

Denmark-Gladsaxe: Gas compressors
OJ S 75/2019 16/04/2019
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Dansk Gas Distribution Service Viborg A/S

National registration number: 40318941

Postal address: Gladsaxe Ringvej 11

Town: Gladsaxe

NUTS code: DK Danmark

Postal code: 2860

Country: Denmark

Contact person: Filip Larsen

E-mail: Udbud@gasnet.dk

Telephone: +45 41380079

Internet address(es):

Main address: <https://gasnet.dk>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/364355>

I.1. Name and addresses

Official name: Energinet teknik and Anlæg A/S

National registration number: 37 93 03 93

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

E-mail: Udbud@gasnet.dk

Internet address(es):

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

I.1. Name and addresses

Official name: Dansk Gas Distribution A/S

National registration number: 29 85 12 47

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

E-mail: Udbud@gasnet.dk

Internet address(es):

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

I.1. Name and addresses

Official name: Dansk Gas Distribution Fyn A/S

National registration number: 29 21 48 24

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

E-mail: Udbud@gasnet.dk

Internet address(es):

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

I.2. Information about joint procurement

The contract involves joint procurement

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=237232&B=HMN

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=237232&B=HMN

Tenders or requests to participate must be submitted to the abovementioned address

I.6. Main activity

Production, transport and distribution of gas and heat

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Delivery, Installation and Service of Compressors for Injection of Upgraded Biogas

II.1.2. Main CPV code

42123100 Gas compressors

II.1.3. Type of contract

Supplies

II.1.4. Short description

The purpose of this public procurement procedure is to establish a Framework Agreement between the contracting entity, Dansk Gas Distribution Service Viborg A/S, (hereinafter “the Buyer”) and one (1) supplier according to which the buyer — on an ongoing basis as needed — may order the delivery of complete biomethane injection compressor installations placed in enclosure for outdoor installation (hereinafter “Compressor(s)”) to be installed, connecting the existing or new biomethane upgrading plants to the natural gas transmission network in Denmark. In addition to the delivery and installation of compressors the supplier shall on request of the buyer deliver spare parts to and continuous maintenance of the delivered compressors.

II.1.5. Estimated total value

Value excluding VAT: 30 000 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

42123100 Gas compressors, 39340000 Gas network equipment, 39341000 Gas pressure equipment, 50531300 Repair and maintenance services of compressors

II.2.3. Place of performance

NUTS code: DK Denmark

II.2.4. Description of the procurement

The buyer establishes, maintains and operates the natural gas distribution network in Denmark. As part of the operation, the Buyer connects biomethane upgrading plants to the natural gas distribution network.

It is the buyers responsibility to establish, maintain and operate biomethane injection compressors necessary for connecting biomethane upgrading plants established by the biomethane upgrading plant owners to the natural gas distribution network when so required to ensure distribution of the upgraded biomethane.

Hence, the buyer needs to be able to order the delivery of compressors on an ongoing basis as new upgraded plants are connected to the gas grid.

Based on experience and the present pipeline the buyer expects to connect 15 – 20 upgrading plants to the natural gas transmission network during the next years and subsequently order the delivery and installation of Compressors in connection hereto under the Framework Agreement.

Based on the experience from the existing biomethane upgrading plants, the biomethane inflow is fluctuating, hence the biomethane has to be compressed from 4-7 bar to 50 bar. This is a power consuming process that challenge the compressors ability to operate with low consumption and with a minimum of noise and at the same time robust in terms of wear and tear supporting the life expectancy of no less than 20 years of operation. No oil is allowed in the compressed biomethane and no biomethane is allowed to escape from the compressors except for emergency situations.

The buyer will occasionally have the need for fast deliveries, which means delivery within 5 - 6 months from placement of an order to installment and commencement of the ordered compressors. As an example of this, the buyer expects to place the first order of the delivery and installation of 10-14 compressors shortly after the signing of this Framework Agreement with the aim of delivery as soon as reasonable possible and preferably before year end 2019. The requested capacity of the compressors ordered under the Framework Agreement will vary based on the actual needs at the upgrading plant site.

