

## 309067-2026 - Direct award preannouncement

Denmark – Environmental services – Tender for contract on subsidy for carbon capture, transport and Storage

OJ S 87/2026 06/05/2026

Voluntary ex-ante transparency notice

Services

### 1. Buyer

---

#### 1.1. Buyer

Official name: The Danish Energy Agency (Energistyrelsen)

Email: [TNSN@ens.dk](mailto:TNSN@ens.dk)

### 2. Procedure

---

#### 2.1. Procedure

Title: Tender for contract on subsidy for carbon capture, transport and Storage

Description: With the agreement on a strengthened framework for CCS in Denmark (in Danish: "Aftale om styrkede rammevilkår for CCS i Danmark") of 20 September 2023, a majority of the Danish Parliament decided to merge the second phase of the CCUS fund and the GSR fund into one combined fund, the "CCS Fund". In June 2024, a political decision was made to deploy the CCS Fund through one single competitive bidding process. The purpose of the CCS Fund is to achieve CO<sub>2</sub> emission reductions and/or negative emissions by Storing Fossil CO<sub>2</sub> and /or Biogenic CO<sub>2</sub> or Atmospheric CO<sub>2</sub>. The overarching aim of the CCS Fund is thus to contribute to the realization of Denmark's climate targets as outlined in the Danish Climate Act (in Danish: "Klimaloven"). By contract notice no. 604064-2024 published 8 October 2024 the Danish Energy Agency (the DEA) launched the tender for the deployment of the CCS Fund according to which the DEA wishes to enter into one or more contract(s) pursuant to which the recipient(s) of the subsidies (each recipient "the Operator") shall ensure and be responsible for achieving the CO<sub>2</sub> emission reductions and/or negative CO<sub>2</sub> emissions ("the Contract"). The total maximum available subsidy of the CCS Fund is DKK 28,659,200,000 (2025-prices, including VAT and including potential derived tax losses (in Danish "afledt afgiftstab")) covering the period from (and including) 2029 to (and including) 2044. Reference is made to the contract notice for further info on the procedure and Contract(s), including the value of the Contract(s). The granting of subsidy under the CCS Fund is encompassed by the European Commission's Guidelines on State aid for climate, environmental protection and energy 2022. The designation of the Contract(s) as a service contract in the contract notice etc. does not change this. The competitive bidding process is conducted as a negotiated procedure in accordance with the rules and principles of section II of the Danish Public Procurement Act. The DEA notified the CCS Fund to the European Commission as an aid scheme in accordance with the procedure prescribed by Article 108 of Treaty on the Function of the European Union (TFEU), and the DEA has received the European Commission's approval of the aid scheme. In May 2025 the DEA prequalified 10 tenderers to submit first indicative offers ("INDO") (see <https://ens.dk/presse/disse-10-selskaber-skal-konkurrere-om-milliardpulje-til-fange-og-lagre-co2>). In June 2025 the DEA made some amendments to the tender documents (primarily corrections, restructuring, spelling errors and clarifications) and released the revised tender documents to the tenderers. In October 2025 the DEA conducted negotiations with the tenderers regarding the tender documents and the INDO's in accordance

