

DK-Fredericia: Gas oils
OJ S 46/2013 06/03/2013
Contract notice – utilities
Supplies

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: DONG Energy A/S
Postal address: Kraftværksvej 53, Skærbæk
Town: Fredericia
Postal code: 7000
Country: Denmark
Contact person: DONG E&P, Procurement
For the attention of: Manager Lars Romme Wittmann
E-mail: lawit@dongenergy.dk
Telephone: +45 99555565

Internet address(es):

General address of the contracting entity: www.dongenergy.dk

Additional information can be obtained from:

Official name: DONG Energy A/S
Postal address: Agern Allé 24-26
Town: Hørsholm
Postal code: 2970
Country: Denmark
Contact person: Purchasing Department
For the attention of: Manager Lars Romme Wittmann
E-mail: lawit@dongenergy.dk
Telephone: +45 99555565

Internet address: www.dongenergy.dk

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from: Official name: DONG Energy A/S

Postal address: Agern Allé 24-26
Town: Hørsholm
Postal code: 2970
Country: Denmark
Contact person: Purchasing Department
For the attention of: Manager Lars Romme Wittmann
E-mail: lawit@dongenergy.dk
Telephone: +45 99555565
Internet address: www.dongenergy.dk

Tenders or requests to participate must be submitted: Official name: DONG Energy A/S

Postal address: Agern Allé 24-26
Town: Hørsholm
Postal code: 2970
Country: Denmark
Contact person: Purchasing Departments

For the attention of: Manager Lars Romme Wittmann

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Telephone: +45 99555565

Internet address: www.dongenergy.dk

I.2. Main activity

Production, transport and distribution of gas and heat

Electricity

Extraction of gas and oil

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

The contracting entity is purchasing on behalf of other contracting entities: yes

Official name: List of Legal Entities to be found at this link: http://www.dongenergy.com/SiteCollectionDocuments/about_us/procurement/Fuel_Tender_DONG_Affiliated_Companies.pdf

Country: Denmark

Section II: Object of the contract

II.1. Description

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

Tender fort Fuel Supply 2013 - 2015

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

Supplies

Main site or place of performance: Denmark, Great Britain and Germany.

NUTS code

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with a single operator

Duration of the framework agreement

Duration in months: 21

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

Framework Agreement regarding delivery of fuel products:

— Marine Gas Oil,

— Gasoil,

— Fuel Oil

The fuel products will be delivered to the Dong Energy Group and the companies mentioned explicitly on the following link which is also stated in section I3 Annex A, and in section VI.3.: http://www.dongenergy.com/SiteCollectionDocuments/about_us/procurement/Fuel_Tender_DONG_Affiliated_Companies.pdf

The deliverables under the framework agreement include (not exhaustive):

One point of contact support guarantee.

- One point of contact support implies that Contractor is obligated to provide dedicated personnel 24/7

(exceptionally for smaller supply locations), who are aware of the content of the Contract.

Guarantee of supply within specified deadlines.

- Guarantee of supply within specified deadlines requires Contractor to be able to plan and schedule delivery deadlines, and hereof being capable of complying with agreed supply deadlines.
Oil delivery sample control
- Oil delivery sample control and documentation of supply, requires Contractor to take sample control and forward sample control documentation for each fuel supply.
The Fuel Supply requirement is divided into 5 lots with possibilities to tender one or more lots. The lots are separated by geographical areas, types of Fuels as well as the end user.
The total supply quantities are estimated to approx. 120 000 ton annually with potential of increment.
Further details are described in the lot specifications and the tender documents.
It will be possible to submit tenders for several lots as described in the Tender Documents provided that the candidate is prequalified for several lots.

II.1.6. CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

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

Approximately 120.000 tonne/annually

II.2.2. Information about options

Options: no

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: 21 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Fuel Supply to power plants within Denmark

1) Short description

Fuel Supply to Power Plants within Denmark

2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

3) Quantity or scope

Fuel quantities approx. 40 000 ton annually

4) Indication about different time frame or duration

Duration in months: 21 (from the award of the contract)

5) Additional information about lots

Supply of Fuel for six of DONG Energy's Power Plants. All plants are situated close to shore in Denmark with quay including oil pipe and tank storage facilities

Lot No: 2

Lot title: Fuel Supply to offshore vessels from ports in Denmark

1) Short description

Fuel Supply to offshore vessels from ports in Denmark

2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

3) Quantity or scope

Fuel quantities approx. 55 000 ton annually

4) Indication about different time frame or duration

Duration in months: 21 (from the award of the contract)

5) Additional information about lots

Major supply ports: Aalborg and Esbjerg. There will also be smaller quantities of supply from ports such as Grenaa and Gedser

Lot No: 3

Lot title: Fuel Supply to offshore vessels in Great Britain

1) Short description

Fuel Supply to offshore vessels in Great Britain

2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

3) Quantity or scope

Fuel quantities approx. 23 000 tonnes annually.

4) Indication about different time frame or duration

Duration in months: 21 (from the award of the contract)

5) Additional information about lots

Major Supply Ports: Peterhead, Belfast, Barrow, Liverpool, Grimsby, Harwich.

