

Germany-Hamburg: Electricity meters
OJ S 149/2014 06/08/2014
Contract notice – utilities
Supplies

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: Vattenfall Europe Metering GmbH
Postal address: Bramfelder Chaussee 130
Town: Hamburg
Postal code: 22177
Country: Germany
Contact person: Vattenfall Europe Business Services GmbH
For the attention of: Mrs. Sandra Burmester
E-mail: sandra.burmester@vattenfall.de
Telephone: +49 40790222644
Fax: +49 40790222686

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: Official name: Vattenfall Europe Business Services GmbH

Postal address: Angebotseingangsstelle Hamburg, Überseering 12
Town: Hamburg
Postal code: 22297
Country: Germany
Internet address: <http://www.vattenfall.com>

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

II.1. Description

II.1.1. Title attributed to the contract by the contracting entity

Delivery of electronic electricity meters "EDL21" in accordance to "VDE/FNN Lastenheft EDL 21" without intrastate calibration.

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

Supplies
Purchase
NUTS code DE6 Hamburg, DE3 Berlin

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 6

Duration of the framework agreement

Duration in years: 2

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

Delivery of electronic electricity meters "EDL21" in accordance to "VDE/FNN Lastenheft EDL 21" without intrastate calibration for Vattenfall Europe Metering GmbH Hamburg & Berlin.

The common specification is available on the following website: <https://www.vde.com/de/fnn/arbeitsgebiete/messwesen/Seiten/zaehler.aspx>

English version is available at VDE on request (fnn@vde.com).

II.1.6. CPV code(s)

38554000 Electricity meters, 38551000 Energy meters, 38552000 Electronic meters

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

The procurement is covered by the Government Procurement Agreement: yes

II.1.8. Information about lots

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

About 57.000 meters / year, see also detailed information per lot.

II.2.2. Information about options

Options: yes

Description of options: Contract extension for one more year.

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Duration in months: 24 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: "EDL21" with plug-in-connection for Hamburg

1) Short description

Delivery of electronic electricity meters "EDL21" with plug-in-connection for VE Metering GmbH in Hamburg.

2) CPV code(s)

38554000 Electricity meters, 38551000 Energy meters, 38552000 Electronic meters

3) Quantity or scope

About 50.000 meters per year (lot 1+2).

5) Additional information about lots

This lot consists of the following types:

+A 3L 3*230V 5(60)A, Plug-in-connection

+A 3L 3*230V 5A (5||1), Plug-in-connection

+A 4L 3*230/400V 5(60)A, Plug-in-connection

-A 4L 3*230/400V 5(60)A, Plug-in-connection

+A u. -A 4L 3*230/400V 5(60)A, Plug-in-connection

+A u. -A 4L 3*230/400V 5(60)A, Plug-in-connection

+A 4L 3*230/400V 5A (5||1), Plug-in-connection

-A 4L 3*230/400V 5A (5||1), Plug-in-connection

+A u. -A 4L 3*230/400V 5A (5||1), Plug-in-connection

+A u. -A 4L 3*230/400V 5A (5||1) Plug-in-connection

samples: +A 4L 3*230/400V 5(60)A, Plug-in-connection and +A 4L 3*230/400V 5A (5||1), Plug-in-connection

for the sample-process see also additional conditions - point 14.

The applicant is able to apply for one or more lots.

Lot No: 2

Lot title: "EDL21" with plug-in-connection for Berlin

1) Short description

Delivery of electronic electricity meters "EDL21" with plug-in-connection for VE Metering GmbH in Berlin

2) CPV code(s)

38554000 Electricity meters, 38551000 Energy meters, 38552000 Electronic meters

3) Quantity or scope

about 50.000 meters per year (lot 1+2)

5) Additional information about lots

This lot consists of the following types:

+A 3L 3*230V 5(60)A, Plug-in-connection

+A 3L 3*230V 5A (5||1), Plug-in-connection

+A 4L 3*230/400V 5(60)A, Plug-in-connection

-A 4L 3*230/400V 5(60)A, Plug-in-connection

+A u. -A 4L 3*230/400V 5(60)A, Plug-in-connection

+A u. -A 4L 3*230/400V 5(60)A, Plug-in-connection

+A 4L 3*230/400V 5A (5||1), Plug-in-connection

-A 4L 3*230/400V 5A (5||1), Plug-in-connection

+A u. -A 4L 3*230/400V 5A (5||1), Plug-in-connection

+A u. -A 4L 3*230/400V 5A (5||1) Plug-in-connection

samples: +A 4L 3*230/400V 5(60)A, Plug-in-connection and +A 4L 3*230/400V 5A (5||1), Plug-in-connection

for the sample-process see also additional conditions - point 14.

