

**D-Hamburg: advisory and consultative engineering services**  
**OJ S 25/2012 07/02/2012**  
**Contract notice – utilities**  
**Services**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: DanTysk Offshore Wind GmbH

Postal address: Überseering 12

Town: Hamburg

Postal code: 22297

Country: Germany

For the attention of: Herr Voigt

E-mail: [Thomas.Voigt@vattenfall.de](mailto:Thomas.Voigt@vattenfall.de)

Telephone: +49 4063962587

Fax: +49 4063962620

**Internet address(es):**

General address of the contracting entity: [www.vattenfall.de](http://www.vattenfall.de)

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from:** the abovementioned address

**Tenders or requests to participate must be submitted:** Official name: DanTysk Offshore Wind GmbH c/o Vattenfall Europe AG

Postal address: Überseering 12

Town: Hamburg

Postal code: 22297

Country: Germany

For the attention of: Angebotseingangsstelle

Internet address: [www.vattenfall.de](http://www.vattenfall.de)

**I.2. Main activity**

Electricity

**I.3. Contract award on behalf of other contracting entities**

The contracting entity is purchasing on behalf of other contracting entities: no

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting entity**

Project certification for all components of the wind farm DanTysk.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 27: Other services

Main site or place of performance: Exclusive Economic Zone (EEZ) of Germany.

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

**II.1.4. Information about framework agreement**

**II.1.5. Short description of the contract or purchase(s)**

a. DanTysk Offshore Wind GmbH, Hamburg, intends to build an offshore windfarm in the North Sea. In the first construction phase it is planned to build 80 wind turbines with a total output of 288 MW, an offshore substation and an offshore accommodation platform. The project is located in the German Bight area, around 75 km to the west of the Island of Sylt, directly on the border between Germany and Denmark. The water depth is between 21 and 32 m. The size of the area is approx. 71 km<sup>2</sup>.

b. The project is fully permitted and has received the first BSH release in december 2010. The second BSH release will be submitted in several packages (turbine, tower and foundation clusterwise, substation, cable and accommodation platform). These packages will be submitted between December 2011 and approx. Mai 2012.

**II.1.6. CPV code(s)**

71318000 Advisory and consultative engineering services, 71600000 Technical testing, analysis and consultancy services

**II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

**II.1.8. Information about lots**

This contract is divided into lots: no

**II.1.9. Information about variants**

Variants will be accepted: no

**II.2. Scope of the procurement**

**II.2.1. Total quantity or scope**

a. The scope of work covers the project certification for all components of the windfarm starting after the second BSH release and covering the phases from preparation of the manufacturing until commissioning. All the work shall be executed in accordance with the permit, the BSH standards and the first and second release. The above mentioned components are the following:

i. 80 Wind turbine generator including tower and blades, SWT 3.6-120.

ii. 80 Monopile foundations for the WTG.

iii. Offshore substation on a jacket foundation.

iv. Inter array cabling.

v. Offshore Accommodation Platform, most likely on a Jacket foundation (to be decided, contract not finalized yet) (as an option)

**II.2.2. Information about options**

Options: yes

Description of options: Described Scope of work as above optional for the Offshore Accommodation Platform, most likely on a Jacket foundation (to be decided, contract not finalized yet).

**II.2.3. Information about renewals**

This contract is subject to renewal: no

### **II.3. Duration of the contract or time limit for completion**

Duration in months: 24 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

In case that the bidder is no Ultimate Parent Company the bidder has to provide a Parent Company Guarantee in addition to other guarantees. Details will be provided in the invitation to tender (ITT).

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Details will be provided in the invitation to tender (ITT).

