

Poland, Denmark – Legal services – Polish Legal Services - Tender for Legal Services to Ørsted in Poland - Lot 1
OJ S 37/2025 21/02/2025
Contract notice – light regime
Services

1. Buyer

1.1. Buyer

Official name: Orsted Baltica 3 Holding sp. z o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Orsted Baltica 2 Holding sp. z o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Orsted Polska Sp. z o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Orsted Polska OF Services s.p. z.o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted Salg & Service A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted Bioenergy & Thermal Power A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted Onshore A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Elektrownia Wiatrowa Baltica 2 sp. z.o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Elektrownia Wiatrowa Baltica 3 sp. z.o.o.

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted Wind Power A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

1.1. Buyer

Official name: Ørsted Services A/S

Email: sasar@orsted.com

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Electricity-related activities

2. Procedure

2.1. Procedure

Title: Polish Legal Services - Tender for Legal Services to Ørsted in Poland - Lot 1

Description: Please note that this Tender Procedure is a restart for Lot 1 of the tender procedure initiated by contract notice 28282-2025. The tender procedure for Lot 2 and Lot 3 will be postponed to wait for this Tender Procedure for Lot 1. The Contracting Entity is seeking to award Framework Agreements for Lot 1, under which the Contracting Entity may enter into Call-off Agreements for the provision of legal services. The Framework Agreements will be entered into by Ørsted Services A/S; however, Tenderers are advised that Call-off Agreements under a Framework Agreement may be made by any Contracting Entity. The Framework Agreements will have a duration of two (2) years, plus two (2) options to extend for maximum twelve (12) months, i.e., the maximum extension of the term will be twenty-four (24) months. The Contracting Entity will enter into three (3) Framework Agreements for Lot 1. It is set out under Clause 7 and 9 in the Service Framework Agreement how the Contracting Entity may purchase under the Framework Agreement. The Tenderer can only submit one Application and one Tender in this Tender Procedure. Whether the Tenderer is submitting an Application /Tender for one or more Lots, the Tenderer is encouraged to read the scope for all Lots as the individual scopes provide supplementary information about the scope covered by other Lots:
Procedure identifier: 6f1c10d1-195c-4f76-bca9-d294b87f7b42

Type of procedure:

Negotiated with prior publication of a call for competition / competitive with negotiation
Main features of the procedure: The negotiated procedure will be used according to the Utilities Directive, but these Tender Conditions do not create an obligation for the Contracting Entity to apply the Tender conditions or the Tender regulation for the economic operators not protected by the Utilities Directive. Such economic operators may be excluded from or during the Tender procedure by the Contracting Entity. All Tenderers will have the opportunity to submit an Application as part of the Prequalification Stage. Tenderers who are shortlisted to the Tender Stage, cf. Section 4, will have the opportunity to submit a First Tender and one Revised Tender and to participate in at least one round of negotiations. The Contracting Entity reserves the right to consider the first Revised Tender as the BAFO and award the Framework Agreement based on the first Revised Tender, i.e. without additional rounds of negotiations. The Contracting Entity reserves the same right for subsequent Revised Tenders, if any.

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 79100000 Legal services

2.1.2. Place of performance

Country: Poland

Anywhere in the given country

2.1.3. Value

Estimated value excluding VAT: 4 600 000,00 EUR

Maximum value of the framework agreement: 5 750 000,00 EUR

2.1.4. General information

Legal basis:

Directive 2014/25/EU

Applicable cross-border law: The governing law of the tender procedure is Danish public procurement law

