

**Germany-Hamburg: Offshore services**  
**OJ S 104/2015 02/06/2015**  
**Contract notice – utilities**  
**Services**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: Sandbank Offshore Wind GmbH

Postal address: Überseering 12

Town: Hamburg

Postal code: 22297

Country: Germany

For the attention of: Frau Krauss

E-mail: [katja1.krauss@vattenfall.de](mailto:katja1.krauss@vattenfall.de)

Telephone: +49 40790224125

**Internet address(es):**

General address of the contracting entity: <http://www.vattenfall.de>

**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**

Provision of Offshore Client Representatives for the Sandbank Inter Array Cable works.

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

Services

Service category No 22: Personnel placement and supply services

Main site or place of performance: The contract shall comprise the services to be provided on vessels and foundations at the Sandbank offshore wind park, located in the German sector of the North Sea, which is within the German Exclusive Economic Zone (EEZ). The base harbour and operational base for the Employer is the Port of Esbjerg. In addition, meetings may be organised at the Employer's project office in Hamburg and/or at ports where the Inter Array Cable contractor mobilises/transits/demobilises its vessels from.

The services to be performed according to offshore working hours, that means:

(1) 12 hours per calendar day (day/night);

(2) 7 days per week;

(3) In a 4-week work rotation cycle, where only in extenuating circumstances may the work cycle be shortened, or extended to a maximum of 6 weeks. Any deviations from the normal offshore working hours shall be agreed between the Employer and the Contractor prior to commencement of the works.

NUTS code

### **II.1.3. Information about a framework agreement or a dynamic purchasing system**

### **II.1.4. Information about framework agreement**

### **II.1.5. Short description of the contract or purchase(s)**

The contract shall comprise the provision of specialists for the surveillance on behalf of the Client (SBOW) of subsea cable lay/burial and, high voltage (HV) and Fibre Optic (FO) cable termination works. The specialists shall be required to act as Client Representatives (Reps.) and ensure that the installation contractor fulfils its obligations with respect to the agreed work procedures and method statements, and to report back to the Client.

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

76520000 Offshore services, 98360000 Marine services

### **II.1.7. Information about the Government Procurement Agreement (GPA)**

### **II.1.8. Information about lots**

This contract is divided into lots: no

### **II.1.9. Information about variants**

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

Tasks and Responsibilities for Client Reps.

Cable Lay, Cable Burial:

- a) Be familiarised with the respective contract, procedures, contractor's programme, other related contractor's documents and contractor's installation equipment.
- b) Be familiarised with the Sandbank Offshore Windfarm (SBOW) Organization and Project (e.g. Offshore Installation Guidelines) and be aware of and contribute (if required) to the programme and relevant interfaces to other Contractors.
- c) Monitor, evaluate and report contractor's progress in coordination with SBOW Construction Manager located in Esbjerg, Denmark.
- d) Assure that any deviations from contractual agreements, approved procedures, contractor's programme or the issued work permit will be documented and reported to the Construction Manager as soon as possible.
- e) Ensure that all SBOW and contractor's personnel act according to HSE Management System including the Emergency Response Plan.
- f) Ensure continuous reporting to the Cable Package and issuing of detailed reports if necessary.
- g) Write Client Representative daily updates and send before 8:00 for the previous day's activities.
- h) After a thorough check (reasons for downtime etc.) sign and return Inter Array Cable contractor's DPR. Make sure that DPRs are available in time.
- i) Assist with the preparation and execution of Lessons Learned workshop sessions on board the vessel to enhance procedures and improve efficiency with regard to the installation works.
- j) Monitor that communication (radio, telephone and internet) to contractor's vessel is always

possible.

k) Monitor weather conditions and forecasts and try to agree with the Contractor that workable weather windows will be utilised as much as possible.

l) Document and report installation progress (incl. photos and relevant survey data).

m) Participate during project meetings required for project introduction and/or project familiarisation and/or documentation of activities.

n) Participate in daily progress calls as required.

o) Prepare activity forecasts.

p) Participate in HAZOP (hazard workshops) meetings prior start of construction.

q) Participate in Toolbox meetings.

r) Be familiarised with the Permit to Work System on board the Contractor's vessel and SBOW's Permit to Work System in the field.