In addition to the delivery and installation of compressors under the Framework Agreement, the buyer expects to order certain services, e.g. preventive and corrective (repair works) maintenance of the compressors, including continuous delivery of spare parts and consumables to the compressors.

For further description of the procurement, see Appendix 2, Scope of Work to the procurement documents cf. Section I.3 above.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6.

Estimated value

Value excluding VAT: 500 000 000,00 EUR

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 96

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 3
Objective criteria for choosing the limited number of candidates:

The limitation of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant references of delivery and installation of compressors and associated services such as preventive and corrective maintenance and delivery of spare parts cf. Section III.1.3 cf. Section II.2.4.

When assessing the most relevant references special importance will be attached to references that show the applicant's experience with delivery and installation of compressors, cf. Section II.1.4, cf. Section II.2.4. Moreover, importance will be attached to references that show experience with preventive and corrective maintenance of compressors.

The assessment of which applicants have shown the most relevant references will be based on an overall evaluation of the delivered references.

II.2.10. Information about variants

Variants will be accepted: no

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

Participation in the tendering procedure may only take place via the electronic tendering system (EU Supply) used by the buyer, see Section I.3). For access to the procurement documents, the applicant must be registered or register as a user. All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation**III.1.2. Economic and financial standing**

List and brief description of selection criteria:

The candidate must submit a completed version of the European Single Procurement Document (ESPD), including part IV, Section B, with the following information:

- the total annual turnover in the last 3 financial years available,
- the solvency ratio (equity to total assets ratio) in the last 3 financial years available.

The ESPD serves as provisional documentation that the applicant fulfills the minimum suitability requirements in respect of economic and financial capacity.

Before the decision to award the contract is made, the tenderer to whom the buyer intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

Upon the buyer's request, the applicant must submit the following documentation of economic and financial capacity (1-2):

1) Total annual turnover. A statement regarding the applicant's overall turnover in the last 3 financial years available, depending on the date when the undertaking was set up or started trading, if the information on these turnovers is available. For groups of applicants (e.g. a consortium), the information must be submitted for each participating operator in the group. Where an applicant relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), Information for such other entities must also be provided.

2) Solvency ratio. A statement regarding the applicant's average solvency ratio (calculated as $(\text{equity}/\text{total assets} \times 100)$ in the last 3 financial years available, depending on the date. When the applicant was set up or started trading, if the figures for equity and assets are available.

For groups of applicants (e.g. a consortium), the information must be submitted for each participating applicant in the group. Where an applicant relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), information for such other entities must also be provided.

Minimum level(s) of standards possibly required:

The applicant must meet the following minimum requirements at the time of pre-qualification as an average of the last 3 financial years prior to the deadline for submission of application for pre-qualification:

1) A total annual turnover of at least 6 500 000 EUR (exclusive of VAT);

2) A solvency ratio of at least 15 % – calculated by dividing equity with total assets ($\text{equity}/\text{total assets} \times 100$).

If the applicant is the parent company of a group of companies (i.e. the same legal group) the turnover, EBIT margin and solvency ratio may be based on the financial figures of the consolidated financial statement of the group of companies.

"The same legal group" shall be defined as entities covered by directive 2013/34/EU (directive on the annual financial statements, Consolidated financial statements and related reports of certain types of undertakings) art. 22 (1).

If the applicant is an intermediate parent company (i.e. the parent company of a "sub Group" of companies) or the applicant is relying on the economic and financial capacity of such an intermediate parent company, the turnover and solvency ratio may be based on the financial figures of the consolidated financial statement of the "sub group" of companies. If the applicant is relying on the capacity of one or more other entities the turnover and solvency ratio will be calculated on the basis of the combined financial figures of the applicant and the supporting entities. This means, e.g. in relation to solvency ratio, that the calculation will be based on the combined total equity of the applicant and the supporting entities calculated as an average of the last 3 financial years and the combined total assets of the applicant and the supporting entities calculated as an average of the last 3 financial years ($\text{solvency ratio} = \text{average combined total equity} / \text{average combined total assets} \times 100$).