2.1.6. Grounds for exclusion

Sources of grounds for exclusion: Procurement document

5. Lot

5.1. Lot: LOT-0001

Title: Lot 1: Full service except for areas of law covered by Lot 2 and Lot 3

Description: This Lot covers all services not covered by Lot 2 (M&A services) and Lot 3 (Employment and labour law services), This includes, but is not limited to the following law areas; a) Administrative/public law, including construction, defence, environmental and energy law; b) Real estate and infrastructure c) Construction and procurement contracts in the context of onshore and offshore renewables projects, including without limitation EPC contracts, other development, supply, design and construction contracts and operation and maintenance agreements d) Corporate and commercial law; e) EU public procurement law in particular in context of the Utilities Directive and the implementation thereof in Poland; f) Banking and finance (except as covered under paragraph (c) in Lot 2); g) Dispute resolution; h) Financial regulation, i) Energy trading and route-to-market agreements, including without limitation all forms of power purchase agreements (PPAs); j) Business ethics (e.g. anti-bribery, anti-money

laundering and sanctions); k) IP, cybersecurity and GDPR; and l) Antitrust/competition law (including state aid). The Contracting Entity intends to award three (3) Tenderers with a Framework Agreement for Lot 1. Please note, it is envisaged that the Tenderer offers to second lawyers to Ørsted during Ørsted Group Legal employees' maternity/paternity leave and other kinds of leave, sickness, resignation from Ørsted and in connection with larger legal projects of a shorter duration or in relation to an overall increase of workload in Ørsted. 3.2 Lot 2: M&A and transactional finance services [covered by the tender procedure initiated by contract notice 28282-2025] This Lot 2 covers legal services related to M&A and transactional finance including, but not limited to: a) National and cross-border transactions and restructurings. b) Advice in relation to acquisitions and divestments (including but not limited to partnership agreements, shareholder agreements and investment agreements as well as project-related agreements such as construction agreements, operation and maintenance agreements, finance agreements and power purchase agreements) but also any other advice about the transaction irrespective of whether such advice in isolation may be covered Lot 1 and /or Lot 3. c) Advice in relation to financings connected with energy or infrastructure joint ventures, acquisitions, or divestments, including project finance. d) Assistance in M&A-related matters before authorities (e.g., in merger clearance proceedings) The Contracting Entity intends to award three (3) Tenderers with a Framework Agreement for Lot 2. 3.3 Lot 3: Employment and Labour law Services [covered by the tender procedure initiated by contract notice 28282-2025] This Lot 3 covers legal services related to employment and labour law services including, but not limited to: a) Advice in relation to all employment matters; b) Advice in relation to all social security matters; and c) Assistance in the preparation of company documents concerning employees; The Contracting Entity intends to award one (1) Tenderer with a Framework Agreement for Lot 3. --- Where the nature of a specific project includes more than one of the functional areas that the Lots are comprised of, the legal services will be sourced through the Lot that Ørsted finds to best represent the primary/main service element of the work to be awarded. Where a Tenderer is providing Ørsted with services within the scope of one Lot, and the matter develops to include services within the scope of another Lot, the Tenderer may be permitted to continue advising in relation to those services that are within the scope of the other Lot, at the absolute discretion of Ørsted.

Internal identifier: Lot 1

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 79100000 Legal services

5.1.2. Place of performance

Country: Poland

Anywhere in the given country

5.1.3. Estimated duration

Start date: 08/04/2025

Duration end date: 08/04/2027

5.1.4. Renewal

Maximum renewals: 2

The buyer reserves the right for additional purchases from the contractor, as described here: The Framework Agreements will have a duration of two (2) years, plus two (2) options to extend for maximum twelve (12) months, i.e., the maximum extension of the term will be twenty-four (24) months.

5.1.5. Value

Estimated value excluding VAT: 4 600 000,00 EUR

Maximum value of the framework agreement: 5 750 000,00 EUR

5.1.6. General information

Reserved participation: Participation is not reserved.

Additional information: Please note that the start and end date is only indicative and is subject to change. The estimated value is indicative and the aggregated purchases made under the Framework Agreement may vary from the estimated value. Unforeseen circumstances might occur if for instance new projects, strategic changes or new needs arise. Therefore, the Contracting Entity has decided to also include the maximum value of 5,75 m.EUR. The estimated value and the maximum value do not preclude or change the Contracting Entity's possibilities to make modifications to the Contract, cf. article 89 of the Utilities Directive.

5.1.9. Selection criteria

Sources of selection criteria: Notice

Criterion: Average yearly manpower

Description: It is a minimum requirement for participation that the Tenderer employs at least 75 lawyers as of 20th February 2025 in offices in Poland.