with the procedure. Based on communications with the European Commission, negotiations and comments from the tenderers, the DEA made changes and clarifications to the tender documents, see further description below. The DEA released the revised tender documents to the tenderers on 14 November 2025 in the electronic tendering system while requesting a best and final offer (“BAFO”) from the tenderers. The DEA made the revised tender documents publicly available with track changes on the DEA’s website (see <https://ens.dk/forsyning-og-forbrug/ccs-fangst-og-lagring-af-co2/ccs-udbud-og-anden-stoette-til-udvikling-af-ccs>), see the tab “Udbud af CCS-puljen”. On 19 November 2025 the DEA published voluntary ex ante transparency notice no. 765513-2025 with the wish to promote transparency regarding the process and changes and clarifications made to the tender documents. At that time no decision had been made concerning the award of contract. This notice is sent in continuation of notice no. 765513-2025 as the DEA has now made its decision concerning the award of contract. As stated in notice no. 765513-2025 the changes of the tender documents include e.g. a reduction of the penalty level and the termination fee (corresponding to a 50% reduction compared to the initial tender documents) (Appendix 5, clause 14, and Contract, clause 20.5.3) and the corresponding reduction of the amount of the Liability Cap and Performance and Warranty Guarantee (Contract, clauses 13 and 21.4 and Appendix 11), introduction of a penalty threshold of 90% of the Annual Quantity (Appendix 5, clause 14.2), changes regarding exemptions for non-performance (Appendix 5, clause 14.2), change regarding the time limit for the DEA’s termination due to postponement of the Commercial Operation Date (Contract, clause 10.2), change regarding the level of non-performance with the Annual Quantity is a material breach (Contract clause 20.5.2), changes regarding the Operator’s termination for convenience (Contract, clause 24.2), change in relation to fixed expiry date for the Performance and Warranty Guarantee (Contract clause 13.11), changes regarding force majeure (Contract, clause 23), and change from quarterly to monthly payment of subsidies (Appendix 5). Further as stated the clarifications include e.g. the clause regarding Sub-Suppliers (Contract, clause 5), circumstances for postponement of the Commercial Operation Date (Contract, clause 10.2), the DEA’s termination due to postponement of the Commercial Operation Date and material breach (Contract, clauses 10.2.6-10.2.9 and 20.5.3-20.5.4), changes in the Operator’s project (Contract, clause 11), Intellectual Property Rights (clause 12), General Requirements in Appendix 3, the declaration of intent to provide a performance and warranty guarantee (Appendix G), and the content of the Project Description, Project Schedule, Authority Approval Plan and Risk Management Plan (Tender specifications, clause 13.1.4). After notice no 765513-2025 was published the DEA extended the time limit for submission of the BAFO and made a few clarifications to the Tender specifications, Contract and Appendix 5. These revised documents are also publicly available on the DEA’s website.

Procedure identifier: 1f490cce-fa70-4011-a04d-574b99aa12ba

Previous notice: 604064-2024

Previous notice: 765513-2025

Internal identifier: -

Type of procedure: Negotiated without prior call for competition

### **2.1.1. Purpose**

Main nature of the contract: Services

Main classification (cpv): 90700000 Environmental services

### **2.1.2. Place of performance**

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Additional information: The captured and stored CO<sub>2</sub> shall originate from Denmark. All NUTS code for Denmark applies: DK0, DK01, DK011, DK012, DK013, DK014, DK02, DK021, DK022, DK03, DK031, DK032, DK04, DK041, DK042, DK05, DK050.

#### 2.1.4. General information

Additional information: Despite the procedure being indicated as “Negotiated without prior call for competition” it is noted that – as also described in this notice – the Contract(s) has been subject to a prior publication of call for competition in the Official Journal of the European Union, where all economic operators could apply to participate in the procedure, see contract notice no. 604064-2024, published on 8 October 2024. This notice is sent in continuation of the DEA’s notice no. 765513-2025 which also concerned the changes and clarifications made to the tender documents made in the tender procedure, but the notice was published at a time where no decision had been made concerning the award of contract. At the time of publication of this notice the DEA has made its decision concerning the award of contract, and thus information regarding the tenderer which the DEA intends to conclude Contract with can now be provided. The date specified in “Date on which the winner was chosen” is equivalent to the date where the DEA informed the tenderers involved of the DEA’s decision regarding award of contract.

