

Denmark-Fredericia: IT services: consulting, software development, Internet and support

OJ S 77/2021 21/04/2021

Contract notice – utilities

Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Energinet Elsystemansvar A/S

National registration number: 39314959

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK032 Sydjylland

Postal code: 7000

Country: Denmark

Contact person: Kirsten Ebstrup

E-mail: procurement@energinet.dk

Telephone: +45 70102244

Internet address(es):

Main address: <https://eu.eu-supply.com/ctm/supplier/publictenders?B=ENERGINET>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/228008>

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/rwentrance_s.asp?PID=298862&B=ENERGINET

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/rwentrance_s.asp?PID=298862&B=ENERGINET

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

I.6. Main activity

Electricity

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

IT Infrastructure Framework Agreement for Nordic RSC

Reference number: 21/01147 - 267330

II.1.2. Main CPV code

72000000 IT services: consulting, software development, Internet and support

II.1.3. Type of contract

Services

II.1.4. Short description

Energinet initiates a tender concerning a framework agreement covering IT operations, including:

- security and compliance services;
- architecture;
- service management;
- service integration;
- operations;
- service desk and onsite support services;
- workplace services;
- business application services;
- infrastructure services;
- public cloud services;
- wide area network services;
- projects and consultancy services;
- termination assistance services.

See further description in II.2.4).

II.1.5. Estimated total value

Value excluding VAT: 250 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

72100000 Hardware consultancy services, 72110000 Hardware selection consultancy services , 72120000 Hardware disaster-recovery consultancy services, 72130000 Computer-site planning consultancy services, 72140000 Computer hardware acceptance testing consultancy services, 72150000 Computer audit consultancy and hardware consultancy services, 72220000 Systems and technical consultancy services, 72240000 Systems analysis and programming services, 72250000 System and support services, 72251000 Disaster recovery services, 72252000 Computer archiving services, 72253000 Helpdesk and support services, 72253100 Helpdesk services, 72253200 Systems support services, 72254000 Software testing , 72254100 Systems testing services, 72260000 Software-related services, 72263000 Software implementation services, 72300000 Data services, 72310000 Data-processing services, 72315200 Data network management services, 72317000 Data storage services, 72318000 Data transmission services, 72400000 Internet services, 72410000 Provider services, 72500000 Computer-related services, 72510000 Computer-related management services, 72540000 Computer upgrade services, 72590000 Computer-related professional services, 72600000 Computer support and consultancy services, 72611000 Technical computer support services, 72700000 Computer network services, 72900000 Computer back-up and catalogue conversion services, 72910000 Computer back-up services

II.2.3. Place of performance

NUTS code: DK Danmark

Main site or place of performance: Ørestads Boulevard 114, 2300 Copenhagen.

II.2.4. Description of the procurement

Nordic RSC (Regional Security Coordinator) is a joint office owned by Energinet, Fingrid, Svenska Kraftnät and Statnett with the purpose of delivering operational coordination in the

Nordic electricity system. Energinet is empowered by the TSOs to conduct the tendering process. The role of the Nordic RSC within the agreed different services is to provide coordination services for the secure operation of the European transmission system, to build consistent regional data, to perform analyses, making recommendations and otherwise support harmonising of operational procedures and standards, assisting the parties to maintain security of supply. The Nordic RSC needs to deliver the following five essential coordination functions:

- 1) Coordinated security analysis (including remedial action-related analysis);
- 2) Short and medium term adequacy forecasts;
- 3) Coordinated capacity calculations;
- 4) Outage planning coordination; and
- 5) Individual grid model/common grid model delivery.

Currently, Energinet is appointed as the hosting TSO for the Nordic RSC, thus Energinet is also responsible for providing server capacity and other IT tools for the Nordic RSC's current business functions and future functions as defined by the ENTSO-E rules. In this context, Energinet requires an IT infrastructure framework agreement covering IT operations for primarily involved IT systems, but also other systems used by Nordic RSC e.g. administrative IT systems. Selected IT systems ranging from systems which are business critical, systems containing security sensitive data to systems which are neither business critical nor handle any security sensitive data.

The overall target of this procurement is to ensure high quality and reliability in the daily operation of the common Nordic RSC/TSO business process and to provide common basis for the business and support for the existing business processes and any additional business processes which may be defined by the TSOs or Nordic RSC.

Energinet would like to conclude a framework agreement with a partner that can provide IT operations, including:

- 1) Security and compliance services such as SOC, SIEM and GDPR;
- 2) Architecture such as workplace architecture, infrastructure architecture and enterprise /applications architecture;
- 3) Service management such as ITIL;
- 4) Service integration such as solution automation;
- 5) Operations such as monitoring, tooling and patch management;
- 6) Service desk and onsite support services;
- 7) Workplace services such as collaboration, device management, remote connectivity, client computing, workplace applications, content filtering service and telephony;
- 8) Business application services such as technical application management, application operations, database management, application and database basics, middleware management, platform services and OS;
- 9) Infrastructure services such as housing, hosting, network, virtual/physical compute, storage, load balancing, firewall and domain services;
- 10) Public cloud services such as PaaS and IaaS and partly SaaS;
- 11) Wide area network services such as wide area network and internet access;
- 12) Projects and consultancy services;
- 13) Termination assistance services.