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion: Relevant educational and professional qualifications

Description: It is a minimum requirement for participation that a majority of the Tenderer's employees carrying out the tasks covered by the scope are fluent in the English and Polish language.

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion: Relevant educational and professional qualifications

Description: It is a minimum requirement for participation that the Tenderer provides services in each of the areas indicated in Section 3.1 (a) – (l)

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion: Enrolment in a relevant professional register

Description: It is a minimum requirement for participation that the Tenderer must hold a Tier 1, Tier 2, or Tier 3 ranking in Poland in at least three (3) of the following practice areas in Legal 500, Chambers & Partners, IFLR1000 or equivalent: a. Construction (Chambers & Partners / Legal 500) b. Real Estate (Chambers & Partners / Legal 500) c. Energy & Natural Resources (Chambers & Partners / Legal 500) d. Projects & Infrastructure (Chambers & Partners) / Project Development (IFLR1000) e. Public Procurement (Chambers & Partners / Legal 500)

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion: References on specified services

Description: Six (6) Tenderers will be prequalified for Lot 1. If more than one Tenderer is ranked at sixth place, all sixth-placed Tenderers will be shortlisted. If the number of Tenderers applying for prequalification exceed the number set out above, and provided that the Tenderers fulfill the minimum requirement, cf. above, prequalification will be based on an

evaluation of the following criteria with the weights specified below: Company Presentation 30 % CV 70 % Company Presentation: Tenderer is encouraged to briefly present the company's experience and capabilities within all areas of law covered by the Lot the Tenderer is applying for in Annex C Prequalification Form. The presentation is to include the following information: • Summary of company's capabilities in the area of law, i.e. size and depth of team, preferably including credentials related to the renewables sector. For Lot 1 the company presentation must not exceed 4800 characters (not including spaces). If the company presentation includes more than 4800 characters (not including spaces), Ørsted will only include the first 4800 characters (not including spaces) in the evaluation. CV: Tenderer is encouraged to include the following number of CVs: • Lot 1: One (1) CV for the leading employee within all (a) – (l) (one CV may cover one or more categories). If the Application includes more than one (1) CV for an area of law, Ørsted will only include the first CV for each area (a) – (l) in the evaluation. If it cannot be determined based on the Application which CV is the first, Ørsted will choose alphabetically. The CVs are to include the following information. • Summary of the employees' overall capabilities within the area of law. • Top 5 credentials demonstrating experience and capabilities in their area of law. • Relevant employment history The CV's must not exceed 3000 characters (not including spaces) per employee. If a CV includes more than 3000 characters (not including spaces), Ørsted will only include the first 3000 characters (not including spaces) in the evaluation. The CV's can be filled out in Annex C Prequalification Form or enclosed as part of the Application. Tenderers will be evaluated more positively to the extent that they demonstrate capabilities and experience directly related to the area(s) of law relevant to the Lot and the specific needs of Ørsted. Tenderers who can provide evidence of prior work or expertise in the energy and renewable energy sectors, showcasing their ability to deliver high-quality legal services tailored to the complexities of these sectors, will also be evaluated more positively.

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Information about the second stage of a two-stage procedure:

Maximum number of candidates to be invited for the second stage of the procedure: 6

The procedure will take place in successive stages. At each stage, some participants may be eliminated

5.1.10. Award criteria

Criterion:

Type: Quality

Name: Quality and Service

Description: The most economically advantages tender shall be identified on the basis of the best price-quality ratio as further described in the tender material

Weight (percentage, exact): 70

Criterion:

Type: Price

Name: Evaluated Price

Description: The most economically advantages tender shall be identified on the basis of the best price-quality ratio as further described in the tender material

Weight (percentage, exact): 20

Criterion:

Type: Quality

Name: Contractual Terms

Description: The most economically advantages tender shall be identified on the basis of the best price-quality ratio as further described in the tender material