#### Legal basis:

Directive 2014/24/EU

## 5. Lot

---

### 5.1. Lot: LOT-0000

Title: Tender for contract on subsidy for carbon capture, transport and Storage

Description: With the agreement on a strengthened framework for CCS in Denmark (in Danish: “Aftale om styrkede rammevilkår for CCS i Danmark”) of 20 September 2023, a majority of the Danish Parliament decided to merge the second phase of the CCUS fund and the GSR fund into one combined fund, the “CCS Fund”. In June 2024, a political decision was made to deploy the CCS Fund through one single competitive bidding process. The purpose of the CCS Fund is to achieve CO<sub>2</sub> emission reductions and/or negative emissions by Storing Fossil CO<sub>2</sub> and /or Biogenic CO<sub>2</sub> or Atmospheric CO<sub>2</sub>. The overarching aim of the CCS Fund is thus to contribute to the realization of Denmark’s climate targets as outlined in the Danish Climate Act (in Danish: “Klimaloven”). By contract notice no. 604064-2024 published 8 October 2024 the Danish Energy Agency (the DEA) launched the tender for the deployment of the CCS Fund according to which the DEA wishes to enter into one or more contract(s) pursuant to which the recipient(s) of the subsidies (each recipient “the Operator”) shall ensure and be responsible for achieving the CO<sub>2</sub> emission reductions and/or negative CO<sub>2</sub> emissions (“the Contract”). The total maximum available subsidy of the CCS Fund is DKK 28,659,200,000 (2025-prices, including VAT and including potential derived tax losses (in Danish “afledt afgiftstab”)) covering the period from (and including) 2029 to (and including) 2044. Reference is made to the contract notice for further info on the procedure and Contract(s), including the value of the Contract(s). The granting of subsidy under the CCS Fund is encompassed by the European Commission’s Guidelines on State aid for climate, environmental protection and energy 2022. The designation of the Contract(s) as a service contract in the contract notice etc. does not change this. The competitive bidding process is conducted as a negotiated procedure in accordance with the rules and principles of section II of the Danish Public Procurement Act. The DEA notified the CCS Fund to the European Commission as an aid scheme in accordance with the procedure prescribed by Article 108 of Treaty on the Function of the European Union (TFEU), and the DEA has received the European Commission’s

approval of the aid scheme. In May 2025 the DEA prequalified 10 tenderers to submit first indicative offers (“INDO”) (see <https://ens.dk/presse/disse-10-selskaber-skal-konkurrere-om-milliardpulje-til-fange-og-lagre-co2>). In June 2025 the DEA made some amendments to the tender documents (primarily corrections, restructuring, spelling errors and clarifications) and released the revised tender documents to the tenderers. In October 2025 the DEA conducted negotiations with the tenderers regarding the tender documents and the INDO’s in accordance with the procedure. Based on communications with the European Commission, negotiations and comments from the tenderers, the DEA made changes and clarifications to the tender documents, see further description below. The DEA released the revised tender documents to the tenderers on 14 November 2025 in the electronic tendering system while requesting a best and final offer (“BAFO”) from the tenderers. The DEA made the revised tender documents publicly available with track changes on the DEA’s website (see <https://ens.dk/forsyning-og-forbrug/ccs-fangst-og-lagring-af-co2/ccs-udbud-og-anden-stoette-til-udvikling-af-ccs>), see the tab “Udbud af CCS-puljen”. On 19 November 2025 the DEA published voluntary ex ante transparency notice no. 765513-2025 with the wish to promote transparency regarding the process and changes and clarifications made to the tender documents. At that time no decision had been made concerning the award of contract. This notice is sent in continuation of notice no. 765513-2025 as the DEA has now made its decision concerning the award of contract. As stated in notice no. 765513-2025 the changes of the tender documents include e. g. a reduction of the penalty level and the termination fee (corresponding to a 50% reduction compared to the initial tender documents) (Appendix 5, clause 14, and Contract, clause 20.5.3) and the corresponding reduction of the amount of the Liability Cap and Performance and Warranty Guarantee (Contract, clauses 13 and 21.4 and Appendix 11), introduction of a penalty threshold of 90% of the Annual Quantity (Appendix 5, clause 14.2), changes regarding exemptions for non-performance (Appendix 5, clause 14.2), change regarding the time limit for the DEA’s termination due to postponement of the Commercial Operation Date (Contract, clause 10.2), change regarding the level of non-performance with the Annual Quantity is a material breach (Contract clause 20.5.2), changes regarding the Operator’s termination for convenience (Contract, clause 24.2), change in relation to fixed expiry date for the Performance and Warranty Guarantee (Contract clause 13.11), changes regarding force majeure (Contract, clause 23), and change from quarterly to monthly payment of subsidies (Appendix 5). Further as stated the clarifications include e.g. the clause regarding Sub-Suppliers (Contract, clause 5), circumstances for postponement of the Commercial Operation Date (Contract, clause 10.2), the DEA’s termination due to postponement of the Commercial Operation Date and material breach (Contract, clauses 10.2.6-10.2.9 and 20.5.3-20.5.4), changes in the Operator’s project (Contract, clause 11), Intellectual Property Rights (clause 12), General Requirements in Appendix 3, the declaration of intent to provide a performance and warranty guarantee (Appendix G), and the content of the Project Description, Project Schedule, Authority Approval Plan and Risk Management Plan (Tender specifications, clause 13.1.4). After notice no 765513-2025 was published the DEA extended the time limit for submission of the BAFO and made a few clarifications to the Tender specifications, Contract and Appendix 5. These revised documents are also publicly available on the DEA’s website. Internal identifier: -

