

B-Diegem: Overhead power lines
OJ S 63/2013 29/03/2013
Contract notice – utilities
Supplies

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: Elia Asset N.V. (member of the Elia Group)

Postal address: Culliganlaan 1G, Prater Building

Town: Diegem

Postal code: 1831

Country: Belgium

For the attention of: Frederik Seghers

E-mail: frederik.seghers@elia.be

Telephone: +32 25467912

Fax: +32 25467840

Internet address(es):

General address of the contracting entity: www.elia.be

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: the abovementioned address

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

Supply of earth wires with incorporated optical fibers (OPGW) and associated fittings and accessories for HV overhead lines

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

Supplies

Main site or place of performance: BE

NUTS code

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)

Supply of earth wires with incorporated optical fibers (OPGW) and associated fittings and accessories for 2 HV overhead lines. Each project is a different lot.

II.1.6. CPV code(s)

31321100 Overhead power lines, 31350000 Electric conductors for data and control purposes, 31682400 Overhead electrical equipment

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

Estimated quantities for lot 1 (Van Eyck Zutendaal): between 45 and 55 km of OPGW + accessories, for delivery december 2013

Estimated quantities for lot 2 (ST): between 40 and 50 km of OPGW + accessories, for delivery july 2014

Quantities are indicative !!

Planning might be subject to modification !!

II.2.2. Information about options

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 1.12.2013 Completion 31.3.2015

Information about lots

Lot No: 1

Lot title: Supply of earth wires with incorporated optical fibers (OPGW) and associated fittings and accessories for HV overhead line project of Van Eyck - Zutendaal

1) Short description

Complete and final specification will be sent after selection of the candidates

Delivery december 2013

Estimated quantity: 45 - 55 km

2) CPV code(s)

31321100 Overhead power lines, 31350000 Electric conductors for data and control purposes, 31682400 Overhead electrical equipment

3) Quantity or scope

estimated quantity between 45 and 55 km of OPGW + accessories

quantity is indicative

planning and timing might be modified (depend on a lot of criteria that are not known today).

5)

Additional information about lots

IMPORTANT: Elia (Elia group) might publish a separate contract notice or qualification system in 2013, which might result in the conclusion of a framework agreement. If a framework agreement or list of qualified suppliers is ready at the time of award of the order / contract for the projects subject of this contract notice, Elia has the right to cancel this contract notice and therefore not to award LOT 1 and / or LOT 2.

Lot No: 2

Lot title: Supply of earth wires with incorporated optical fibers (OPGW) and associated fittings and accessories for HV overhead lines for the Stevin project

1) Short description

More information about the Stevin Project available on the Elia website
Complete and final specification will be sent after selection of the candidates
Delivery July 2014
Estimated quantity: 40 - 50 km

2) CPV code(s)

31321100 Overhead power lines, 31350000 Electric conductors for data and control purposes, 31682400 Overhead electrical equipment

3) Quantity or scope

estimated quantity between 40 and 50 km of OPGW + accessories
quantity is indicative
planning and timing might be modified (depend on a lot of criteria that are not known today).

5) Additional information about lots

IMPORTANT: Elia (Elia group) might publish a separate contract notice or qualification system in 2013, which might result in the conclusion of a framework agreement. If a framework agreement or list of qualified suppliers is ready at the time of award of the order / contract for the projects subject of this contract notice, Elia has the right to cancel this contract notice and therefore not to award LOT 1 and / or LOT 2.

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

If applicable, will be described in the call for tenders.

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

If applicable, will be described in the call for tenders.

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

If applicable, will be described in the call for tenders.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes
Description of particular conditions: The contract will be subject to the general terms and conditions of purchase of Elia (version 2012) available on the Elia website.
The contract / purchase order will contain a SLA (service level agreement) with application of penalties.

All the contractual documents will be in English. Technical specifications however might be in French or Dutch. The required reporting by the contractor to the contracting entity regarding the execution of the contract will be in English and Dutch or French.