Weight (percentage, exact): 10

5.1.11. Procurement documents

Languages in which the procurement documents are officially available: English

Address of the procurement documents: www.orstedprocurement.com/web/login.html

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: www.orstedprocurement.com/web/login.html

Languages in which tenders or requests to participate may be submitted: English

Electronic catalogue: Not allowed

Advanced or qualified electronic signature or seal (as defined in Regulation (EU) No 910/2014) is required

Variants: Not allowed

Tenderers may submit more than one tender: Not allowed

Deadline for receipt of expressions of interest: 05/03/2025 12:00:00 (UTC+1)

Deadline for receipt of requests to participate: 05/03/2025 12:00:00 (UTC+1)

Information about review deadlines: Complaints about not having been prequalified must be filed with the Complainants Board for Public Procurement (Klagenævnet for Udbud) within 20 (twenty) calendar days from the day after the day when the Contracting Entity has notified the applicants in question about the result of the pre-qualification, provided that the notification contains a short statement of relevant reasoning behind the decision. The complainant must notify the Contracting Entity in writing of the filing at the latest when complaint is filed. There is no deadline for the Complainants Board's review of a complaint about the result of the pre-qualification.

5.1.15. Techniques

Framework agreement:

Framework agreement, partly without reopening and partly with reopening of competition

Maximum number of participants: 3

Additional buyer coverage: All affiliates of the Contracting entity and all affiliates who are directly or indirectly controlled by Ørsted Wind Power A/S. Ørsted establish new Affiliates on an ongoing basis. Any new Affiliate will also become a Contracting Entity under the Contract, as long as the new Affiliate's activities are within the usual activities of the Ørsted which is to develops, constructs and operates offshore and onshore wind farms, solar farms, energy storage facilities, and bioenergy plants, and provides energy products to its customers.

Electronic auction: no

5.1.16. Further information, mediation and review

Review organisation: Klagenævnet for Udbud, Nævnenes Hus

Organisation providing additional information about the procurement procedure: Ørsted Services A/S

Organisation providing more information on the review procedures: Konkurrence- og Forbrugerstyrelsen

Organisation receiving requests to participate: Ørsted Services A/S

Organisation processing tenders: Ørsted Services A/S

TED eSender: Publications Office of the European Union

8.1. ORG-0004

Official name: Orsted Baltica 3 Holding sp. z o.o.

Registration number: (KRS) 0000822504

Postal address: Ul. Chmielna 73

Town: Warsaw

Postcode: 00-801

Country subdivision (NUTS): Miasto Warszawa (PL911)

Country: Poland

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Internet address: www.orsted.com

Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. ORG-0005

Official name: Orsted Baltica 2 Holding sp. z o.o.

Registration number: (KRS) 0000823288

Postal address: Ul. Chmielna 73

Town: Warsaw

Postcode: 00-801

Country subdivision (NUTS): Miasto Warszawa (PL911)

Country: Poland

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Internet address: www.orsted.com

Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. ORG-0006

Official name: Ørsted Services A/S

Registration number: 27446485

Postal address: Kraftværksvej 53

Town: Skærbæk

Postcode: 7000

Country subdivision (NUTS): Syddjylland (DK032)

Country: Denmark

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Internet address: www.orsted.com

Information exchange endpoint (URL): https://www.orstedprocurement.com

Roles of this organisation:

Buyer

Organisation providing additional information about the procurement procedure

Organisation receiving requests to participate
Organisation processing tenders

8.1. **ORG-0007**

Official name: Ørsted A/S
Registration number: DK 36213728
Postal address: Kraftværksvej 53
Town: Skærbæk
Postcode: 7000
Country subdivision (NUTS): Syddjylland (DK032)
Country: Denmark
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. **ORG-0008**

Official name: Orsted Polska Sp. z o.o.
Registration number: (KRS) 0000401385
Postal address: Ul. Chmielna 72
Town: Warsaw
Postcode: 00-801
Country subdivision (NUTS): Miasto Warszawa (PL911)
Country: Poland
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. **ORG-0009**