The applicant is able to apply for one or more lots.

Lot No: 3

Lot title: "EDL21" with 3-point-connection for Hamburg

1)

Short description

Delivery of electronic electricity meters "EDL21" with 3-point-connection for VE Metering GmbH in Hamburg

2) CPV code(s)

38554000 Electricity meters, 38551000 Energy meters, 38552000 Electronic meters

3) Quantity or scope

about 7.000 meters per year (lot 3+4)

5) Additional information about lots

The lot consists of the following types:

+A 4L 3*230/400V 5(60)A, 3-point-connection

-A 4L 3*230/400V 5(60)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(60)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(60)A 3-point-connection

+A 4L 3*230/400V 5(100)A, 3-point-connection

-A 4L 3*230/400V 5(100)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(100)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(100)A 3-point-connection

+A 4L 3*230/400V 5A (5||1), 3-point-connection

-A 4L 3*230/400V 5A (5||1), 3-point-connection

+A u. -A 4L 3*230/400V 5A (5||1), 3-point-connection

+A u. -A 4L 3*230/400V 5A (5||1) 3-point-connection

samples: +A 4L 3*230/400V 5(60)A, 3-point-connection and +A 4L 3*230/400V 5A (5||1), 3-point-connection

for the sample-process see also additional conditions - point 14.

The applicant is able to apply for one or more lots.

Lot No: 4

Lot title: "EDL21" with 3-point-connection for Berlin

1) Short description

Delivery of electronic electricity meters "EDL21" with 3-point-connection for VE Metering GmbH in Berlin

2) CPV code(s)

38554000 Electricity meters, 38551000 Energy meters, 38552000 Electronic meters

3) Quantity or scope

about 7.000 meters per year (lot 3+4)

5) Additional information about lots

The lot consists of the following types:

+A 4L 3*230/400V 5(60)A, 3-point-connection

-A 4L 3*230/400V 5(60)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(60)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(60)A 3-point-connection

+A 4L 3*230/400V 5(100)A, 3-point-connection

-A 4L 3*230/400V 5(100)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(100)A, 3-point-connection

+A u. -A 4L 3*230/400V 5(100)A 3-point-connection

+A 4L 3*230/400V 5A (5||1), 3-point-connection

-A 4L 3*230/400V 5A (5||1), 3-point-connection
+A u. -A 4L 3*230/400V 5A (5||1), 3-point-connection
+A u. -A 4L 3*230/400V 5A (5||1) 3-point-connection
samples: +A 4L 3*230/400V 5(60)A, 3-point-connection and +A 4L 3*230/400V 5A (5||1), 3-point-connection

for the sample-process see also additional conditions - point 14.

The applicant is able to apply for one or more lots.

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Details will be announced in RFQ.

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

Payment must be effected in EUR. Quotations must be submitted free from costs.

Further details will be announced in RFQ.

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

A bidder consortium has to be indicated within the application.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: To ensure the manufacturing quality, we would like to point out, that the bidder has to possess a fully implemented quality management system. This quality management system has to be in accordance with the ISO 9001 / 2000 or comparable. The purchaser reserves the right to check the manufacturing quality in the manufactory site at any time that means both before contract awarding and during the whole contract period. In case of any detected deviations the purchaser has the right to require elimination of the deviation. If the seller should fail to comply with that requirement, the purchaser has the right to cancel the framework agreement or exclude the seller from further proceeding.

If there is reasonable cause, the contracting authority is entitled – but not obliged – to perform an audit as a so called ‘sustainability risk assessment’ after the selection of candidates and after the submission of tenders.

The cause shall, in particular, be deemed to exist, if the bidder has its headquarters or its production plants in a CSR-high-risk-country (a list of high risk-countries can be found at <http://corporate.vattenfall.com/aboutvattenfall/supplier-relations/>). If it should be determined in such an audit, that self-declarations of the bidder, which were given during the tender process, are not correct, the contracting authority is entitled to exclude the bidder from the tender procedure.

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: Application documents shall be submitted in the original and personal signed as well as a copy in digital form on data CD(s) or USB-stick.

Additionally, it is required that the applicant submits a cover page as hardcopy containing written and signed confirmation of its application, as well as an information for which lots he would like to apply and a detailed list of the data CD(s) and their content.

