

Denmark-Fredericia: Electrical machinery, apparatus, equipment and consumables; lighting

OJ S 4/2023 05/01/2023

Qualification system – utilities

Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Ørsted Services A/S

National registration number: 27446485

Postal address: Kraftværksvej 53

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

Contact person: Malene Zabel von Lüttichau

E-mail: supplier@orsted.com

Telephone: +45 99554730

Internet address(es):

Main address: www.orsted.com

I.1. Name and addresses

Official name: Ørsted Wind Power A/S

National registration number: 31849292

Postal address: Kraftværksvej 53

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

Contact person: Malene Zabel von Lüttichau

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I.1. Name and addresses

Official name: Ørsted A/S

National registration number: 36213728

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I.1. Name and addresses

Official name: Ørsted Bioenergy & Thermal Power A/S

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Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

Contact person: Malene Zabel von Lüttichau

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I.1. Name and addresses

Official name: Ørsted Salg & Service A/S

National registration number: 27210538

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NUTS code: DK Danmark

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I.1. Name and addresses

Official name: Orsted Wind Power Germany GmbH

National registration number: Amtsgericht Hamburg HRB 116369

Postal address: Van-der-Smissen-Str. 9

Town: Hamborg

NUTS code: DE Deutschland

Postal code: 22767

Country: Germany

Contact person: Malene Zabel von Lüttichau

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Internet address(es):

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I.1. Name and addresses

Official name: Gode Wind 1 Offshore Wind Farm GmbH & Co. OHG

National registration number: Amtsgericht Aurich HRA 202102

Postal address: Van-der-Smissen-Str. 9

Town: Hamborg

NUTS code: DE Deutschland

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I.1. Name and addresses

Official name: Orsted Gode Wind 2 GmbH
National registration number: Amtsgericht Hamburg HRB 131721
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Town: Hamborg
NUTS code: DE Deutschland
Postal code: 22767
Country: Germany
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I.1. Name and addresses

Official name: Orsted Borkum Riffgrund I GmbH
National registration number: Amtsgericht Hamburg HRB 126194
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I.1. Name and addresses

Official name: Anholt Havvindmøllepark I/S
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I.1.

Name and addresses

Official name: Ørsted Horns Rev 2 A/S
National registration number: 31849322
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Town: Fredericia
NUTS code: DK Danmark
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Country: Denmark
Contact person: Malene Zabel von Lüttichau
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I.1. Name and addresses

Official name: Nysted I A/S
National registration number: 31164486
Postal address: Kraftværksvej 53
Town: Fredericia
NUTS code: DK Danmark
Postal code: 7000
Country: Denmark
Contact person: Malene Zabel von Lüttichau
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I.1. Name and addresses

Official name: Borkum Riffgrund 2 Offshore Wind Farm GmbH & Co OHG
National registration number: Amtsgericht Aurich HRA 202470
Postal address: Van-der-Smissen-Str. 9
Town: Hamborg
NUTS code: DE Deutschland
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I.1. Name and addresses

Official name: Ørsted Group
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I.1. Name and addresses

Official name: Borkum Riffgrund 3 GmbH & Co. oHG

National registration number: Amtsgericht Aurich, HRA 203366

Postal address: Van-der-Smissen-Str. 9

Town: Hamborg

NUTS code: DE Deutschland

Postal code: 22767

Country: Germany

Contact person: Malene Zabel von Lüttichau

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I.1. Name and addresses

Official name: Gode Wind 03 GmbH

National registration number: Amtsgericht Hamburg HRB 124610

Postal address: Van-der-Smissen-Str. 9

Town: Hamborg

NUTS code: DE Deutschland

Postal code: 22767

Country: Germany

Contact person: Malene Zabel von Lüttichau

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Internet address(es):

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I.1. Name and addresses

Official name: Borkum Riffgrund II Holding GmbH

National registration number: Amtsgericht Hamburg HRB 146796

Postal address: Van-der-Smissen-Str. 9

Town: Hamborg

NUTS code: DE Deutschland

Postal code: 22767

Country: Germany

Contact person: Malene Zabel von Lüttichau

E-mail: supplier@orsted.com

Telephone: +45 99554730

Internet address(es):