Official name: Orsted Polska OF Services s.p. z.o.o.
Registration number: (KRS) 0000730501
Postal address: Ul. Chmielna 73
Town: Warsaw
Postcode: 00-801
Country subdivision (NUTS): Miasto Warszawa (PL911)
Country: Poland
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. ORG-0010

Official name: Ørsted Salg & Service A/S

Registration number: DK27210538

Postal address: Kraftværksvej 53

Town: Skærbæk

Postcode: 7000

Country subdivision (NUTS): Syddjylland (DK032)

Country: Poland

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Internet address: www.orsted.com

Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. ORG-0011

Official name: Ørsted Bioenergy & Thermal Power A/S

Registration number: DK27446469

Postal address: Kraftværksvej 53

Town: Skærbæk

Postcode: 7000

Country subdivision (NUTS): Syddjylland (DK032)

Country: Poland

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Internet address: www.orsted.com

Information exchange endpoint (URL): <https://www.orstedprocurement.com/>

Roles of this organisation:

Buyer

8.1. ORG-0013

Official name: Ørsted Wind Power A/S

Registration number: DK31849292

Postal address: Kraftværksvej 53

Town: Skærbæk

Postcode: 7000

Country subdivision (NUTS): Syddjylland (DK032)

Country: Poland

Contact point: Saglar Sarangova

Email: sasar@orsted.com

Telephone: +48 50 642 46 72

Roles of this organisation:

Buyer

8.1. ORG-0015

Official name: Ørsted Onshore A/S

Registration number: DK40436839

Postal address: Kraftværksvej 53

Town: Skærbæk
Postcode: 7000
Country subdivision (NUTS): Syddjylland (DK032)
Country: Denmark
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>
Roles of this organisation:
Buyer

8.1. ORG-0017

Official name: Elektrownia Wiatrowa Baltica 2 sp. z.o.o.
Registration number: (KRS) 0000393178
Postal address: Mokotowska 49
Town: Warsaw
Postcode: 00-542
Country subdivision (NUTS): Miasto Warszawa (PL911)
Country: Poland
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>
Roles of this organisation:
Buyer

8.1. ORG-0018

Official name: Elektrownia Wiatrowa Baltica 3 sp. z.o.o.
Registration number: (KRS) 0000392905
Postal address: Mokotowska 49
Town: Warsaw
Postcode: 00-542
Country subdivision (NUTS): Miasto Warszawa (PL911)
Country: Poland
Contact point: Saglar Sarangova
Email: sasar@orsted.com
Telephone: +48 50 642 46 72
Internet address: www.orsted.com
Information exchange endpoint (URL): <https://www.orstedprocurement.com/>
Roles of this organisation:
Buyer

8.1. ORG-0020

Official name: Klagenævnet for Udbud, Nævnenes Hus
Registration number: 10294819
Postal address: Toldboden 2
Town: Viborg
Postcode: 8800

Country subdivision (NUTS): Nordjylland (DK050)

Country: Denmark

Email: kflu@naevneneshus.dk

Telephone: +45 72 40 56 00

Internet address: www.naevneneshus.dk

Roles of this organisation:

Review organisation

8.1. ORG-0021

Official name: Konkurrence- og Forbrugerstyrelsen

Registration number: 37795526

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postcode: 2500

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Email: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

Roles of this organisation:

Organisation providing more information on the review procedures

8.1. ORG-0000

Official name: Publications Office of the European Union

Registration number: PUBL

Town: Luxembourg

Postcode: 2417

Country subdivision (NUTS): Luxembourg (LU000)

Country: Luxembourg

Email: ted@publications.europa.eu

Telephone: +352 29291

Internet address: <https://op.europa.eu>

Roles of this organisation:

TED eSender

11. Notice information

11.1. Notice information

Notice identifier/version: 36f16e25-d63c-47f4-a319-a4f6df165871 - 01

Form type: Competition

Notice type: Contract notice – light regime

Notice subtype: 21

Notice dispatch date: 20/02/2025 13:23:39 (UTC)

Languages in which this notice is officially available: English

11.2. Publication information

Notice publication number: 119393-2025

OJ S issue number: 37/2025

Publication date: 21/02/2025