Lot No: 4

Lot title: Fuel Supply to offshore vessels in Norddeich Port, Norden, Niedersachsen, Germany

1) Short description

Fuel Supply to offshore vessels in Norddeich Port, Norden, Niedersachsen, Germany

2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

3) Quantity or scope

Fuel Quantities approximately 1.250 tonnes annually.

4) Indication about different time frame or duration

Duration in months: 21 (from the award of the contract)

Lot No: 5

Lot title: Supply of fuel for tugs and tug boats and onshore construction machinery, and gasoil for heating purposes at 6 power plants in Denmark

1) Short description

Supply of fuel for tugs and tug boats and onshore construction machinery, and gasoil for heating purposes at six power plants in Denmark

2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil

3) Quantity or scope

Fuel Quantities approximately 3.000 tonnes annually.

4) Indication about different time frame or duration

Duration in months: 21 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

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

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

There are no specific requirements to the legal form to be taken by the group, but if a group of economic operators submit a joint offer, all economic operators in the group must be jointly and severally liable for the performance and fulfilment of the contract. A contact for the consortium should be nominated.

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) A short presentation of the company, including name, address, company registration number and contact information in connection with this Tender;

2) Information about which of the 5 lots the company is applying for prequalification for.

3) Solemnly declare that the Company, cf. article 54 in EU Directive 2004/17/EC

— Is not in suspension of payments,

— Has not been declared or requested bankrupt,

— Is not in liquidation or compulsory composition,

— Has not been judged by the force of law for a punishable act,

— Has fulfilled its obligations regarding social responsibilities in the country in which the

company is registered,

— Has no unpaid due debt to the Public in the country in which the company is registered. Companies who cannot deliver the above declaration as valid signed documents cannot participate in this tender.

The above shall be submitted in one hardcopy and one computerised copy (USB or CD-ROM).

III.2.2. Economic and financial ability

List and brief description of conditions: Information and formalities necessary for evaluating if the requirements are met:

1) Conditions relating to the Contract will be stated in the Tender Documents, however, please note that the Contracting Entity reserves the right to demand financial statements and annual reports for the last two years.

and if the Contractor is a subsidiary

2) A Parent Company Guarantee issued by the highest possible group parent, who has annual reports that are consolidated with the annual reports of the Candidate. The annual accounts shall cover the last two (2) years.

These annual reports are not evaluated, cf. VI.3.

III.2.3. Technical and professional ability

List and brief description of conditions: 1) References from similar contracts such as described in

this tender announcement within the last 3 years.

2) Documented Quality Management and Health & Safety and Environment Control System. ISO9001 or equivalent.

The documented QHSE managerial system shall describe how the tenderers are managing the process from the point of placing orders, delivery of goods and documentation of delivery.

The above shall be submitted in one hardcopy and one computerised copy (USB or CD-ROM).

Selection of applicants for participation in the tender procedure will in part be based on the quality of the documentation specified in section VI.3.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

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

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: ..

Payable documents: no

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

15.3.2013 - 23:59

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

VI.2. Information about European Union funds

VI.3. Additional information

The applicants are hereby informed that the tendered Framework Agreement will be signed by DONG Energy A/S on behalf of a large number of companies. The contracting entities on this framework agreement are companies within the DONG Energy Group and the companies mentioned explicitly on the following webpage http://www.dongenergy.com/SiteCollectionDocuments/about_us/procurement/Fuel_Tender_DONG_Affiliated_Companies.pdf.

Call off agreements will be signed by the specific contracting entity that requires the fuel supply.

"DONG Energy Group" means those undertakings in which DONG Energy A/S, CVR number 36 21 37 28, Kraftværksvej 53, Skærbæk, DK-7000 Fredericia, directly or indirectly: (i) owns half or more of the capital or business assets, (ii) has the right to exercise half or more of the voting rights, (iii) has the right to appoint half 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, "DONG Energy 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 DONG Energy Group establish on an ongoing basis new companies in

connection with its activities. New companies that fulfil the definition above will also be contracting entities on the framework agreement, as long as the new companies' activities are within the usual activities of the DONG Energy Group which are related to procuring, producing, distributing and trading in energy and related products in Northern Europe. New companies are especially (but not exclusively) established in connection with the establishment of new offshore wind parks, and this is particularly relevant in relation to the coming wind parks in the UK, Northern Ireland, Germany (including the German Bight) and Denmark.

The procedure for this Tender is a negotiated procedure where participants have to request for participation

If more than 6 economic operators per lot submit application for participation that comply with the requirements

specified above, the Contracting Entity will select 6 operators per lot to participate in the tender procedure.

The Contracting Entity will invite those applicants which appear to offer the best qualification based on an overall

assessment of the documentation requested in the sections III. 2.2 and III 2.3. In particular, the Contracting

Entity will base this selection on:

- (i) The quality and relevance of the references submitted by the applicant; and,
- (ii) The credibility and quality of the Quality Management and Health & Safety and Environment Control System .
- (iii) The financial solidity of the applicant

VI.4. Procedures for review

VI.4.1. Review body

Official name: The Complainants Board for Public Procurement (Klagenævnet for Udbud)

Postal address: Dahlerups Pakhus Langelinie Allé 17

Town: København

Postal code: 2100

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291000

Internet address: www.klfu.dk

VI.4.2. Review procedure

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

Official name: Danish Competition and Consumer - Authority (Konkurrence- og forbrugerstyrelsen)

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

1.3.2013