Furthermore, the framework agreement will include support and recurring consultancy services — see also remaining description in the last part of VI.3) (due to limited space in this section).

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: 250 000 000,00 DKK

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

Duration in months: 60

This contract is subject to renewal: yes

Description of renewals:

The customer has an option on prolonging the framework agreement for a period up to an aggregate of 36 months from the end date of the framework agreement at the customer's sole discretion. For avoidance of doubt the customer can choose a prolongation of less than 36 months and may (again) choose prolongation within the aggregate of the remaining 36 months from the expiration of the 5-year term.

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

Maximum number: 5 Objective criteria for choosing the limited number of candidates:

If more than 5 applicants fulfill the minimum requirements, cf. section III, the contracting authority will pre-qualify the 5 applicants who are evaluated as most qualified for the specific tendered assignment. Only these applicants will be invited to submit a tender. The selection of the applicants will be based on the submitted references and secondly a description of how the applicant actively work with being as sustainable and environmentally friendly as possible. Regarding the references the selection is subject to the extent of which the reference(s) are assessed to be similar to the tendered assignment, cf. section II.2.4), in terms of comparability and relevance. As a result, the number of references will not be the determining factor alone, but more importantly to which extent the specific forwarded references are comparable and relevant to the tendered assignment regarding solution and scope, especially concerning the following non-prioritised criteria:

- 1) To which extend the reference(s) are related as far as possible to the tendered services;
- 2) The reference(s) demonstrate experience with safely and smoothly transition-out from suppliers who operate business critical data and systems containing security sensitive data, and transition-in to the applicant,
- 3) The reference(s) demonstrate ability to perform efficient and smooth cooperation between customers and the tenderer;
- 4) The reference(s) demonstrate experience with providing high quality and high reliability in the daily operation of business critical, systems containing security sensitive data.

Regarding the description of environmental measures these will be assessed based on the following non-prioritised criteria:

- 1) To which extend the description of environmental and sustainable measures demonstrates that the applicant works with these measures to the highest possible degree and they are anchored in the highest authority in the organisation;
- 2) The applicant presents a certification of an environmental management standard such as EMAS certification, ISO-14001 certification or similar.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Option 1: The customer has an option of prolonging the framework agreement for a period up to an aggregate of thirty-six (36) months from the end date of the framework agreement, at the customer's sole discretion. For the avoidance of doubt, the customer can choose a

prolongation of less than thirty-six (36) months and may (again) choose prolongation within the aggregate of the remaining thirty-six (36) months from the expiration of the five (5)-year term. Option 2: The customer is currently a part of Energinet, but it is the intention that the customer shall be divested into a separate legal entity owned by the four (4) TSOs, which will assume all rights and obligations of the customer pursuant to the framework agreement. In this regard the customer has an option to transfer the framework agreement from Energinet to the separate legal entity owned by the four (4) TSOs.

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

This is a negotiated procedure. With exception of mandatory parts, tender documents may as a result undergo changes as part of the negotiation process. The applicant is to submit a customer statement for minimum 2 references on the accuracy of references provided and signed by a relevant responsible person (for example, the relevant project manager) at the reference customer in question.

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 applicant must confirm the economic ability in the ESPD part IV.B: 'Economic and financial standing' with information from the latest annual report regarding the following economic indicators:

- 1) Equity (total equity incl. share capital, reserves, revaluation, retained earnings etc.);
- 2) Solvency ratio (net income + depreciation)/all liabilities (short-term + long-term liabilities).

If the applicant is relying on the capacities of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the information for the ESPD part IV.B must also be given in a separate ESPD from each of these entities, cf. section VI.3 'Additional information'. It is the sole responsibility of the applicant to secure that the minimum level(s) of standards required are reached when the applicant is relying on the capacity of other entities or when the applicant is a group of economic operators (e.g. a consortium).

Minimum level(s) of standards possibly required:

Concerning 1: Equity from the latest annual report must be at least 33 pct. of the total expected value of the framework agreement.

Concerning 2: Solvency ratio from the latest annual report must be at least 20 pct. If the solvency ratio is between 15 pct. and 20 pct. the applicant can qualify, if Equity is equal to or exceeds the total expected value of the framework agreement.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The applicant must include the up to 5 most comparable and relevant references undertaken in the past three (3) years as part of the application. The references must be stated in the ESPD part IV.C: 'Technical and professional ability'. Undertaken in the past three (3) years implies that the reference must not have been completed prior to the date reached when counting 3 years backwards from the submission date for pre-qualification. References older

than this will not be taken into consideration. References which have not yet been fully completed can be included as part of the application, but if this is the case, the applicant must describe the parts which have not yet been delivered, and this may affect the evaluation of the applicant, cf. section II.2.9).