Termination Reps. (High Voltage Terminations, Fibre Optic Splicing and Testing):

a) Be familiarised with the respective contract, procedures, contractor's programme, other related contractor's documents and contractor's installation equipment.

b) Be familiarised with the Sandbank Offshore Windfarm (SBOW) Organization and Project (e.g. Offshore Installation Guidelines) and be aware of and contribute (if required) to the programme and relevant interfaces to other Contractors.

c) Be familiarised with all site Safety Rules, Electrical Rules and the Permit to Work System of Vattenfall and the Contractor.

d) Be familiarised with the SBOW HSE Concept, the Emergency Response Plan.

e) Participate in HAZOP Meetings prior to start of construction.

f) Monitor, evaluate and report Contractor's progress in coordination with SBOW IAC Installation Manager. Align progress with on board Client Representative.

g) Assure that any deviations from contractual agreements, approved procedures, contractor's programme or the issued work permit will be documented and reported to the IAC Installation Manager as soon as possible.

h) Write Termination Rep. Notes on daily basis, which will be given to the vessel Client Representative for compiling of QAQC documentation and editing the Contractor's DPR if necessary.

i) Where a QA/QC issue is identified, the Rep. must document and photograph problems and assist with the preparation of a non-conformance report and assist with consideration of various corrective actions.

j) Monitor that communication (radio, telephone and internet) to and from Contractor's vessel is always possible.

k) Prepare activity forecasts.

l) Participate in Toolbox meetings.

m) Oversight of termination teams in the SBOW field.

n) Assist Inter Array Cable contractor and other Employer's contractors with SIMOPs and shared workplaces (i.e. Offshore Substation (OSS) cable deck, Wind Turbine (WTG) foundations, planning work activities etc.). Any foreseen clashes should be discussed and coordinated with the Terminations Team Leader.

o) Ensure high quality of termination works, cable hang-offs and cable routing by closely monitoring the Inter Array Cable contractor, including detailed inspection of critical aspects of the termination works. Photographic surveys to be taken of the Switchgears, cable ends, termination and materials in both pre and post termination. Monitoring of the Switchgear sealing kits is also required and must be documented by the Termination Rep. if found to be damaged and requiring repair.

p) Ensure workplaces are cleaned after termination works are completed and any damage to the foundation / WTG is recorded and highlighted by the contractor.

- q) Inspect, verify and document handover of OSS and Transition Piece (TP) and manage the Transfer of Custody procedure.
- r) Witness of OTDR, IR and VLF testing offshore and any other tests as may be determined necessary.
- s) Conduct necessary medium voltage (MV: 33 kV) switching in TP if authorised and instructed to do so by the Senior Authorised Person (SAP).

Personnel.

The Contractor shall provide CVs demonstrating that the persons proposed have the following attributes:

- a) Experience as Client Representative for large offshore projects, preferably in Offshore Wind and/or Cable Installation (lay, burial and terminations).
- b) Experience in construction and commissioning phase of large offshore projects, preferably in Offshore Wind, DP vessel operations etc.
- c) Fluency in English, written and spoken.
- d) Good MS Office skills (including MS Project).
- e) Willingness to travel and work abroad.
- f) Willingness and physically fit to work offshore.
- g) Proactive and assertive to project demands.
- h) High degree of commitment to the Sandbank project and initiative.
- i) Good communication, cooperation and organisational skills.
- j) Hold valid medical certificate for works offshore.
- k) Trained for offshore works including working at heights and confined space according to GWO standards and SBOW HSE Management System and hold respective certificates (GWO First Aid, Sea Survival, HUET etc.).

Personal Protective Equipment (PPE):

The Contractor shall provide PPE for its personnel, including but not limited to: immersion suits; self-inflating life vests; personal locator beacons; general clothing for both summer and winter conditions; steel capped safety boots; eye protection; hearing protection; climbing harness for working at heights; grab bags; winter gloves; safety gloves.