#### **5.1.1. Purpose**

Main nature of the contract: Services

Main classification (cpv): 90700000 Environmental services

#### **5.1.2. Place of performance**

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Additional information: The captured and stored CO2 shall originate from Denmark. All NUTS code for Denmark applies: DK0, DK01, DK011, DK012, DK013, DK014, DK02, DK021, DK022, DK03, DK031, DK032, DK04, DK041, DK042, DK05, DK050.

#### **5.1.6. General information**

The procurement is covered by the Government Procurement Agreement (GPA): yes  
Additional information: Despite the procedure being indicated as “Negotiated without prior call for competition” it is noted that – as also described in this notice – the Contract(s) has been subject to a prior publication of call for competition in the Official Journal of the European Union, where all economic operators could apply to participate in the procedure, see contract notice no. 604064-2024, published on 8 October 2024. This notice is sent in continuation of the DEA’s notice no. 765513-2025 which also concerned the changes and clarifications made to the tender documents made in the tender procedure, but the notice was published at a time where no decision had been made concerning the award of contract. At the time of publication of this notice the DEA has made its decision concerning the award of contract, and thus information regarding the tenderer which the DEA intends to conclude Contract with can now be provided. The date specified in “Date on which the winner was chosen” is equivalent to the date where the DEA informed the tenderers involved of the DEA’s decision regarding award of contract.

#### **5.1.16. Further information, mediation and review**

Review organisation: Klagenævnet for Udbud

Information about review deadlines: 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 <http://www.retsinformation.dk/>), the following deadlines apply to the lodging of complaints:

This notice concerns the DEA’s changes and clarifications made to the tender documents in the negotiated procedure. The DEA will not enter into the Contract before the expiry of 10 calendar days, calculated from the day after the date where this notice was published, see section 4(1), para 2, of the Act. When the DEA has entered into the Contract, the DEA will publish a notice in the Official Journal of the European Union that the DEA has entered into contract. The deadlines for lodging a complaint with the Complaints Board for Public Procurement will be specified in that notice. The e-mail address of the Complaints Board for Public Procurement is set out in this notice. The Complaints Board’s complaints guidelines are available at <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/>.

Organisation providing additional information about the procurement procedure: The Danish Energy Agency (Energistyrelsen)

Organisation providing offline access to the procurement documents: The Danish Energy Agency (Energistyrelsen)

Organisation providing more information on the review procedures: Konkurrence- og Forbrugerstyrelsen

## **6. Results**

---

### **Direct award**

:

Justification for direct award: The procurement falls outside the scope of application of the directive

Other justification: As stated in this notice the Contract has been subject to a prior publication of call for competition in the Official Journal of the European Union. With the DEA’s notice no.