If the applicant and the supporting entity/entities have consolidated financial statements, the calculations of the turnover and solvency ratio will be based on such consolidated financial statements; In this case, the applicant and supporting entities should provide the information necessary in the ESPD to allow for correct calculations.

If the applicant is a group of economic operators (e.g. a consortium), the turnover and solvency ratio will be calculated in the same manner as applicants with one or more supporting

entities, i.e. on the basis of the combined financial figures of the participating economic operators.

If any of the participating economic operators (in the consortium) have consolidated financial statements, the calculations concerning these economic operators will be made based on such consolidated financial statements; in this case, the economic operators in question should provide the information necessary in the ESPD to allow for correct calculations. The Buyer intends to ask the applicants to provide documentation for their fulfillment of the minimum requirements concerning financial and economic standing after pre-qualification. The documentation on fulfillment of the minimum requirements concerning financial and economic standing after pre-qualification shall consist of audited financial statements or excerpts thereof for the 3 latest financial years, depending on the date on which the applicant's undertaking was set up or the applicant started trading, where publication of financial statements is required under the law of the country in which the applicant is established or any other form of documentation which the buyer deems appropriate, where the applicant is unable to present audited financial statements for a valid reason.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

Applicant must state in the ESPD Section IV.C the following technical and professional capacities:

The five (5) most relevant and significant installation deliveries of compressors including installation, service and maintenance and delivery of spare parts to biomethane Injection compressors, as described in Section II.1.4, cf. Section II.2.4. carried out in the last three (3) years before the expiry of the application deadline. If in doubt the calculation of the 3 years shall be based on the order date of the compressors and/or associated services.

Each reference is requested to include a clear description of the delivery performed, including the following information (where relevant for the reference):

- customer, functional purpose and installation site,
- customer contact person(s) and contact details (e-mail/phone),
- date of order and date of commissioning of the ordered compressors,
- delivery time (weeks) per compressor ordered and delivered,
- volume (number of compressors delivered),
- approx. contract value,
- compressor type including functionality and characteristics of the compressor type,
- scope of installation of the compressors at customer site,
- delivery of spare parts as well as service and maintenance.

In order for the buyer to evaluate the references properly, the applicants are requested to prepare detailed reference descriptions. However, the buyer will not assess the part of a reference description exceeding 4 800 characters (2 normal A4-pages).

No more than 5 references may be stated, irrespective of whether the applicant is a single operator, whether the applicant relies on the technical capacity of other entities, or whether the candidate is a group of operators (e.g. a consortium). If the applicant delivers more than 5 references, only the five (5) newest references will be evaluated (based on the order date, cf. above regarding calculation of the three (3) years). Any additional references will be disregarded. If it is not possible to decide which references are the newest references, the references will be selected by drawing lots.

The ESPD serves as provisional documentation of the applicant's/tenderer's compliance with the selection criterion, see Section II.2.9). Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract, must submit documentation that the information stated in the ESPD is accurate. No additional

documentation of “technical and professional ability” will be required from the applicants; however, the buyer reserves the right to contact the applicant or the customer stated in the reference for confirmation of the information stated in the references.

Minimum level(s) of standards possibly required:

The following minimum requirements for technical and professional ability are applied:

It is a minimum requirement that the applicant through the references documents that the applicant has delivered at least three (3) biomethane injection compressor installations in connection with biomethane upgrading plants to be connected to a natural gas distribution network, cf. Section II.2.4.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Negotiated procedure with prior call for competition

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

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

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.2.2. Time limit for receipt of tenders or requests to participate

Date: 14/05/2019 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

Danish, English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

The applicant must as its application to participate submit an ESPD as preliminary documentation of the circumstances in Section 148(1), paras (1)-(3) of the Danish Public Procurement Act, cf. s.11 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors (“Ministerial Order”).

