

**D-Hamburg: marine installations**  
**OJ S 27/2012 09/02/2012**  
**Contract notice – utilities**  
**Services**

**Directive 2004/17/EC**

**Section I: Contracting entity**

---

**I.1. Name and addresses**

Official name: Innogy Nordsee 1 GmbH

Postal address: Ueberseering 34

Town: Hamburg

Postal code: 22297

Country: Germany

For the attention of: Christian Terfruechte

E-mail: [christian.terfruechte@rwe.com](mailto:christian.terfruechte@rwe.com)

Telephone: +49 40209493-2143

Fax: +49 40209493-2198

**Internet address(es):**

General address of the contracting entity: <http://www.rwe.com>

**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: RWP Rechtsanwälte

Postal address: Bleichstraße 8 - 10

Town: Duesseldorf

Postal code: 40211

Country: Germany

For the attention of: Dr. Pascale Liebschwager

E-mail: [p.liebschwager@rwp.de](mailto:p.liebschwager@rwp.de)

Telephone: +49 21186790-31

**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**

---

**II.1. Description**

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

Harbour lease.

**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: Offshore Windfarm Innogy Nordsee 1 is situated approximately 32 km north of the island of Juist between the traffic separation area Terschelling-German Bight and German Bight Western Approach.

NUTS code DEZ Extra-Regio NUTS 1

### **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)**

The contract to be awarded concerns the base harbour lease for the installation works of the turbines as well as for the installation works of the foundations for the wind park Innogy Nordsee 1. The contracting entity reserves the right to place a letter of intent to secure the harbour in the time slot needed before the main contract is signed.

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

45244100 Marine installations - IA21

### **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: yes

Tenders may be submitted for one or more lots

### **II.1.9. Information about variants**

Variants will be accepted: no

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

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

### **II.2.2. Information about options**

Options: yes

Description of options: Logistic services may be an option of this tender. Alternatively logistic services may be awarded in a separate tender.

### **II.2.3. Information about renewals**

This contract is subject to renewal: no

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

Start 1.1.2014 Completion 31.12.2016

Information about lots

Lot No: 1

Lot title: harbour lease: installation works of the turbines

#### **1) Short description**

The lot concerns the base harbour lease for the installation works of the turbines for the wind park Innogy Nordsee 1.

#### **2) CPV code(s)**

45244100 Marine installations - IA21

Lot No: 2

Lot title: harbour lease: Installation works of the foundations

**1) Short description**

This lot concerns the base harbour lease for the installation works of the foundations for the wind park Innogy Nordsee 1.

**2) CPV code(s)**

45244100 Marine installations - IA21

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

---

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

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

Details will be provided in the invitation to submit a tender.

**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 submit a tender.

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

Bidding consortia have to be jointly and severally liable.

**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. The candidate and every member of a bidding consortium has to submit company information (informational).

2. The awarding entity will exercise a compliance check on the candidate and its organs as well as on every member of a bidding consortium (knock-out).

3. Confirmation that the candidate and its organs have no record of successful court actions against them involving fraud, corruption or other major breaches of the Companies Act or similar law in an EU Member State. Every member of a bidding consortium must submit this confirmation. Any successful court action will lead to the exclusion of the candidate. The same applies to the event, that one member of a bidding consortium or its organs have a record of successful Court actions. In that case, the whole bidding consortium will be excluded (knock-out criterion).

4. In case of application as a bidding consortium, the bidding consortium must confirm joint liability for the execution of the total contractual obligations. Furthermore, the bidding consortium has to nominate a lead bidder as representative of the bidding consortium for the tendering procedure (knock-out criterion).

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

List and brief description of conditions: 1. Copies of published accounts for the past 5 years (knock-out/ score).

2. Capacity - value of work the candidate would undertake (knock-out/ score).

3. Capacity - value of work the candidate has undertaken (knock-out/ score).

4. Levels of insurance cover currently held (knock-out/ score).

5. Has there been, or is there likely to be, any substantial change in the financial affairs of the

- candidate since the closing date of the named accounts which may affect the ability of the candidate to successfully carry out the contract? (knock-out/ score).
6. Confirmation, that in the event of the award of the contract the RWEI code of conduct will be fully complied with (knock-out).
  7. Confirmation of acceptance of the general supplementary conditions occupational health and safety (GSC industrial safety) (knock-out).
  8. Confirmation of acceptance as a basis for negotiations of liquidated damages for delay, performance/warranty bonds, defects liability acc. to German Law, Defects Liability period 10 Years, insurance coverage of at least 25 000 000 EUR, contract under German Law (knock-out). In case of application as a bidding consortium, all members must submit the named information under 1. - 5.