Employer's provision:

The Employer is to provide transfers for Client Reps. and their personal effects between the wind farm and Esbjerg harbour as well as within the wind farm. The Employer will provide accommodation and victualling for time spent offshore.

The Employer shall provide Vattenfall-badged high-viz vests, wet weather jackets and helmets. Client Reps. are to wear Employer supplied jackets and helmets.

The services referred below represents Employer requirements as at the effective date of the contract. Employer shall, however, have the sole right to vary (reduce / increase) such scope at any time over the term of the contract without commercial impact.

2015 campaign: August — November 2015.

Client Reps.

Cable Lay — 2 Nos. (working 4 weeks on, 2 weeks off rotation).

Support Vessel — 2 Nos. (working 4 weeks on, 4 weeks off rotation).

Termination Reps.

2 Nos. High Voltage (working 4 weeks on, 2 weeks off rotation).

1 No. HV / Fibre Optic splicing (working 4 weeks on, 2 weeks off rotation).

2016 campaign: February — August 2016.

Client Reps.

Cable Lay — 2 Nos. (working 4 weeks on, 2 weeks off rotation).

Cable Burial — 2 Nos. (working 4 weeks on, 2 weeks off rotation).

Termination Reps.

- 2 Nos. High Voltage (working 4 weeks on, 2 weeks off rotation).
- 1 No. HV / Fibre Optic splicing (working 4 weeks on, 2 weeks off rotation).

## **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 1.8.2015 Completion 31.8.2016

## **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**

Details will be provided in the invitation to tender (ITT).

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

Details will be provided in the invitation to tender (ITT).

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

Two or more applicants may also form a grouping in the form of an application consortium in order to obtain an ITT. No specific legal form is required but the individual members of such a consortium should be jointly and separately liable for performance of the contract. The application and later bidder consortium shall remain unchanged throughout the whole procedure until the works have been completed. If unforeseen circumstances require a change in the composition of such consortium, the awarding authority may allow such change at its sole discretion provided that the change does not distort competition amongst the applicants.

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

The performance of the contract is subject to particular conditions: no

### **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:
1. Cover letter with information about the applicant's business case and the structure of applicant's entity. (other information).
  2. Copy of an up to (not older than 6 months since announcement date) date registry entry in the companies or professional register (or similar) of the country in which the applicant is seated, issued by the responsible authority. (minimum condition).
  3. Confirmation of current membership of a professional association of the country in which the applicant is seated, issued by the responsible authority. (other information).
  4. Current confirmation of payment of taxes and social security contributions in the country in which the applicant is seated, issued by the responsible authority (e.g. Germany: Finanzamt and Krankenkasse; UK: HM revenue and customs; The Netherlands: Belastingdienst; Denmark: Erhvervs- og Selskabsstyrelsen) (minimum condition).
  5. Self-declaration that no legally binding judgement has been passed relating to offences in the sence of § 21 Abs. 1 and 2 SektVO. (minimum condition).
  6. Self-declaration about the absence of the following circumstances (minimum conditions):

- a) any preconditions which could lead to bankruptcy or any similar financial situation,
- b) convictions for an offence committed by applicant or applicant's management in connection with professional conduct,
- c) any circumstances with regard to grave professional misconduct committed by applicant or applicant's management,
- d) of the fact that the applicant has not been charged by a court to be in serious breach of a contract,
- e) of any conflict of interest,
- f) of any misrepresentation in supplying the information required by awarding authority of contacts with other applicants or bidders with the purpose of restraining competition (e.g. due to lack of funds).

For further information please check No. VI.3) of this notice.

The lack of confirmations/declarations/documentation designated as 'minimum condition' information/formalities will result in exclusion from the further award procedure.

If the bidder or bidder consortium, if this is applicable for the scope of work, intends to make use of the resources of third parties/sub-contractors for confirmation of the performance capability in the course of the participation competition, the above declarations and confirmations regarding to the proportional scope of work must also be submitted with regard to the third parties/sub-contractors.

