

**Norway-Bergen: Electricity**  
**OJ S 118/2023 21/06/2023**  
**Contract notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: BIR AS

National registration number: 983 495 400

Postal address: Postboks 6004

Town: BERGEN

NUTS code: NO Norge

Postal code: 5892

Country: Norway

Contact person: Viggo Henriksen

E-mail: [post@kraftmegling.no](mailto:post@kraftmegling.no)

Telephone: +47 91518808

Fax: +47 91518808

**Internet address(es):**

Main address: <https://www.bir.no/>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/244439>

**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/rwlenrance\\_s.asp?PID=369938&B=KGVLIGHT](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=369938&B=KGVLIGHT)

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/rwlenrance\\_s.asp?PID=369938&B=KGVLIGHT](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=369938&B=KGVLIGHT)

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

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Other activity: Waste management and sanitary services

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

BIR AS and subsidiary companies. Purchase of electric power for delivery 2024 - 2027

Reference number: ELK05-2023

**II.1.2.**

**Main CPV code**

09310000 Electricity

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

Physical supply of approx. 3,5 - 4,5 GWh per year. Energy statistics. Through-invoicing of grid hire and fees.

**II.1.5. Estimated total value**

Value excluding VAT: 21 400 000,00 NOK

**II.1.6. Information about lots**

This contract is divided into lots: no

**II.2. Description****II.2.2. Additional CPV code(s)**

09310000 Electricity

**II.2.3. Place of performance**

NUTS code: NO Norge

Main site or place of performance: Bergen

**II.2.4. Description of the procurement**

Framework agreement electric power for delivery 2024 - 2027. Physical supply of approx. 3,5 - 4,5 GWh per year. Energy statistics. Through-invoicing of grid hire and fees.

In addition to BIR AS, the delivery includes the following subsidiary companies:

BIR Husholdning AS (company registration number) 984 505 469)

BIR Infrastruktur AS (company registration number 990 766 665)

BIR Nyverdi AS (company registration number 984 504 942)

BIR Ressurs AS (company registration number 985 825 408)

Møllendalsveien 40 AS (company registration number 912 134 253).

Consumption measured from all electricity meters during the delivery period will be included in the framework agreement. Other companies (subsidiary companies) in which BIR has an ownership interest of more than 50% may join the agreement at a later date.

Joining the agreement from other companies can increase the volume mentioned above by up to 1 GWh per year.

**II.2.5. Award criteria**

Criteria below

Price

**II.2.6. Estimated value**

Value excluding VAT: 21 400 000,00 NOK

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

Start: 01/01/2024 End: 31/12/2027

This contract is subject to renewal: no

**II.2.10. Information about variants**

Variants will be accepted: no

**II.2.11.**

## **Information about options**

Options: yes

Description of options:

Other companies (subsidiary companies) in which BIR has an ownership interest of more than 50% may join the agreement at a later date.

Joining the agreement from other companies can increase the volume by up to 1 GWh per year. Referred to section II.2.4 in the request for tenders. The maximum value of the option's volume is assessed at the time of announcement to amount to approximately 3.9 million NOK of the total value of the delivery, assessed to be approximately 21.4 million NOK.

### **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**

Tenders for spot are offered as mark-up to Nord Pool's spot.

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions for participation**

#### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

- The tenderer must have proper conditions regarding the payment of tax and value added tax. Documented by certificates not older than 6 months from the date of submission of tenders, issued by the competent authority confirming that the tenderer has fulfilled obligations regarding payment of taxes, social security contributions and VAT. Foreign companies must submit certificates from equivalent authorities as the Norwegian ones.
- The tenderer must be a legally registered company. Documented by evidence of enrolment in the professional trade register, as required by national law in the country where the tenderer is established. For Norwegian suppliers, this will be a company registration certificate from Brønnøysundregistrene.

If the tenderer uses a subsupplier for exchange tradings of electricity, the same certificates and other documentation as mentioned above also must be submitted for the subsupplier.

#### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

The tenderers profitability and financial position will be considered when selecting supplier. The awarding authority will obtain information from Bisnode D & B Norway AS. Minimum requirements: Credit rating A 'worthy of credit' with subappraisal on economy equivalent to 'satisfactory' and solvency equivalent to 'acceptable". If the tenderer uses a subsupplier for exchange tradings of electricity, the subsupplier must also fulfill the requirements. For newly established tenderer where credit rating is not attainable, minimum 5 millions NOK in invested equity will be required. The above-listed requirements will be withdrawn if the tender includes bank guarantee or guarantee from parent company which meets the specified requirements for credit ratings and subappraisals. The guarantee must include the entire delivery's obligations.

The tenderer shall not be bankrupt, demanded bankrupt, subject to insolvency proceedings, in liquidation or demanded forcibly dissolved. Documented by certificate issued by competent authority confirming that the supplier satisfies the requirement. The certificate must not be

older than 6 months from the date of submission of tenders and can for Norwegian tenderers be ordered from the bankruptcy register in Brønnøysund, Norway.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

Requirements relating to implementation capacity:

The tenderer must document implementation capacity.

Documented with an overview of the most principal deliveries in the period 2020 -2022 with information of turnover in NOK, delivery time and recipient.

To be qualified the overview must include minimum three physical deliveries to the same buyer in the period 2020 -2022 (a total of three deliveries for the 3 years) either these three deliveries have been carried out in the same delivery year or during the 3 year period), each of which has added an annual turnover of minimum 2.5 million NOK ex. VAT.

A group of customers is not considered to be the same buyer in this context.

Requirements for authorization:

The tenderer must have a licence for the supply of electric power. This will be checked by the awarding authority in accordance with NVE's (Norwegian Water Resources and Electricity Administrations) register of concessionaires. This requirement does not need to be documented.

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Open procedure

#### **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: 21/08/2023 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**

Norwegian

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

Tender must be valid until: 21/09/2023

#### **IV.2.7. Conditions for opening of tenders**

Date: 21/08/2023 Local time: 12:15

Place:

Kraftmegling AS, Bodø

Information about authorised persons and opening procedure: No public opening of tenders.

## Section VI: Complementary information

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### VI.1. Information about recurrence

This is a recurrent procurement: no

### VI.3. Additional information

### VI.4. Procedures for review

#### VI.4.1. Review body

Official name: Hordaland tingrett

Postal address: Postboks 7412

Town: BERGEN

Postal code: 5020

Country: Norway

E-mail: [hordaland.tingrett@domstol.no](mailto:hordaland.tingrett@domstol.no)

Telephone: +47 55699700

Internet address: <https://www.domstol.no/no/domstoler/tingrett/hordaland-tingrett/>

#### VI.4.2. Body responsible for mediation procedures

Official name: Klagenemdssekretariatet

Postal address: Postboks 511 sentrum

Town: BERGEN

Postal code: 5805

Country: Norway

E-mail: [post@knse.no](mailto:post@knse.no)

Telephone: +47 55193000

Internet address: <https://www.klagenemndssekretariatet.no/>

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

16/06/2023