Application documents shall be strictly sorted according to the structure and scheme indicated below, with sections clearly marked by letter index tabs A to O.

(Refer also to comment in chapter VI.3).

Index tab A) (minimum-condition).

Written and signed confirmation that no employee from applicant involved in the development and sending of the application documents have been previously involved or convicted of crimes that could question the integrity of the tender process, as described below:

1. "The applicant declares that it has never been convicted, in a final judgment, for participation in a criminal organisation in the sense of article 2, first paragraph Joint Action 98/773/JBZ of the Council (PbEG L 351/1 dated 29.1.1998)."
2. "The applicant declares that it has never been convicted, in a final judgment, for Bribery in the sense of article 3 of the decree of the Council dated 26.5.1997 (PbEG C 195/1 dated 25.6.1997), or Article 3, first paragraph, Joint Action 98/742/JBZ of the Council (PbEG L 358/2 dated 31.12.1998)."
3. "The applicant declares that it has never been convicted, in a final judgment, for fraud in the sense of article 1 of the agreement regarding the protection of the financial interests of the community (PbEG C 316/48 dated 27.11.1995)."
4. "The applicant declares that it has never been convicted, in a final judgment, for money laundering in the sense of article 1 of Directive 91/308/EEC of the Council dated 10.6.1991 (PbEG L 166/77 dated 28.6.1991, last modified by directive 2001/97/EC of the European Parliament and the Council PbEG L 344/76 dated 28.12.2001)."
5. "The applicant declares that no final judgment has been passed in accordance with the law of the land, whereby a crime has been ascertained that is in contravention of its rules of professional conduct."
6. "The applicant declares that it has fulfilled its obligations with regard to the payment of social insurance payments in accordance with the provisions of the law applicable to it."
7. "The applicant declares that it fulfilled its obligations with regard to the payment of taxes in accordance with the provisions of the law applicable to it;"
8. "The applicant declares that it was never guilty to a serious degree of making false statements in the provision of the information and evidence."

The applicant declares that it was never guilty to a serious degree of making false statements in the provision of the information and evidence that can be demanded in accordance with the questions named above.

In case the applicant for proof of performance within the participation contest wants to resort of third party/subcontractors he has to also present the above mentioned declarations and proofs related to the third party/subcontractors.

Index tab B) (minimum-condition).

The applicant must be included in the trade register according to legislation of the country of establishment.

Please send a certified statement that is not older than 8 months.

Index tab C) (minimum-condition).

The applicant confirms that his behavior is in compliance with Vattenfall's code of conduct for suppliers, described below:

"The applicant declares that he has read and understood Vattenfall Code of Conduct. The applicant declares that he works according to UN Global Compact principles and monitors his own sustainability performance and that of his suppliers against UN Global principles. The

applicant declares that no deviations from UN Global Compact are valid for him or for the applicants suppliers taking part in the delivery.”

III.2.2. Economic and financial ability

List and brief description of conditions: (Refer also to comment in chapter VI.3).

Index tab D) (minimum-condition).

Written verifiable documentation attesting the applicant is free from debts and financially stable.

Index tab E) (minimum-condition).

Written and signed confirmation that the applicant is financially stable, as described below:

1. "The applicant declares that it is not in a state of bankruptcy or liquidation, its activities have not ceased, and that it is not subject of a suspension of payment or an arrangement or in any similar state."

2. "The applicant declares that a bankruptcy petition or a procedure for suspension of payment or an arrangement or any similar procedure has not been filed against it."

Index tab F)

Personally written and signed confirmation that the applicant is already registered or will be registered in Sellich/Connexio-system, latest before the framework agreement is signed.

Index tab G) (minimum-condition).

Written confirmation of the main banks, that business transactions are carried out in proper form.

Index tab H) (minimum-condition).

Certificate of an existing and valid professional liability insurance with limit of indemnity for financial losses of min. 500 TEUR and property damage of min. 3 MEUR.

Index tab I) (minimum-condition).

Giving full particulars regarding:

1. Total revenue of the last 3 years;

2. Total revenue of electronic electricity meters of the last 3 years.

3. Number of employees working for electronic electricity meters

Index tab J) (minimum-condition).

Presentation of the annual reports of the last 3 years.

III.2.3. Technical and professional ability

List and brief description of conditions: (Refer also to comment in chapter VI.3).

Index tab K) (minimum-condition).

1. "The applicant declares that he is able to deliver descriptions for the requested products in the German language (manual, technical description)."