765513-2025 and this notice, the DEA wishes to promote transparency regarding the process and the changes and clarifications made to the tender documents. Based on communications with the European Commission, negotiations and comments from the tenderers, the DEA during the tender procedure made changes and clarifications to the tender documents as described in this notice and which have been made publicly available on the DEA's website (see <https://ens.dk/forsyning-og-forbrug/ccs-fangst-og-lagring-af-co2/ccs-udbud-og-anden-stoette-til-udvikling-af-ccs>), see the tab "Udbud af CCS-puljen". The changes and clarifications encompass changes and clarifications to General Requirements. The DEA considers the changes and clarifications to be in accordance with the principles of the public procurement rules as the changes and clarifications are made within the confines of the tender material and do not include changes to Minimum Requirements or fundamental elements.  
Identifier of the previous procedure that justifies direct award: 604064-2024

#### **6.1. Result lot identifier: LOT-0000**

##### **6.1.2. Information about winners**

**Winner:**

Official name: Aalborg Portland A/S

**Tender:**

Tender identifier: Aalborg Portland A/S

Identifier of lot or group of lots: LOT-0000

**Contract information:**

Identifier of the contract: Contract on subsidy for carbon capture, transport and Storage - Aalborg Portland A/S

Date on which the winner was chosen: 05/05/2026

## **8. Organisations**

---

#### **8.1. ORG-0001**

Official name: The Danish Energy Agency (Energistyrelsen)

Registration number: 59778714

Department: Energistyrelsen

Postal address: Carsten Niebuhrs Gade 43

Town: København V

Postcode: 1577

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Contact point: The Danish Energy Agency - Tina Schøn

Email: [TNSN@ens.dk](mailto:TNSN@ens.dk)

Telephone: +45 33927445

Internet address: <https://ens.dk/>

**Roles of this organisation:**

Buyer

Organisation providing additional information about the procurement procedure

Organisation providing offline access to the procurement documents

#### **8.1. ORG-0002**

Official name: Klagenævnet for Udbud

Registration number: 37795526

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postcode: 8800  
Country subdivision (NUTS): Vestjylland (DK041)  
Country: Denmark  
Email: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)  
Telephone: +45 72405600  
Internet address: <https://kfu.naevneneshus.dk/>

**Roles of this organisation:**

Review organisation

**8.1. ORG-0003**

Official name: Konkurrence- og Forbrugerstyrelsen  
Registration number: 10294819  
Postal address: Carl Jacobsens Vej 35  
Town: Valby  
Postcode: 2500  
Country subdivision (NUTS): Byen København (DK011)  
Country: Denmark  
Email: [kfst@kfst.dk](mailto:kfst@kfst.dk)  
Telephone: +45 41715000  
Internet address: <http://www.kfst.dk>

**Roles of this organisation:**

Organisation providing more information on the review procedures

**8.1. ORG-0004**

Official name: Aalborg Portland A/S  
Size of the economic operator: Large  
Registration number: 36428112  
Postal address: Rørdalsvej 44  
Town: Aalborg  
Postcode: 9220  
Country subdivision (NUTS): Nordjylland (DK050)  
Country: Denmark  
Email: [soeren.k.lausen@aalborgportland.com](mailto:soeren.k.lausen@aalborgportland.com)  
Telephone: +45 24291277

**Roles of this organisation:**

Tenderer

**Winner of these lots: LOT-0000**

**8.1. ORG-0005**

Official name: Merzell Holding ASA  
Registration number: 980921565  
Postal address: Askekroken 11  
Town: Oslo  
Postcode: 0277  
Country subdivision (NUTS): Oslo (NO081)  
Country: Norway  
Contact point: eSender  
Email: [publication@merzell.com](mailto:publication@merzell.com)  
Telephone: +47 21018800  
Fax: +47 21018801  
Internet address: <http://merzell.com/>

**Roles of this organisation:**

TED eSender

**Notice information**

---

Notice identifier/version: 130a5696-7e06-4df1-a00c-10d44f68ac99 - 01

Form type: Direct award preannouncement

Notice type: Voluntary ex-ante transparency notice

Notice subtype: 25

Notice dispatch date: 05/05/2026 07:04:02 (UTC+00:00) Western European Time, GMT

Notice dispatch date (eSender): 05/05/2026 07:26:28 (UTC+00:00) Western European Time, GMT

Languages in which this notice is officially available: English

Notice publication number: 309067-2026

OJ S issue number: 87/2026

Publication date: 06/05/2026