

Denmark-Fredericia: Gas appliance maintenance services
OJ S 67/2023 04/04/2023
Contract award notice – utilities
Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Gas Storage Denmark A/S

National registration number: 29 85 12 47

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK032 Sydjylland

Postal code: 7000

Country: Denmark

E-mail: indkob@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/login.asp?B=ENERGINET>

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

Lille Torup natural gas storage

Reference number: 22/01811

II.1.2. Main CPV code

50531200 Gas appliance maintenance services

II.1.3. Type of contract

Services

II.1.4. Short description

Gas Storage Denmark has at the location in Lille Torup, Rækkeborgvej 4, 9620 Aalestrup pipelines to each of the seven cavern sites. The seven pipelines shall with a minimum of a five-year-frequency be inspected with ultrasonics. The Service Agreement comprises of the inspections that Gas Storage Denmark wants executed.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7.

Total value of the procurement

Value excluding VAT: 6 000 000,00 DKK

II.2. Description

II.2.3. Place of performance

NUTS code: DK Danmark

Main site or place of performance: Lille Torup

II.2.4. Description of the procurement

Gas Storage Denmark has at the location in Lille Torup, Rækkeborgvej 4, 9620 Aalestrup pipelines to each of the seven cavern sites. The seven pipelines shall with a minimum of a five-year-frequency be inspected with ultrasonics. The Service Agreement comprises of the inspections that Gas Storage Denmark wants executed. The duration of the service agreement – which Energinet intends to enter with the Provider ROSEN Norway A/S – is ongoing until the equipment necessary to fulfill the Services no longer is in possession by the Provider. The anticipated spend is 3.000.000 DKK per inspection – and the total value of this contract is estimated to minimum 6.000.000 DKK as it is anticipated that the 2022-inspection and at least the next inspection will be comprised by the service agreement.

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

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 works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

In accordance with Art. 50 of the EU Utilities Directive (Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC), Energinet intends to enter into a Service Agreement with the Provider ROSEN Norway A/S. A Service Agreement is intended entered with ROSEN Norway A/S to avoid disproportionate technical difficulties in operation and maintenance – and thereby also disproportionate costs - for the following reasons:

- The Field Lines in Lille Torup, to which the services relate, are from the mid 1980's and fall under the category of "Challenging Pipelines". They were at the time not constructed to be pigged as they have special tees and bends of 90 degrees and small dimensions of 8". Also, there are no launch and receiver facilities built in Lille Torup – therefore the technical

complexity of the pipeline system is not according to a standard and requires specially built /accustomed equipment.

- For the pigging inspections in 2002, 2007, 2010, 2012 and 2017 special equipment was built, used, and continuously refined upon - based on each inspection experience. This specific equipment formerly owned by Oceaneering is now owned by ROSEN Norway A/S.

- The risk of not using specially adapted equipment for the Lille Torup pipeline system is high regarding equipment getting stuck in the Lines. As the pipes are old and fragile in many places – a failed performance during inspection could result in cutting out and replacement of the whole section of pipe – with the shutting of the cavern consequently with the result that customer's gas will be unavailable for a long period.

- Only ROSEN Norway A/S has the physical specially accustomed pigging equipment in their possession and experience with this unusual operation.

- The inspection data from future inspections must have an accurate and comparable fit with data from past inspections – if the same equipment and system is used – this will minimize any non-correlation in the data comparison process – and thereby secure the most accurate reading of the fragile pipe system.

- Only ROSEN Norway A/S showed an interest in the Service Agreement and participated in a market dialogue published on TED in April 2022 by Energinet – Gas Storage Denmark.

- Energinet – Gas Storage Denmark – has searched the market for potential Providers and called for a market dialogue published on TED – and Energinet - Gas Storage Denmark - has not been able to find any other Provider that would be able to perform this service technically and concretely.

Only a full replacement of the entire pipeline system at Lille Torup gas storage would change the circumstance that ROSEN Norway A/S is the only supplier to provide the services under this contract. Therefore, there is no reasonable alternative.

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: [2022/S 209-599413](#)

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 periodic indicative notice

Section V: Award of contract

Title:

Lille Torup natural gas storage

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

09/11/2022

V.2.3. Name and address of the contractor

Official name: ROSEN Norway A/S
National registration number: 979 467 311
Postal address: Gravidalsveien 262
Town: Laksevaag
NUTS code: NO Norge
Postal code: N-5165
Country: Norway
The contractor is an SME: no

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

Total value of the contract/lot: 6 000 000,00 DKK

V.2.5. Information about subcontracting**V.2.6. Price paid for bargain purchases****Section VI: Complementary information**

VI.3. Additional information**VI.4. Procedures for review****VI.4.1. Review body**

Official name: Klagenævnet for Udbud
Postal address: Nævnenes Hus, Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneshus.dk
Telephone: +45 72405708
Internet address: <https://naevneshus.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.
4. 30 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union which clarifies the reasons for the contract being

awarded without prior publication of a contract notice (when the procedure described in section 4 of the Act on the Danish Complaints Board for Public Procurement (klagenævnsloven) has been followed).

Energinet shall follow the procedure in Section 4 of the Act on the Board of Appeal (Consolidated Act No 593 of 2.6.2016 on the Public Procurement Board of Appeal, available at: www.retsinformation.dk). Thus, the intended contract will not be concluded before the expiry of 10 calendar days with effect from the day following the date of publication of this notice, cf. Section 4 (1) (2) of the Act on the Board of Appeal.

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

30/03/2023