

Denmark-Virum: Energy meters  
OJ S 66/2014 03/04/2014  
Contract notice – utilities  
Services

Directive 2004/17/EC

## Section I: Contracting entity

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### I.1. Name and addresses

Official name: DONG Energy Sales & Distribution A/S

Postal address: Teknikerbyen 25

Town: Virum

Postal code: 2830

Country: Denmark

Contact person: DONG Energy

For the attention of: Leif Skjoldborg Hansen

E-mail: [lesha@dongenergy.dk](mailto:lesha@dongenergy.dk)

Telephone: +45 99555092

#### Internet address(es):

General address of the contracting entity: [www.dongenergy.dk](http://www.dongenergy.dk)

#### 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

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### II.1. Description

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

Advanced Metering Infrastructure for DONG Energy, Copenhagen and Northern part of Zealand.

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

Services

Service category No 1: Maintenance and repair services

NUTS code DK01 Hovedstaden,DK011 Byen København,DK012 Københavns omegn,DK013

Nordsjælland

#### 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)**

Delivery and installation of approx. 1 000 000 electricity meters with ability to remote control and remotely read the meters. The Scope of the contract is to deliver the whole system, including meters, communication, Head End System and installation of the meters and communication system at DONG Energy's customers in Copenhagen and Northern part of Zealand. After installation is completed the Operation and Maintenance of the meters and communication system is also included in the Scope of this Tender.

The Contract will be awarded to only one Service Provider that will be responsible for the whole scope (a Prime contractor).

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

38551000 Energy meters, 38552000 Electronic meters, 38554000 Electricity meters, 45315300 Electricity supply installations, 45315600 Low-voltage installation work, 65320000 Operation of electrical installations, 50411300 Repair and maintenance services of electricity meters, 45311200 Electrical fitting work

### **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**

The scope of this Tender, is that DONG Energy wants to find a Service Provider that are capable of delivering, approx. 1 000 000 electricity meters (operating in Mesh and Radial Grid Networks) that can be remotely read and controlled. The selected Service Provider must also be able to deliver a accompanying communication system for reading and controlling the meters, and the IT system (Head End System) to handle the communication and reading /controlling the meters. The Service Provider shall also be capable of installing the complete system and secure that all is working according to specification before hand over to operation. The subsequent operation and maintenance (including field services) must also be handled by the Service Provider.

Estimated value excluding VAT: 2 000 000 000 DKK

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

Options: yes

Description of options: Extension of the Operation and Maintenance part of the agreement.

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

This contract is subject to renewal: yes

Number of possible renewals:

Range: between 0 and 5

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

Start 1.3.2015 Completion 31.12.2034

## **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**

The Contracting Entity reserves the right to demand a Performance Security (for proper performance of all obligations under the Contract) comprising an on demand Performance Bond of up to 15 % of the total contract value issued by a bank or insurance company with a minimum rating of BBB+ / Baa1 (S&P / Moody's).

#### **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**

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

### **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: In order to be pre-qualified to participate in this tender, the applicant must attach a solemn declaration that confirms that the candidate is not in one of the situations mentioned in article 45(2) of directive 2004/18. The candidate is requested to declare that the candidate:

- (a) is not bankrupt or is being wound up, is not in a situation where his affairs are being administered by the court, is not in a situation where he has entered into an arrangement with creditors, is not in a situation where he has suspended business activities or is not in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) is not the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has not been convicted by a judgement which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;
- (e) has 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 authority;
- (f) has fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

A template of such a solemn declaration can be requested from the Contracting Entity.

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

List and brief description of conditions: The assessment regarding the Candidate's economic and financial standing will be based upon the below criteria:

- Equity
- Solvency ratio
- EBIT margin (if annual accounts are available)
- Liquidity ratio
- Cash Flow from Operation

The Candidate is encouraged to have the financially strongest possible parent or associated

company include a document (Letter of Support) stating that they will issue a Parent Company Guarantee / Performance Guarantee at a later stage.

If such a Letter of Support is included, the Contracting Entity will base its economic and financial assessment of the Candidate on the supporting entity as well. The assessment will be based only on the information included in the application.

Information about the Candidate

The Candidate shall submit a description of ownership and corporate structure. If the Candidate is a subsidiary, the Candidate shall submit the name of the highest possible group parent – being an entity directly or indirectly controlling more than 50 % of the Candidate. The Candidate shall submit Annual Accounts (incl. the accountant's opinion) for the previous 2 (two) years, if possible. The latest Annual Accounts containing the previous year will also be accepted. If the Candidate is a newly established entity and therefore cannot provide 2 years of Annual Accounts the Candidate will have to submit its latest Annual Accounts or Opening Balance.

If the Candidate wishes to improve its economic and financial assessment by submitting a Letter of Support, an authorized signatory from the supporting legal entity will have to sign the Letter of Support. If a Letter of Support is submitted the assessment of the economic and financial standing of the Candidate will be based on the information about both entities. In such case the annual accounts of the other legal entity for the previous two years should be submitted. If the other legal entity is a parent company to the Candidate it is possible to submit consolidated accounts for the parent company instead of annual accounts for both of the entities.