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

Two or more applicants may also form a grouping in the form of an application consortium in order to obtain an ITT. No specific legal form is required but the individual members of such a consortium should be jointly and separately liable for performance of the contract. The application and later bidder consortium shall remain unchanged throughout the whole procedure until the works have been completed. If unforeseen circumstances require a change in the composition of such consortium, the awarding authority may allow such change at its sole discretion provided that the change does not distort competition amongst the applicants.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

1. Cover letter with information about the applicant's business case and the structure of applicant's entity. (other information).
2. Copy of an up to (not older than 6 months since announcement date) date registry entry in the companies or professional register (or similar) of the country in which the applicant is seated, issued by the responsible authority. (minimum condition).
3. Confirmation of current membership of a professional association (e.g. Chamber of Engineers or similar organization) of the country in which the applicant is seated, issued by the responsible authority. (other information).
4. Current confirmation of payment of taxes and social security contributions in the country in which the applicant is seated, issued by the responsible authority (e. g. Germany: Finanzamt and Krankenkasse; UK: HM revenue and customs; The Netherlands: Belastingdienst; Denmark: Erhvervs- og Selskabsstyrelsen) (minimum condition).
5. Self-declaration that no legally binding judgement has been passed relating to offences in the sence of § 21 Abs. 1 and 2 SektVO. (minimum condition).
6. Self-declaration about the absence of the following circumstances (minimum conditions):
  - a) any preconditions which could lead to bankruptcy or any similar financial situation,
  - b) convictions for an offence committed by applicant or applicant's management in connection

with professional conduct,

c) any circumstances with regard to grave professional misconduct committed by applicant or applicant's management,

d) of the fact that the applicant has not been charged by a court to be in serious breach of a contract,

e) of any conflict of interest,

f) of any misrepresentation in supplying the information required by awarding authority of contacts with other applicants or bidders with the purpose of restraining competition (e.g. due to lack of funds).

For further information please check No. VI.3) of this notice.

The lack of confirmations/declarations/documentation designated as "minimum condition" information/formalities will result in exclusion from the further award procedure.

If the bidder or bidder consortium, if this is applicable for the scope of work, intends to make use of the resources of third parties/sub-contractors for confirmation of the performance capability in the course of the participation competition, the above declarations and confirmations regarding to the proportional scope of work must also be submitted with regard to the third parties/sub-contractors.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: 1) Credit rating information by:

1a) Bank confirmation (in the event of several bank accounts, two qualified bank confirmations will be required) containing the information specified below:

1aa) Duration of the business relationship;

1ab) Credit rating;

Two bank confirmation will be evaluated with two points, 1 bank confirmation will be evaluated with one point. No given bank confirmation will be evaluated with zero points.

1b) Credit information (e. g. Standard & Poors, D&B); (other information)

2) Business reports or similar information for the last 3 years with information on:

2a) Profit and loss;

A positive profit for 3 years will be evaluated with three points, a positive profit for two years will be evaluated with two points, A positive profit for 1 year will be evaluated with one point.

2b) Balance sheet;

The balance sheet of three years will be evaluated with three points, the balance sheet of two years will be evaluated with 2 points, the balance sheet of 1 year will be evaluated with one point.

2c) Cash flow.

A positive cash flow for 3 years will be evaluated with three points, a positive cash flow for 2 years will be evaluated with two points, a positive cash flow for 1 year will be evaluated with one point.

If the bidder or bidder consortium intends to make use of the resources of third parties/sub-contractors for confirmation, if this is applicable for the scope of work, of the performance capability in the course of the participation competition, the above declarations and confirmations must also be submitted with regard to the third parties/sub-contractors.

### **III.2.3. Technical and professional ability**

List and brief description of conditions: 1. Confirmation of acceptance by BSH for project certification. (minimum conditions)

2. Self-declaration that the applicant will accept all certified documents from the former certification body. An insight of all documents for first and second BSH release can be provided after prequalification and after receiving of the tender documents. (minimum

conditions)

3. The bidder needs to prove experience / references in the following:

- a. Acting as a certifying body in offshore wind projects in accordance with the BSH standards
- b. Construction surveillance during manufacturing and installation / commissioning (> 100 Mio Euro investment volume)
- c. Project management

These experiences / references are to be described especially with regard to scope of work of the bidder, time schedule and the involved personell.