### III.2.3. Technical and professional ability

- List and brief description of conditions:
1. Distance between construction site and port (Knock-out).
  2. Overview plan (score).
  3. Compulsory Pilotage and Tugboat (score).
  4. Emissions/ Immissions (score).
  5. ISPS conformity (score).
  6. Protected spaces (score).
  7. 24h operation (score).
  8. Harbour down times (score).
  9. Restrictions (score).
  10. tidal range (score).
  11. tidal currents (score).
  12. Prevailing wind direction (score).
  13. utilisation restrictions (score).
  14. Distance port - open sea (score).
  15. locks (score).
  16. Water depth and width of fairway (score).
  17. Nautical restrictions: breadth of a vessel (score).
  18. Nautical restrictions: minimum speed of a vessel (score).
  19. Passing through channels (breadth of 40 - 50 m) (score).
  20. Nautical restrictions: oncoming vessels or accumulating traffic (score).
  21. Nautical restrictions for vessels with breadth of up to 120 m (score).
  22. length and width of access channel (score).
  23. Access channel: water depth of 9,00 m LAT (score).
  24. Nautical restrictions: channel width (score).
  25. Safe departure: vessel incl. cargo with breadth of 40 - 55 m at a height of 7 m (score).
  26. Safe departure: vessel incl. cargo with breadth of 120 m at a height of 7 m (score).
  27. Water gates/locks (score).
  28. Geometric of port basin channel (score).
  29. port basin: water depth - 9:00 m LAT (score).
  30. Turning cycle of 150 m (score).
  31. parallel berth (score).
  32. Layout plan: quay (score).
  33. quay: water depth of -9 m LAT (score).
  34. Capability for jacking-up (harbour bed restrictions) (score).
  35. area load/ specific load (score).
  36. heavy load platform (score).
  37. Availability/capability of ro-ro ramp (score).

38. potential buffer berth (score).
39. Requirement of storage areas for WTG components (score).
40. Storage area: sufficient illumination (score).
41. Requirement to pre-assembling areas for WTG components (score).
42. pre-stacking areas (score).
43. potential area for storing piles (score).
44. sheds and warehouses (score).
45. landside connection (score).
46. staff rooms (score).
47. shore power supply, fuel bunker (MGO, MDO) and onsite parking areas (score).
48. Services (rigging, transport, lashing, supply and disposal services) (score).
49. potential cranes services (score).
50. potential container equipment services (score).
51. potential haul means services (score).
52. services by employees (score).
53. Scope of work: subcontractors (score).
54. List of project relevant suppliers (score).
55. Confirmation: English and German documents (knock-out).
56. German translation (score).
57. English translation (score).
58. Confirmation: English communication (knock-out).
59. List of offshore projects: logistics and services (score).
60. list of other parallel running projects (score).
61. experience: logistic/handling of offshore structures (score).
62. company organisation (score).
63. Project management system (score).
64. company organisation chart (score).
65. operational organisation structure chart/ CVs (score).
66. employees (score).
67. Confirmation: statutory personnel policies (score).
68. HSE Policy (score).
69. HSE Advisor (score).
70. HSE-process (score).
71. Accident and incident statistics (score).
72. Accident and incident reporting system (score).
73. Trade association promotion and involvement (score).
74. Employees responsibility awareness (score).
75. Subcontractors' selection and control (score).
76. Environmental management system (score).
77. Safety management system (score).
78. Certification ISO 9001:2008 (score).
79. Quality management system (score).
80. Responsibility for Quality in organisation (score).
81. Subcontractors / Sub-suppliers: Certification ISO 9001:2008 (score).
82. Suppliers audit (score).
83. Comply with specified purchase requirements (score).
84. Requirements specified by Employers requirements (score).
85. Familiarity: Document management systems (score).
86. Traceability and identification of documents and records (score).
87. port:ISPS Cetification (score).

88. Protection of customers property (score). In case of application as a bidding consortium, all members must submit the information 68. - 77.

#### **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: yes

### **Section IV: Procedure**

---

#### **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)

Time limit for receipt of requests for documents or for accessing documents: 21.2.2012

Payable documents: no

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

28.2.2012 - 15:00

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

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**

---

#### **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**

Additional documents (questionnaire, matrix, non-disclosure agreement as well as terms and conditions of participation) can be obtained by e-mail. The contracting entity will send a link where the companies interested can download these documents.

This is a voluntary contract notice. Innogy Nordsee 1 GmbH has decided to perform a formal procurement procedure solely in order to create a maximum degree of transparency and competition. Innogy Nordsee 1 GmbH is not a contracting entity pursuant to Art. 2 of the Directive 2004/17/EC and to § 98 German Act against Restraints of Competition (GWB). Therefore, Innogy Nordsee 1 GmbH is not bound to the Directive 2004/17/EC, the German Act against Restraints of Competition and/or the German Sector Regulation (Sektorenverordnung). These regulations solely serve as guideline for this procurement procedure. Furthermore, the candidates/bidders do not enjoy legal protection under the Directive 89/665/EEC and/or the German Act against Restraints of Competition.

This negotiated procedure is divided in 2 parts: First, Innogy Nordsee 1 GmbH will examine formally the requests and check if the non-disclosure agreement as an annex of the request is not lacking, not amended and duly signed. Innogy Nordsee 1 GmbH will evaluate the requests to participate on the basis of the following criteria: commercial, technical capability, organisational capability, HSE and quality management. After this, Innogy Nordsee 1 GmbH intends to select the 3 to 8 most qualified candidates in order to invite them to submit their tenders. Secondly, Innogy Nordsee 1 GmbH will evaluate the tenders and negotiate with at least 3 bidders. The bidders are not entitled to participation in the negotiations. Furthermore, the contract award is subject to the approval of the conclusion of the contract by the management of RWE Innogy GmbH. In the individual case, the conclusion of the contract may also be subject to the approval by other committees of RWE AG.

The contracting entity reserves the right to transfer / sign the contract to one of its sister companies, e.g. RWE OLC GmbH. The contracting entity reserves also the right to terminate the tender particularly in the event that the supplier of the wind turbine generators and / or the supplier of the foundations will also provide the harbour(s).

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

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

##### **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**

6.2.2012