leader. The following specifics should be provided:

- Project description
- Company name
- Start and end date of contract
- Project value should be in excess of EUR 100,000,000
- Written lead share should be in excess of 15 %
- References to be confirm in form of self-declaration

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

TECHNICAL AND PROFESSIONAL ABILITY

Qualified personnel

Candidate must have qualified employed staff which means that requested employed staff is in the possession of relevant qualification as required by the local authorities (e.g.FSA in the UK and BaFin in GER, AFM in the NL).

Candidate for lead insurer confirms to have employed staff of:

- at least 2 qualified underwriters with at least 3 years of experience in underwriting of CAR insurances of large infrastructural projects.
- at least 2 qualified claims handlers with at least 3 years of experience in claims handling of CAR insurances of large infrastructural projects.
- applicant must have those positions filled during the duration of this qs.

Candidate for to-follow insurer confirms to have employed staff of:

- at least 1 qualified employee with at least 3 years of experience in underwriting of CAR insurances of large infrastructural projects.
- applicant must have this position filled during the duration of this qs.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Anforderungen, die die Wirtschaftsteilnehmer im Hinblick auf ihre Qualifikation erfüllen müssen :

TECHNICAL AND PROFESSIONAL ABILITY

Statement of Reference to Qualification of Third Parties - Borrowing Qualifications: In the event that the applicant refers to the suitability of a subcontractor (a third party), documents shall be prepared and signed by the subcontractor accordingly. The subcontractor has to submit a confirmation that he will make his technical capability available in the event of a contract award. Also, detailed information on the subcontractor must be provided. In addition, the respective third party must submit a self-declaration that there are no grounds for exclusion pursuant to Sections 123 and 124 of the GWB.

Methoden, mit denen die Erfüllung der einzelnen Anforderungen überprüft wird:

Document review

[Please use the forms provided in Merzell or confirm the acceptance of the above-mentioned provisions. Furthermore, the applicant agrees that TenneT's broker is allowed to check/verify applicant's confirmation. As soon as the documentary evidence is requested, the applicant must send the documentary evidence by E-Mail within five days.]

Abschnitt IV: Verfahren

IV.1. Beschreibung

IV.2. Verwaltungsangaben

IV.2.1. Frühere Bekanntmachung zu diesem Verfahren

Bekanntmachungsnummer im ABl.: [2022/S 192-545482](#)

IV.2.4. Sprache(n), in der (denen) Angebote oder Teilnahmeanträge eingereicht werden können

Englisch

Abschnitt VI: Weitere Angaben

VI.3. Zusätzliche Angaben

Communication only via Merzell.

§ 57 SektVO entitles the client to discontinue the QS at any time.

The period of § 160 Abs. 3 No. 4 GWB is explicitly pointed out.

Authorized to call for this QS is also TenneT TSO GmbH and affiliated companies according §§ 15 ff. AktG.

If the candidate is an underwriting agency (ua), the ua needs to meet all suitability requirements and the underlying insurers and their share of the participation need to be stated as part of the application of this QS.

An ua needs to operate independently of a broker. If the ua will be awarded a contract, the underlying agreement with the insurer needs to be provided to TenneT. This agreement shall be registered with the relevant authorities at the start of the participation of each tender. Next to the above, the underwriting agent needs to issue a declaration signed by the underlying insurer(s) that the underlying insurer(s) are provided with the financial means and power of attorney to execute the contract.

VI.4. Rechtsbehelfsverfahren/Nachprüfungsverfahren

VI.4.1. Zuständige Stelle für Rechtsbehelfs-/Nachprüfungsverfahren

Offizielle Bezeichnung: Government of Middle Franconia - Northern Bavaria Public Procurement Chamber
Postanschrift: PO Box 606
Ort: Ansbach
Postleitzahl: 91511
Land: Deutschland
E-Mail: vergabekammer.nordbayern@reg-mfr.bayern.de
Telefon: +49 981531277
Fax: +49 981531837
Internet-Adresse: <http://www.regierung.mittelfranken.bayern.de>

VI.4.3. Einlegung von Rechtsbehelfen

Genaue Angaben zu den Fristen für die Einlegung von Rechtsbehelfen:

According to Section 160(3) GWB the application is inadmissible if

1. the applicant became aware of the claimed violation of public procurement provisions before filing the application for review, but did not complain to the contracting authority within a time limit of 10 calendar days; the expiry of the time limit under Section 134(2) remains unaffected,
2. violations of public procurement provisions which become apparent from the tender notice are not notified to the contracting authority by the end of the time limit for the application or the submission of a tender specified in the notice,
3. violations of public procurement provisions which only become apparent from the procurement documents are not notified to the contracting authority by the end of the time limit for the application or the submission of a tender specified in the notice,
4. more than 15 calendar days have expired since receipt of notification from the contracting entity that it is unwilling to redress the objection.

VI.4.4. Stelle, die Auskünfte über die Einlegung von Rechtsbehelfen erteilt

Offizielle Bezeichnung: Government of Middle Franconia - Northern Bavaria Public Procurement Chamber
Postanschrift: PO Box 606
Ort: Ansbach
Postleitzahl: 91511
Land: Deutschland
E-Mail: vergabekammer.nordbayern@reg-mfr.bayern.de
Telefon: +49 981531277
Fax: +49 981531837
Internet-Adresse: <http://www.regierung.mittelfranken.bayern.de>

VI.5. Tag der Absendung dieser Bekanntmachung

09/08/2023