The references must show the experience of the applicant in the following parts:

- d. Wind Turbine Generator (WTG) Offshore (Blades, Gearboxes, Generators, Hub, Shafts, Main Bearings, Tower, Nacelle Casing)
- e. Steel work for Supporting Structures/ Foundations Offshore (Monopiles, Transition pieces, Plattform for Substation, Accommodation Platform)
- f. Electrical System Offshore (Converter, HV-, LV-Switchgears)
- g. Cables Offshore
- h. Information & Control/ Function Safety Offshore (Wind Park Management System, SCADA)

4. Confirmation that the applicant, in the event of contract award, is able to fulfil the contract in accordance with the applicable BSH rules, permissions and other German rules. (other information)

5. The applicant has to provide information regarding the use of the resources of third parties /sub-contractors to comply with requirements under II.1.5.) of this Contract Notice. (other information)

6. The bidder has to describe how the project team will be set-up. The involved (key) persons / subcontractors are to mention. Further it has to be shown how the project management will look like and how it will be implemented. The responsible project manager has to be appointed. (other information)

Score scheme for references under Section III.2.3) 1) – 4).

Scores for 3a):

- 4 or more accepted references will be evaluated with 8 points,
- 3 accepted references will be evaluated with 6 points,
- 2 accepted references will be evaluated with 3 points,
- 1 accepted reference will be evaluated with 1 point.

Scores for 3b):

- 4 or more accepted references will be evaluated with 4 points,
- 3 accepted references will be evaluated with 3 points,
- 2 accepted references will be evaluated with 2 points,
- 1 accepted reference will be evaluated with 1 point.

Scores for 3c):

- 4 or more accepted references will be evaluated with 4 points,
- 3 accepted references will be evaluated with 3 points,
- 2 accepted references will be evaluated with 2 points,
- 1 accepted reference will be evaluated with 1 point.

The actuality of the comparable references in accordance with 3a -3c) (reference date is the publication date of this order announcement and the Final Taking Over of the reference):

- An actuality of 3 references less than 3 years will be evaluated with 3 points,
- An actuality of 2 references less than 3 years will be evaluated with 2 points,
- An actuality of 1 reference less than 3 years will be evaluated with 1 point.).

If the bidder or bidder consortium, if this is applicable for the scope of work, intends to make use of the resources of third parties/sub-contractors for confirmation of the performance capability in the course of the participation competition, the above declarations and

confirmations regarding to the proportional scope of work must also be submitted with regard to the third parties/sub-contractors.

#### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

##### **IV.1.1. Type of procedure**

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures): no

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

##### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

#### **IV.3. Administrative information**

##### **IV.3.1. File reference number attributed by the contracting entity**

##### **IV.3.2. Previous publication concerning this procedure**

no

##### **IV.3.3. Conditions for obtaining specifications and additional documents**

(except for a DPS)

##### **IV.3.4. Time limit for receipt of tenders or requests to participate**

5.3.2012

##### **IV.3.5. Languages in which tenders or requests to participate may be submitted**

German. English.

##### **IV.3.6. Minimum time frame during which the tenderer must maintain the tender**

##### **IV.3.7. Conditions for opening of tenders**

### **Section VI: Complementary information**

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#### **VI.1. Information about recurrence**

This is a recurrent procurement: no

## **VI.2. Information about European Union funds**

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

## **VI.3. Additional information**

The application and tender procedure is conducted in accordance with the German Sektorenverordnung (SektVO). The applicable law will be German law.

Pursuant to this regulation the following procedural guidelines have to be observed:

A. Formal.

1. The participation application and the corresponding confirmations/declarations /documentation must be made in writing and in German or English and additional electronic on a data carrier (CD) (submission to the specified point of contact by the closing date – submission by telefax or electronic form, e.g. by e-mail, is not sufficient).

2. All declarations and confirmations specified in the announcement must be submitted completely. The participation application, confirmations and declarations must be signed personally, original and as legally binding. Copies or Scans of signatures are not allowed.