The references shall include:

- 1) A motivated, detailed and specific description of the references and the work performed for each reference;
- 2) Contract value (if possible);
- 3) Contact information for the entity in question (including contact person, email of contact person and phone number of contact person);
- 4) Date of initiation and final delivery (day, month, year).

Any ambiguities and/or incomprehensibilities concerning the above information may have a negative effect on the selection of candidates, cf. section II.2.9). Please note the 'description' box can contain more text than is visible. I.e. it is possible to copy paste text into the box.

The applicant shall deliver signed customer statements regarding criteria 1 and 2, cf. II 2.9), for at least 2 references; it is required that the template 'Customer Statement', doc. Nr. 21 /01147-5, is used for customer statements.

If the applicant is relying on the references of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the information for the ESPD part IV.C must also be given in a separate ESPD from each of these entities.

The number of references should not surpass a maximum of the 5 most comparable and relevant references. If the applicant is relying on the capacity of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the maximum number of references to be submitted must still be respected and cannot exceed 5 when combined. If more than 5 references are included, the contracting authority will only consider the 5 most recent references determined by date of final delivery (in this case not yet finished references will not be included).

Each reference has a limited number of characters of 5 000 characters, incl. spaces. If a reference contains more characters, the contracting authority will ignore any content after the allowed number of characters.

The applicant must include a description of whether the applicant works with environmental and sustainable measures or not.

If the applicant works with environmental and sustainable measures, then the applicant must include a description of:

- 1) How the applicant works with environmental and sustainable measures.

If the applicant holds any certification of environmental management standard such as EMAS certification, ISO-14001 certification or similar, the applicant must attach such certifications to the description of how the applicant works with environmental and sustainable measures.

- 2) How this work with environmental and sustainable measures are anchored in the organisation of the applicant.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:

The applicant must submit a completed version of the ESPD.

Applicants may not be subject to the mandatory grounds for exclusion, cf. the Danish Public Procurement Act (udbudsloven) Section 135 (1-3) and 136.

Please see section VI.3) 'Additional information' for further information regarding the ESPD. The application must be submitted through EU-Supply, cf. link in section I.1) in this TED announcement. Applications not submitted via EU-supply or received after the deadline will not be accepted.

The contracting authority reserves the right to request the applicant to supplement, specify or complete the information submitted.

III.1.6. Deposits and guarantees required

The information is stated in the tender documents.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

The information is stated in the tender documents.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The information is stated in the tender documents.

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: 07/05/2021 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

English

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

Duration in months: 4 (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 submit a completed ESPD to apply for pre-qualification for this tender procedure. The ESPD for this tender can be found via EU-supply. The ESPD must be completed in EU-Supply and submitted via 'My Response'.

Please note:

— An applicant participating on its own, but relying on the capacities of one or more other entities (e.g. a parent or sister company or a subcontractor), must ensure that the application includes the applicant's own ESPD together with a separate ESPD from each of the entities it relies on with a completed part II: 'Information concerning the economic operator' and part III: 'Exclusion grounds' of the ESPD as well as the relevant information regarding part IV: 'Selection criteria' and part V: 'Reduction of the number of qualified candidates'. The ESPD from each of the entities should be duly filled and signed by the entities concerned.

Further where an applicant wants to rely on the capacities of other entities, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect, which must be submitted as part of the final documentation.

— Where groups of economic operators, including temporary associations, participate together in the procurement procedure, a complete separate ESPD for each of the participating economic operators must be submitted.

Further the final documentation must include a signed declaration by all parties of the group of economic operators (joint venture, consortium or other) stating that all economic operators assume joint and several liabilities towards the contracting authority for the further inform performance of the contract as a whole.

Further information on II.2.4) Description of the procurement

Energinet is especially looking for a partner, who is accustomed to handling and hosting sensitive systems and data; a partner who is actively investing in this area, who has a suitable volume, who can offer relevant additional services and who has a proven track record in providing services covered by the framework agreement and safely and smoothly managing transition-out from the current supplier.

The geographical scope of the agreement is the Nordic RSC who at the time of signing comprises Denmark, Finland, Norway and Sweden. The geographical scope can change as Energinet and other present and/or future participants in the Nordic RSC who may establish or conduct businesses in other countries in the future.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævntet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 72405708

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Complaints regarding a candidate not being pre-qualified must be filed with The Complaints Board for Public Procurement within 20 calendar days starting the day after the contracting authority has sent notification to the candidates involved, provided that the notification includes a short account of the relevant reasons for the decision.

Other complaints must be filed with The Complaints Board for Public Procurement within:

- 1) 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date);
- 2) 30 calendar days starting the day after the contracting authority has informed the tenderers in question, that the contracting authority has entered into a contract based on a framework agreement through reopening of competition or a dynamic purchasing system, provided that the notification includes a short account of the relevant reasons for the decision;
- 3) 6 months starting the day after the contracting authority has sent notification to the candidates/tenderers involved that the contracting authority has entered into the framework agreement, provided that the notification included a short account of the relevant reasons for the decision.

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsen 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

16/04/2021