If the Candidate is part of a profit sharing agreement with another legal entity, cf. for example Germany's Ergebnisabführungsvertrag or the Dutch Civil Code article 2:403 (a '403 statement') or equivalent legal arrangements, the evaluation of the Candidates' financial standing will be based on the financial information from the financial strongest entity participating in the arrangement. In such case the annual accounts of the other legal entity for the previous two years should be submitted. The Candidate is encouraged to explicitly mention the profit sharing arrangement in its application.

If a consortium applies for pre-qualification, the information above must be submitted for each member of the consortium.

A 'Letter of Support' template can be requested from the Contracting Entity.

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

List and brief description of conditions: The scope of this tender is that the Service Provider (Prime contractor) shall be able to deliver approx. 1 000 000 remotely readable electricity meters between 2016 and 2019, plan and install them at DONG Energy's customers in Copenhagen and the Northern part of Zealand, deliver, install and integrate the accompanying IT system (Head End System) including communication for reading and controlling the meters. After installation the Candidate shall take over operation and field services of the installed meters. The MDM System is not part of this Tender.

When applying for pre-qualification, The Contracting Entity assumes that the candidate is able to fulfil above.

It is a minimum requirement for pre-qualification that the Candidate documents that the Candidate:

- confirm the use of Danish Speaking field and call-center resources
- has a Quality Management System like eg. ISO 9000 or equivalent
- has a Environmental Management System like eg. ISO 14001 or equivalent
- has a Occupational Health and Safety System like eg. OHSAS 18001 or equivalent

The assessment regarding the Candidate's technical ability / professional ability will be based

on upon the Candidates description of his experience within below criteria:

- Production of meters (The amount of meters manufactured annually, the ability to manufacture meters according to MID directive)
- Mass installation / rollout of meter installations (Planning of installation, electronic system for exchanging electronic data with DONG Energy)
- The Candidate must enclose a reference list managing Smart Meter Roll-Out project or another project similar in complexity with regard to contract value, number of units, the period for installation of units and the name of the recipients within the last five years.
- Operation and maintenance of Smart Meter Systems (AMI System)
- Project management
- Customer handling and Communication
- Working with and improving Personal Safety (Lost Time Injury Frequency)

In case The Candidate needs sub-suppliers or relies on other entities in order to fulfil the requirements and criteria above or the Candidate wishes to increase its chances of being pre-qualified, the Candidate must document that the Candidate can rely on the capacity/resources of such other entities. A signed statement from such entities which unconditionally allows the Candidate to rely on specified resources/capacity will be consider documentation. Further, a signed cooperation agreement will be considered documentation.

#### **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**

2.6.2014 - 14:00

#### **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**

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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**

6-8 Candidates will be pre-qualified for the tender procedure.

If the number of Candidates applying for pre-qualification exceeds 6-8, the Contracting Entity will perform the pre-qualification on the basis of an evaluation of each Candidate's respective economic and financial standing as well as technical ability/professional ability. The assessment regarding the Candidate's economical and financial standing will be based on the criteria described in section III.2.2 and the assessment regarding the Candidate's technical ability/professional ability will be based upon the criteria described in section III.2.3.

The 6-8 best Candidates will be pre-qualified.

The contracting entity reserves the right – subject to the principles of equal treatment and transparency – to request a Candidate to submit missing or insufficient information according to section III.2.1), III.2.2) and III.2.3) or, if applicable, to use information already in the Contracting entity's possession; or obtain such information provided it is publicly available. However, the contracting entity is not obliged to do so.

Candidates are advised to show their interest in this tender, by contacting the Contact Person listed in section I.1. By showing you interest the Contracting Entity will forward all questions asked regarding this Contract Notice to you. In case there are any questions to this Contract Notice, the Candidate can write to the Contact Person mentioned in section I.1, and the Contracting Entity will in an anonymized way forward all questions and answers to all candidates that have shown their interest. The Contracting Entity will try to answer all questions submitted earlier than six working days prior to the deadline.

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

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

Official name: Klagenævnet for udbud

Postal address: Langelinie Allé 17

Town: Copenhagen

Postal code: DK-2100

Country: Denmark

E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

Internet address: [www.klfu.dk](http://www.klfu.dk)

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

Precise information on deadline(s) for review procedures: The dates shown in Act No. 492 of 12 May 2010 concerning the enforcement of procurement rules, etc. Complaints about the provision of a framework agreement must be submitted within 12 months after the originator has signed the Framework Agreement from the day after the day on which the customer has notified the affected candidates and tenderers.

While a complaint lodged with the Complaints Board for Public Procurement, the appellant shall in writing inform the customer that the complaint lodged with the Complaints Board for Public Procurement, and whether the complaint is lodged in the standstill period. In cases where the complaint is not filed during the standstill period the appellant shall also indicate whether an appeal is requested delaying effect.

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: DK-2500

Country: Denmark

Telephone: +45 41715000

Internet address: <http://www.kfst.dk/>

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

31.3.2014