

Denmark-Odense: Electricity distribution and related services
OJ S 71/2017 11/04/2017
Contract award notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Fjernvarme Fyn Produktion A/S

National registration number: 36474718

Postal address: Billedskærervej 7

Town: Odense M

NUTS code: DK Danmark

Postal code: 5230

Country: Denmark

Contact person: Jan Stroemvig

E-mail: js@fjernvarmefyn.dk

Internet address(es):

Main address: <http://www.fjernvarmefyn.dk/>

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Other activity: production of electricity and heat

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Agreement on reporting of energy savings.

II.1.2. Main CPV code

65300000 Electricity distribution and related services

II.1.3. Type of contract

Services

II.1.4. Short description

The agreement concerns the reporting of energy savings (not subject to/exempted from the directive).

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 1,00 DKK

II.2. Description

II.2.2. Additional CPV code(s)

09323000 District heating, 09324000 Long-distance heating

II.2.3. Place of performance

NUTS code: DK031 Fyn

Main site or place of performance: 5220 Odense SØ.

II.2.4. Description of the procurement

The agreement concerns the reporting of energy savings pursuant to The Danish Executive Order on Energy Savings in Network and Distribution undertakings.

II.2.5. Award criteria

Price

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

II.2.14. Additional information

The award criteria (II.2.5) is not relevant since the agreement does not fall within the scope of Directive 2014/25/EU of the European Parliament and of the Council, cf. Annex D2.

The total value of the contract cannot be specified since the contract value is dependent on factors currently unknown.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- The procurement falls outside the scope of application of the directive

Explanation:

Fjernvarme Fyn Produktion A/S (FFP) has entered into an agreement with Cassin Networks ApS (Cassin) concerning reporting of energy savings with an estimated volume of at least 100,000 MWh.

There must be a pecuniary interest for a procurement to be regulated by Directive 2014/25/EU of the European Parliament and of the Council. A contract for pecuniary interest must contain a contribution from each party.

The transfer of the right to admit energy savings pursuant to The Danish Executive Order on Energy Savings in Network and Distribution undertakings does not constitute a contribution by Cassin as Cassin does not itself have a similar right to admit the energy savings. Therefore, the agreement does not fall within the scope of Directive 2014/25/EU of the European Parliament and of the Council.

Even if the transfer of the right to report is to be considered as a contribution, the agreement will be exempted from Directive 2014/25/EU of the European Parliament and of the Council

pursuant to Article 50(h) of Directive 2014/25/EU of the European Parliament and of the Council as FFP with the agreement will be taking advantage of a particularly advantageous opportunity to acquire comprehensive rights to report energy savings credits by entering into one single transaction. Furthermore, the price of the business transaction is considerably lower than normal market prices.

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

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2017/S 040-073571](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Title:

Agreement on reporting of energy savings

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

24/03/2017

V.2.2. Information about tenders

Number of tenders received: 1

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Cassin Networks ApS

National registration number: 36967552

Postal address: Tuborg Boulevard 1

Town: Hellerup

NUTS code: DK Danmark

Postal code: 2900

Country: Denmark

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Total value of the contract/lot: 1,00 DKK

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Nævnenes Hus, Tolbodden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 72405708

Internet address: www.klfu.dk

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The rules concerning deadlines for review procedures are located in the Danish Complaints Board for Public Procurement Act.

A complaint concerning award of a contract without prior publication of a call for competition in the Official Journal of the European Union must be submitted 30 calendar days after the publication of a contract award notice, provided that the contracting entity has followed the procedure in section 4 of the Danish Complaints Board for Public Procurement Act, and provided that the contracting entity has explained the decision concerning not to call for competition.

The complainant must notify the contracting entity when a complaint is submitted at the same time as the submission, and whether a complaint is submitted in the 'stand-still' period, cf. section 3(1) or 3(2) of the Danish Complaints Board for Public Procurement Act, or in the period of 10 calendar days according to section 4(1)(2). The complainant must notify the contracting entity if the complaint contains a request for suspensory effect, cf. section 12(1) and 6(4) of the Danish Complaints Board for Public Procurement Act.

VI.4.4. Service from which information about the review procedure may be obtained

Official name: The Danish Competition and Consumer Authority

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

07/04/2017