Main address: www.orsted.com

I.2. Information about joint procurement

The contract involves joint procurement

In the case of joint procurement involving different countries, state applicable national procurement law:

Danish public procurement law

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.achilles.com/en/utilities-nce>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <http://www.achilles.com/en/utilities-nce>

Tenders or requests to participate must be submitted to the abovementioned address

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <http://www.achilles.com/en/utilities-nce>

I.6. Main activity

Electricity

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Supplementary information regarding use of Achilles Utilities Nordics & Central Europe qualification system by Ørsted and Ørsted Group including the entities mentioned in section I and in section VI

II.1.2. Main CPV code

31000000 Electrical machinery, apparatus, equipment and consumables; lighting

II.1.3. Type of contract

Supplies

II.2. Description

II.2.2. Additional CPV code(s)

03000000 Agricultural, farming, fishing, forestry and related products, 09000000 Petroleum products, fuel, electricity and other sources of energy, 14000000 Mining, basic metals and related products, 15000000 Food, beverages, tobacco and related products, 16000000 Agricultural machinery, 18000000 Clothing, footwear, luggage articles and accessories, 19000000 Leather and textile fabrics, plastic and rubber materials, 22000000 Printed matter and related products, 24000000 Chemical products, 30000000 Office and computing machinery, equipment and supplies except furniture and software packages, 31000000 Electrical machinery, apparatus, equipment and consumables; lighting, 32000000 Radio, television, communication, telecommunication and related equipment, 33000000 Medical equipments, pharmaceuticals and personal care products, 34000000 Transport equipment and auxiliary products to transportation, 35000000 Security, fire-fighting, police and defence equipment, 37000000 Musical instruments, sport goods, games, toys, handicraft, art materials and accessories, 38000000 Laboratory, optical and precision equipments (excl. glasses), 39000000 Furniture (incl. office furniture), furnishings, domestic appliances (excl. lighting) and cleaning products, 41000000 Collected and purified water, 42000000 Industrial machinery, 43000000 Machinery for mining, quarrying, construction equipment, 44000000 Construction structures and materials; auxiliary products to construction (except electric apparatus), 48000000 Software package and information systems

II.2.3. Place of performance

NUTS code: BE Belgique / België
NUTS code: CH Schweiz / Suisse / Svizzera
NUTS code: CY Κύπρος / Kýpros
NUTS code: CZ Česko
NUTS code: DE Deutschland
NUTS code: DK Danmark
NUTS code: EE Eesti
NUTS code: EL Ελλάδα / Elláda
NUTS code: ES España
NUTS code: FI Suomi / Finland
NUTS code: FR France
NUTS code: IE Éire / Ireland
NUTS code: IS Ísland
NUTS code: IT Italia
NUTS code: LU Luxembourg
NUTS code: NL Nederland
NUTS code: NO Norge
NUTS code: PL Polska
NUTS code: SE Sverige
NUTS code: UK United Kingdom

Main site or place of performance: Contracts in Europe. The list above is not exhaustive, but limitations in the standard form prevents choosing more countries.

II.2.4. Description of the procurement

ACHILLES UTILITIES NCE is a joint qualification system for suppliers and contractors to utilities in Nordics and Central Europe. It's operated by Achilles under Article 77 of Directive 2014/25/EU. The entities mentioned in this notice and the Ørsted Group will use ACHILLES UTILITIES NCE for tenderer selection for contracts and framework agreements subject to EU procurement rules, but reserve the right to publish individual notices for specific requirements where they deem it necessary, even though they relate to the product and service categories covered by ACHILLES UTILITIES NCE. The qualification system may be used for contracts not subject to EU procurement rules at each subscriber's discretion. An overview of products and services acquired through ACHILLES UTILITIES NCE is available here <https://www.achilles.com/app/uploads/2021/02/Product-and-Service-Code-Guide-EN.pdf>.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.8. Duration of the qualification system

Indefinite durationRenewal of the qualification systemFormalities necessary for evaluating if requirements are met:

ACHILLES UTILITIES NCE is of indefinite duration, but supplier information must be updated annually. Suppliers already qualified on ACHILLES UTILITIES NCE will be reminded to renew before the qualification period expires. The annual qualification fee is ranging from EUR 235 to 1.065 payable in advance. Suppliers can update their information during the qualification period.