The applicant has to provide the contracting entity altogether with his request the 'Vendors Questionnaire' for supplies (available at Elia website or upon demand) entirely completed (sheet 'Questionnaire' and sheet 'fin ratios') with the most actual available data. This completed file needs to be saved on a CDROM and – as well as a printed paper version - enclosed in the candidature file. Please make sure you enclose a version 'excel' and a version 'PDF' (signed) on the CDROM!

The Questionnaire is divided into general questions on the level of the company and specific questions regarding the material / service.

The documents that have to be submitted by the candidate are listed in the Questionnaire ('Documents to be enclosed') and are also mentioned in this contract notice (see below).

There is also an additional technical questionnaire to be filled out. This questionnaire is only available upon demand. Please contact F. Seghers to obtain this document.

In case of a joint venture, each of the partners separately has to submit the documents mentioned above.

The Contracting entity reserves the right to demand at any time from the applicant the written evidence and all the justificatory, official documents related to the legal position as specified above.

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: The applicant may be excluded from participating in the contract if he

- a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or for an arrangement with creditors or of any similar proceedings under national laws or regulations;
- c) has been convicted of an offence concerning his professional conduct by a judgment which has the force of *res judicata*;
- d) has been guilty of grave professional misconduct proved by any means which the contracting entity can justify;
- e) is guilty of serious misrepresentations in supplying the information herein required.
- f) does not submit a recent certificate of good behaviour or extract from the "judicial record". These documents may be replaced by a declaration on oath, available at the following address: sworn statement.
- g) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting entity;
- h) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or those of the country of the contracting authority;
- i) does not submit a recent certificate of non bankruptcy or of absence of proceedings for a declaration of bankruptcy or of absence of a similar situation or proceeding issued by the registry of the Court of Commerce or by the competent authority of another state.

With regard to points g, h and i, the applicant has to submit a certificate issued by the competent authority in the Member State concerned.

In case of a joint venture, each of the partners separately has to submit the documents mentioned above. Furthermore, a joint venture has to submit copy of the act of its establishment and of the proxies concerning representation

j) his average Frequency Rate over the past five years is above the last published rate of the concerned sector (NACE) in Belgium;

The Contracting entity reserves the right to demand at any time from the applicant the written evidence and all the justificatory, official documents related to the legal position as specified above.

III.2.2. Economic and financial ability

List and brief description of conditions: The applicants have to submit the following documents and/or information :

- All information/data asked in the Vendors Questionnaire,
- bank statements,
- balance sheets,
- calculation sheet with the financial ratio's proving their financial solvability (based on e.g. liquidity ratio, solvency, efficiency ratio, etc) This calculation sheet is available as 4th sheet in the Vendors Questionnaire.

III.2.3. Technical and professional ability

List and brief description of conditions: The OPGW has the following characteristics :

- made of Aluminium Alloy wires and/of Aluminium clad steel.
- outer diameter of 22,4 mm.
- type of the fibres : monomode fibres G652.D
- number of optical fibres 48 (or more)
- short circuit current at least 31,5 kA for 0,6 s
- breaking strength above 100 kN
- weight below 1,13 kg/m

The OPGW has to be supplied with its accessories and fittings, including :

- Suspension sets (C-shape, hinge, double eye twisted, armor grip suspension, shunt)
- Dead-end sets (strain hinge, extension links (fix and adjustable), double eye twisted, helical dead end, protection rod, shunt)
- Installation pulling ends
- Repair armor rods
- Vibration dampers
- Grounding clamps M16 (one or two cables)

This information is indicative. The final and complete specifications will be send at the request for quotation. Specification might contain differences from the characteristics mentioned above.