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

List and brief description of conditions: 1. Information and formalities necessary for evaluating if the requirements are met: i. Respondent or, if applicable its parents, shall have the reputable and healthy financial standing necessary to execute the announced Contract with the corresponding risk profile. The yearly turnover average over the last 3 years will be minimal 1 times the Estimated Contract value.

2. Information part of the Respondents Application: Full audited, consolidated annual reports, including management report and explanatory notes and with a non-qualified auditor opinion, for the most recent 3 years for the Respondent and, if applicable its parents. In case of a Joint Venture, please include this information for each partner. Additional financial information must be provided that relates specifically to the field of business related to the scope of the announced contract.

3. At contract award, Respondent is willing to issue performance bonds of approx. 15 % of the annual contract amount, valid for the contract duration, in a form and amount acceptable to Vattenfall and by an independent, third party bank with a minimum A-/A3 (rating by Standard Poor's and/or Moody's).

4. Information part of the Respondents Application: Duly signed declaration from the Respondent stating its unconditional willingness to issue such guarantee at contract award or as stated in the Contract.

5. Information required at conditional contract award: Duly signed Performance Guarantee part of the Contract and according to the format included in the ITT.

6. At contract award, Respondent is willing to issue security for any advance payments with advance payment bonds in a form and amount acceptable to Vattenfall and by an independent, third party bank with a minimum rating of A-/A3 (rating by Standard Poor's and/or Moody's).

7. Information part of the Respondents Application: Duly signed declaration from the Respondent stating its unconditional willingness to issue such guarantee at contract award or as stated in the Contract.

8. Information required at conditional contract award: Duly signed Advance Payment Guarantee part of the Contract and according to the format included in the ITT.

9. Respondent shall provide an overview of the corporate legal structure of Respondents or its parent (if applicable).

10. Information part of the Respondents Application: Overview of corporate legal ownership structure of Respondent or, if applicable, its parents.

11. A full credit check and financial assessment will be part of the evaluation procedure. All these information are other information.

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

List and brief description of conditions: (If applicable):

References (not older than 2 years) for the services as requested under II.1.5) and II.2.1) including detailed information of the following:

- a) Detailed information of services provided for projects of comparable complexity.
2. Confirmation that the applicant, in the event of contract award, is able to fulfil all requirements of the contract.
3. Information on the applicant's Health Safety and Environment management system (including statistics about accidents or lost time incidents for a period of the last 2 years).
4. Organisation chart of the company.
5. Knowledge and skills description of personnel (CVs) as requested under II.2.1 (minimum conditions).
6. ISO 9001 certification and copy of the most recent audit report (minimum conditions).

### **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**

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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**

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting entity**

#### **IV.3.2. Previous publication concerning this procedure**

#### **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**

28.6.2015

#### **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**

#### **VI.2. Information about European Union funds**

#### **VI.3. Additional information**

The application and tender procedure is conducted in accordance with EU procurement regulations.

Pursuant to this regulation the following procedural guidelines have to be observed:

A. Formal:

1. The participation application and the corresponding confirmations/declarations /documentation must be made in writing in English language and additional electronic on a data carrier (CD) submission to the specified point of contact by the closing date. Submission by telefax or electronic form, e.g. by e-mail, is not sufficient.
2. All declarations and confirmations specified in the announcement must be submitted completely. The participation application, confirmations and declarations must be signed personally in original and as legally binding. Copies or Scans of signatures are not allowed.
3. The application documents must be structured according to No. III. 2) and have to contain the requested information in the respective category. Otherwise the awarding authority is not obliged to take such information into consideration. A reference to an earlier application is not sufficient.
4. The application must contain the applicant's consent to the fact that the awarding authority may be exchanged with another entity. It might be necessary to change the awarding authority to a separate legal entity within the group of the awarding authority in the course of the tender procedure.
5. Applicants who are not seated in Germany shall submit their registry copies, confirmations, certifications and qualifications in accordance with the legal requirements of the seating country.
6. Applicants shall state in their application details of any service(s) / work for execution of services, are to be awarded to third parties as subcontractors. In such case, an index of subcontractors with corresponding service(s) / work and the necessary information/declarations /confirmations must be attached to the application.
7. The obligation of the submission of certificates is not applicable, if a comparable register does not exist or if a registration is not necessary in the particular country. In this case applicant has to give sufficient evidence that a comparable register does not exist or if a registration is not necessary.
8. The required information, declarations and confirmations do not constitute minimum conditions. Essential information, i.e. information which absolutely must be submitted by the end of the application period, is designated as 'minimum conditions'. Delay or failure to submit information designated as 'minimum conditions' will result in exclusion from the procedure.