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.9. Qualification for the system

Conditions to be fulfilled by economic operators in view of their qualification:

Suppliers may apply for qualification at any time. To apply the suppliers must complete an Order Form and pay in advance an annual qualification fee between EUR 235 to 1.065. The Order Form with qualification requirements can be obtained here <https://my.achilles.com/join-community?communitycode=UNC&lang=gb-EN>. To qualify the suppliers must complete an online questionnaire covering information about their company. Ørsted Entities encourages the suppliers to submit an ESPD to Achilles via Achilles Utilities NCE, since an ESPD will be required in most of Ørsted's tenders. Basic commercial requirements must be satisfied. Some buying organizations have individual requirements in addition to the basic requirements. The suppliers can therefore be asked to answer customer-specific questions related to the qualification. The bidders lists will be based on suppliers that have passed the initial qualification.

Section IV: Procedure

IV.1. Description

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2022/S 135-387740](#)

IV.2.4. Languages in which tenders or requests to participate may be submitted

Danish, English, German, French, Norwegian, Swedish

Section VI: Complementary information

VI.3. Additional information

This notice supplements previously published notices from Achilles Information A/S regarding the entities mentioned in I and VI.3's use of the qualification system. "Ørsted Group" means those undertakings in which Ørsted A/S, directly or indirectly:

- (i) owns 50 per cent or more of the capital or business assets;
- (ii) has the right to exercise 50 per cent or more of the voting rights;
- (iii) has the right to appoint 50 per cent or more of the members of the supervisory board, the administrative board or bodies legally representing the undertakings; or
- (iv) has the right to manage the undertakings' affairs.

Furthermore, "Ørsted Group" also means those undertakings in which undertakings as referred to in (i) –(iv) jointly have the rights or powers listed in (i)– (iv).

The Ørsted Group establish on an ongoing basis new companies in connection with its activities especially within the division working with wind power. New companies that fulfil the definition above will also be contracting entities under the agreement, as long as the new companies' activities are within the usual activities of the Ørsted Group. This includes but are not limited to activities relevant for the Ørsted wind power division which are developing, building and operating wind farms in Europe. New companies are especially (but not exclusively) established in connection with the development, building or operation of new offshore wind farms.

The Ørsted Group, which includes the entities mentioned in Section I as well as VI.3, will not be using electronic auctions, unless explicitly stated in the tender material for the specific tender.

The contracting entities mentioned in Section I and VI.3 might use the procedure described in the Utilities Directive Article 50(f) which prescribes that new construction works consisting in the repetition of similar works assigned to the contractor to which the contracting entity awarded an earlier contract, can be awarded without a call for competition, provided that such works conform to a basic project for which a first contract was awarded. This right can be used by the contracting entity up to 3 times for three years after signing of the first contract.

The conditions for awarding possible additional works are the following: a) The performance will be subject to the same contractual terms as the original scope of construction works with the necessary amendments following from the different timing and geographic location of the project; b) The contractor must comply with mandatory statutory law in the country where the works are to be performed; c) Minor necessary adjustments of technical specifications due to site specific matters; d) Amendment of time schedule to reflect the project for which the repetition of similar construction works is applied.

The qualification system can be used by the entities mentioned in this notice as well as all other entities within Ørsted Group. The entities can procure jointly or standalone by using the qualification system. It will be stipulated in the tender material for the specific tender which entities are procuring and if it is joint procurement or standalone procurement.

The laws of Denmark govern Ørsted Group's use of this qualifications system and legal disputes arising out of or relating to the use of the qualification system. Any dispute arising out of or in connection with Ørsted Group's use of this qualification system should be brought before the Danish Complaints Board for Public Procurement. Should the Danish Complaints Board for Public Procurement not have jurisdiction to hear the matter or does a complainant wish to challenge the aforementioned complaints board's decision, such legal disputes shall be decided by the city court of Lyngby, Denmark.

Please note that the review body of this notice differs from the review body of the original notices, since the standard form only allow one review body to be mentioned. It is only the Ørsted Group which is covered by this notice.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud, Nævnenes Hus

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kifu@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/>

VI.5. Date of dispatch of this notice

31/12/2022