The ESPD is to be completed directly in the electronic tendering system. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating operator. In addition, a signed consortium declaration shall be submitted as part of the application, declaring that each operator in the consortium is jointly and severally liable, directly and unconditionally, to the Buyer for any obligation in relation to the consortium's tender.

If the applicant relies on the capacity of other entities, an ESPD must be submitted for each of the entities on which the applicant relies. In addition, a support declaration from each supporting entity shall be submitted as part of the application, declaring that capacities will be made available to the applicant. If the applicant relies on the economic and financial capacity of other entities, this/these supporting entity/entities shall undertake joint and several liability to the Buyer for any obligation in the declaration in relation to the tender.

The applicant will be excluded from participation if the applicant is subject to the compulsory grounds for exclusion set out in ss.135 and 136 of the Danish Public Procurement Act, cf. s. 10, para. (1) of the Ministerial Order unless the applicant has submitted sufficient documentation for its reliability, cf.s.138 of the Danish Public Procurement Act, cf. s.10(1), para. (2) of the Ministerial Order.

The buyer intends to ask the applicants to provide documentation for their fulfillment of Section 148 (1), paras (1)-(3) of the Danish Public Procurement Act, cf. s.11 of the Ministerial Order following the pre-qualification. The type of documentation depends of the documentation issued in the relevant country. Before the decision to award the contract is made, the tenderer to whom the buyer intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to Sections 151 and 152(3), cf. Section 11 of the Ministerial Order. In the event of change of the tenderer, the provisions of s.147 of the Danish Public

Procurement Act will apply in their entirety.

The Buyer may ask the applicant to supplement, specify or complete the application pursuant to Article 76, para. (4) of the Utilities Directive if the application does not comply with the formal Requirements of the tender documents.

The procurement is conducted subject to the achievement of the necessary funding basis. The Buyer reserves the right to award the contract on the basis of the initial tender.

As regards Section II.2.6) the amount is an estimate of the expected contract sum for the entire contract duration, and hence do not constitute any binding statement on the Buyer of ordering deliveries and/or services from the supplier during the term of the Framework Agreement.

The Buyer encourages the tenderer to ask questions in case the contract notice or procurement documents, including requirements are perceived as unclear or as particularly difficult or unfair to obtain. Any questions relating to the contract notice and procurement documents shall be sent via EU Supply using the question and answer section. Questions will be answered on an ongoing basis as soon as possible and answers will be sent electronically via EU Supply to all tenderers in depersonalised form. The buyer encourages the tenderer to submit questions as soon as possible. Questions that are received later than Friday 3.5.2019 at 12:00 (CEST) will be answered only to the extent that a reply can be provided in due time before the application submission deadline.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Complaints Board for Public Procurement

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 35291000

Internet address: www.naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see Section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with Section 2(1), para (1) of the Act and Section 171(2) of the Danish Public Procurement Act.

In other situations, complaints of award procedures, see Section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the Contracting Authority has published a notice in the Official Journal of the European Union that the Contracting Authority has entered into a contract. The deadline is calculated from the day after the day when the notice was published;

2) 30 calendar days calculated from the day after the day when the Contracting Authority has notified the candidates concerned that a contract based on a Framework Agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision;

3) 6 months after the Contracting Authority entered into a Framework Agreement calculated from the day after the day when the Contracting Authority notified the candidates and tenderers concerned, see Section 2(2) of the Act and Section 171(4) of the Danish Public Procurement Act;

4) 20 calendar days calculated from the day after the Contracting Authority has submitted notification of its decision, see Section 185(2) of the Danish Public Procurement Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the Contracting Authority in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see Section 6(4) of the Act. In cases where the complaint was not lodged during the stand-still period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see clause 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in Section VI.4.1).

The Complaints Board's own complaints procedure is available at www.naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/

VI.4.4. 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: 2500

Country: Denmark
E-mail: kfst@kfst.dk
Telephone: +45 41715000
Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

12/04/2019