The applicants need to provide the following documents and/or information :

- All information/data asked in the Vendors Questionnaire;
- references of similar achievements (by indicating their volume) during the last three years;
- an ISO-9000 certificate or any other equivalent-level certification in the field concerned;
- an organisation chart showing main functional responsibilities;
- a VCA or BeSaCC certificate or any other equivalent-level safety certification in the field concerned;
- a EMAS or ISO-14001 certificate or any other equivalent-level certification in the field concerned;

The Candidate is invited to present the reports of all the type test that have been performed for

the qualification of the requested OPGW and accessories for HV overhead lines. In the case the Candidate has never supplied OPGW of the requested type (see technical documents) to Elia, Elia reserves the rights to ask the Candidate to go through a qualification type test procedure.

The Candidate has to fill out the additional questionnaire (ONLY AVAILABLE UPON DEMAND!)

The absence of the requested documents and/or sufficient proof will not automatically result in the exclusion of the applicant but will influence the evaluation of the file of the applicant with regard to the selection process.

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

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

OPGW_proj_Elia

IV.3.2. Previous publication concerning this procedure

Periodic indicative notice

Notice number in the OJ S: [2013/S 12-015630](#) of 17.1.2013

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: 23.4.2013 - 14:00

Payable documents: no

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

30.4.2013 - 14:00

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

English. French. Dutch.

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

A complete qualification file proving the conditions for participations and including all documents / information asked for in this documents and its annexes has to be sent to Elia to the contact and before the deadline mentioned in this document. Late or incomplete candidatures will be neglected.

The candidature file has to be handed over in 1 paper version and 1 electronic version (USB stick or CDrom). This file should contain at least

- vendors questionnaire for supplies (available on Elia website)
- additional questionnaire (Only Available Upon Demand!!) - Please contact F. Seghers
- declaration on oath (sworn statement)
- attachments or additional information asked for in these documents.

All candidature files will be analysed by a multifunctional team. In case of doubts or missing information, Elia has the right (but not the obligation) to ask for additional information. The maximum suppliers that will be selected for tendering is limited to 5. All information requested in §III will be used as ranking criteria or -if mentioned explicitly- as selection criteria.

Weighting factor:

- 30 % Company Information
- 40 % Specific scope information (including references)
- 30 % Health, Safety and Environment

Candidates that score less than 50% on one or more of these three factors will be excluded

Candidates that score less than 60% on the total score will be excluded

Scoring in general for each criterium

Level Score Criteria

Outstanding 10 The response significantly exceeds our requirements and is considered to be 'best in class'/ 'world class' and has demonstrated an enhanced ability to perform the Contract e.g. performance, lifetime, safety or operational features in excess of those required by the Employer's Requirements.

Excellent 8 The response is fully detailed and demonstrates the ability to perform the Contract which meets the Employer's Requirements together with some additional benefit to the Employer

Compliant 6 The response is detailed and demonstrates the ability to perform the Contract which fundamentally meets the Employer's Requirements

Good 5 The response is detailed and demonstrates the ability to perform the Contract which fundamentally meets the Employer's Requirements however, there may be some minor gaps

Basic 4 The response is not satisfactory in all the areas (i.e. has a number of gaps in the information provided) and does not meet the Employer's Requirements.

Poor 2 The response includes limited detail which does not cover significant parts of the Employer's Requirements.

Unsatisfactory 0 No information provided or the information provided is not acceptable.

All the equipment used has to be in conformity with the technical specifications of Elia and has to be previously agreed upon and approved by Elia. This might include a type test (to be financed by the supplier).

It is the aim of Elia to award both lots to one supplier. Therefore, candidates should confirm interest in both lots. Elia however reserves the right to award each lot to a different supplier.

Rules/ criteria for attribution will be stated in the invitation to tender.

In case of remarks or questions on the mentioned procedure,

VI.4. Procedures for review

VI.4.1. Review body

Official name: De Rechtbank van Koophandel

Postal address: Regentschapstraat 4

Town: Brussels

Postal code: 1000

Country: Belgium

Body responsible for mediation procedures

Official name: Elia Asset NV

Postal address: Keizerslaan 20

Town: Brussels

Postal code: 1000

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

28.3.2013