The awarding authority reserves the right to require further declarations and confirmations, but is not obliged to do so, neither are the applicants entitled to complete their documents.

9. The decision on the invitation to tender will take into account the principles of transparency, equal access, publicity and equal treatment.

10. Regarding to the technical capacity (point III.2.3 of this publication) and deviant to the additional information (point VI.3 of this publication) the bidder has to be able to create necessary documents for permissions in German.

11. The awarding authority is not liable for any costs incurred by the applicants nor shall it reimburse any expenses or losses which applicants incur or suffer in connection with the application procedure, including in the event of a cancellation.

B. Selecting the operators who will be invited to tender.

The awarding authority will examine the participation applications in a four-stage process:

1. Examination of the required confirmations and qualifications,

2. Examination of potential reasons for exclusion ('minimum conditions'),

3. Examination of the suitability of the applicant in accordance with the published participation conditions which are not designated as minimum condition.

4. In case that, as a result of the examination more than 5 applicants will meet the required demands, the awarding authority reserves the right to send out the invitation to tender (ITT) to the most suitable applicants in consideration of the following qualification criteria:

— All required information, declarations and confirmation designated as 'other information' will be evaluated each with 1 point if submitted; otherwise with 0 points.

— Information, declaration and confirmation regarding previous experience will be evaluated in total with 5 points by the awarding authority.

— Information, declaration and confirmation regarding the technical capacity (point III.2.3 of this publication) of the applicant will be evaluated in total with 15 points by the awarding authority.

The evaluation will follow in accordance with the valuation rules for the particularly qualification criteria.

The selection of applicants will follow the ranking as a summary of the awarded scores. The Awarding Authority reserves the right in the case that more than 5 applicants fulfil the requirements to select the five best applicants based on the ranking list. The higher the rank, the better.

C. Conditions relating to the contract.

1. The contract award is subject to approval by the corporate bodies of the awarding authority (i.e. Board of Directors of Sandbank Offshore Wind GmbH) (organ reservation).

2. The contract award is subject to the confirmation by the awarding authority that the work described in this announcement will be carried out with commercial reasonableness.

3. The contract award is subject to the issuance of the necessary permits, approvals and regulatory licenses.

4. The awarding authority reserves the right to cancel the tender procedure in its entirety or in parts at any time.

5. The awarding authority is not liable for any costs incurred by the bidders nor shall it reimburse any expenses or losses which bidders incur or suffer in connection with the tender procedure, including in the event of a cancellation.

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

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

Official name: Vergabekammer bei der Finanzbehörde Hamburg

Postal address: Gänsemarkt 36

Town: Hamburg

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

Precise information on deadline(s) for review procedures: Appeals have to be done immediately; the undefined term 'immediately' is hereby fixed on 5 calendar days.

In accordance with § 107 Abs 3 S. 1 Nr 2, 3 and 4 GWB (Gesetz gegen

Wettbewerbbeschränkungen; German Competition Act), a 'Nachprüfungsantrag' (formal review proceedings) is inadmissible:

- a) if violations of tender regulations that can be recognized in the announcement have not been complained against towards the tendering authority before the date referred to in the announcement for the submission of bids or applications (§ 107 Abs 3 S. 1 Nr 2 GWB);
- b) if violations of tender regulations that can only be recognized in the tender documents have not been complained against towards the tendering authority before the date referred to in the announcement / the invitation to tender or applications (§ 107 Abs 3 S. 1 Nr 3 GWB);
- c) if more than 15 calendar days have passed since the reply by the tendering authority that he will not remedy a complaint.

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

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

28.5.2015