3. The application documents must be structured according to No. III. 2) and have to contain the requested information in the respective category. Otherwise the awarding authority is not obliged to take such information into consideration. A reference to an earlier application is not sufficient.

4. The application must contain the applicant's consent to the fact that the awarding authority may be exchanged with another entity. It might be necessary to change the awarding authority to a separate legal entity within the group of the awarding authority in the course of the tender procedure.

5. Applicants who are not seated in Germany shall submit their registry copies, confirmations, certifications and qualifications in accordance with the legal requirements of the seating country.

6. Applicants shall state in their application details of any service(s) / work for execution of services, are to be awarded to third parties as subcontractors. In such case, an index of subcontractors ("Nachunternehmerverzeichnis") with corresponding service(s) / work and the necessary information/declarations/confirmations must be attached to the application.

7. The obligation of the submission of certificates is not applicable, if a comparable register does not exist or if a registration is not necessary in the particular country. In this case applicant has to give sufficient evidence that a comparable register does not exist or if a registration is not necessary.

8. The required information, declarations and confirmations do not constitute minimum conditions. Essential information, i.e. information which absolutely must be submitted by the end of the application period, is designated as „minimum conditions“. Delay or failure to submit information designated as "minimum conditions" will result in exclusion from the procedure.

The awarding authority reserves the right to require further declarations and confirmations, but is not obliged to do so, neither are the applicants entitled to complete their documents.

9. The decision on the invitation to tender will take into account the principles of transparency, equal access, publicity and equal treatment.

10. The awarding authority is not liable for any costs incurred by the applicants nor shall it reimburse any expenses or losses which applicants incur or suffer in connection with the application procedure, including in the event of a cancellation.

B. Selecting the operators who will be invited to tender.

The awarding authority will examine the participation applications in a four-stage process:

1. Examination of the required confirmations and qualifications,

2. Examination of potential reasons for exclusion („minimum conditions“),

3. Examination of the suitability of the applicant in accordance with the published participation conditions which are not designated as minimum condition.

4. In case that as a result of the examination more than 5 applicants will meet the required demands, the awarding authority reserves the right to send out the invitation to tender (ITT) to the most suitable applicants in consideration of the following qualification criteria:

— All required information, declarations and confirmations designated as “other information” will be evaluated each with 1 point if submitted; otherwise with 0 points,

— Information, declarations and confirmations regarding applicant will be evaluated in total with 14 points by the awarding authority,

— Information, declarations and confirmations regarding the technical capacity (point III.2.3 of this publication) of the applicant will be evaluated in total with 19 points by the awarding authority.

The evaluation will follow in accordance with the valuation rules for the particularly qualification criteria.

The applicants selection will follow the rank as a summary of the awarded scores. The five best applicants will be selected. The higher rank, the better.

C. Conditions relating to the contract

1. The awarding of the contract is subject to approval by the corporate bodies of the awarding authority (i.e. Supervisory Board of Vattenfall Europe AG and Supervisory Board of Vattenfall AB and Stadtwerke München GmbH) (organ reservation).

2. The awarding of the contract is subject to the confirmation by the awarding authority that the work described in this announcement will be carried out with commercial reasonableness.

3. The awarding of the contract is subject to the issuance of the necessary permits, approvals and regulatory licenses.

4. The awarding authority reserves the right to cancel the tender procedure in its entirety or in parts at any time.

5. The awarding authority is not liable for any costs incurred by the bidders nor shall it reimburse any expenses or losses which bidders incur or suffer in connection with the tender procedure, including in the event of a cancellation.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Vergabekammer bei der Finanzbehörde Hamburg

Postal address: Gänsemarkt 36

Town: Hamburg

Postal code: 20354

Country: Germany

##### **VI.4.2. Review procedure**

##### **VI.4.3. Service from which information about the review procedure may be obtained**

##### **VI.5. Date of dispatch of this notice**

3.2.2012