2. "The applicant declares that he is able to conduct all communication (spoken and written) concerning execution of the concluded agreement (e.g. ordering process, complaint process, etc.) in German language."

Index tab L) (minimum-condition).

— The applicant must have a quality-management system in place, compliant to EN ISO 9001.

Written verification is required.

— Personally signed statement of compliance to the request that the issuing company is entitled to quality visits to the manufactory sites for verification throughout the tendering process.

Index tab M)

Verifiable and applicable reference that comparable electronic electricity meters have been delivered to the European market (e. g. Energy supply companies, metering point operator).

Index tab N) (minimum-condition).

The applicant has to proof that the meters he is applying with are approved by MID. Therefore

he hands in the written assessment of MID-conformity.
He also has to deliver a product description of the meters in German language.
Index tab O)
The applicant has to proof that he fulfills the requirements of the VE Metering regarding occupational safety, environmental protection and quality management.
Therefore he has to hand in the filled and written form "Supplier Questionnaire".
The document has to be no older than 3 months from the release date of the announcement.
The form is available at the named contact point.

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

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

An electronic auction will be used: no

IV.3. Administrative information

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

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents

(except for a DPS)

Time limit for receipt of requests for documents or for accessing documents: 28.8.2014

IV.3.4. Time limit for receipt of tenders or requests to participate

5.9.2014

IV.3.5. Languages in which tenders or requests to participate may be submitted

German. 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

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

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

VI.3. Additional information

1. Application documents shall be submitted personal signed in the original as well as a copy in digital form on data CD(s) or USB-stick. Additionally, it is required that the applicant submits a cover page as hardcopy containing written and signed confirmation of its application, as well as an information for which lots he would like to apply and a detailed list of the data CD(s) or USB-stick and their content.

The envelope containing the application shall be labelled with the EU-Supplement number. Application documents shall be strictly sorted according to the structure and scheme indicated below, with sections clearly marked by letter index tabs A to O.

Index tabs referring to minimum conditions are marked.

2. Documents have to be valid and have to be not older than 8 months from the date of the tender announcement.

3. The application and all its related documentation shall be preferably in German. English language will be accepted, too. Should a document or reference not be available in German or English in original form, a translation by a certified interpreter is required;

4. The ordering company reserves the right to request further clarification and supporting documentation (also in relation to the minimum requirements). Additionally, the ordering company reserves the right to request an in person presentation of the applicant.

The applicant is, nevertheless, not entitled to make such requests (supplementary claims or company presentation in person) to the ordering company;

5. The ordering company reserves the right to exclude all applications from the tender process which do not fulfill the announced minimum-conditions or do not meet the set deadlines.

6. After submission of the tenders the ordering company reserves the right to negotiate only with the economically advantageous bidders regarding the award criteria stated in the invitation to tender.

7. Detailed information regarding subsequent tendering process will be specified with the RFQ documentation;

8. Contract award is under committee reservation;

9. With submission of the application the applicant agrees to a change of the client. The client indicates that during the tender process a change of the client or a change of the company name is possible.

If business activities of the client will be continued by the legal successor, all rights and duties will be transmitted.

10. In case of appeals or claims, the applicable maximum period of 15 days applies, starting from the date of publication of the tender;

11. No expenses shall be incurred by the ordering company to an applicant, in case of its dismissal from the tendering process, whatsoever;

12. Ordering company is exempt of any charges or expenses throughout the entire tendering process by applicant companies, whatsoever;

13. Questions are only to be sent by e-mail until 7 days before end of the final application-date. Questions which reach Vattenfall at a later date will not be answered. Vattenfall will do

everything to answer as soon as possible.

14. The selection of bidders will be as followed:

- a. Check of the application documents according to the required proofs and statements
- b. Check on existence of criteria of exclusion
- c. Check of the economic, financial and technical capability as measured by the tendered products

15. The procedure of negotiation will be as followed:

- a. Check of the economic, financial and technical qualification
- b. Invitation to tender (subject to a positive result of a.) + request of samples (for detailed information see relevant lots)
- c. Sample inspection
- d. Negotiation
- e. Awarding

VI.4. Procedures for review

VI.4.1. Review body

Official name: Vergabekammer bei der Finanzbehörde

Postal address: Große Bleichen 27

Town: Hamburg

Postal code: 20354

Country: Germany

Telephone: +49 40428231448

Fax: +49 40428232020

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: In case of appeals or claims, the applicable maximum period of 15 days applies, starting from the date of publication of the tender.

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

VI.5. Date of dispatch of this notice

1.8.2014