

**Germany-Hamburg: Offshore services**  
**OJ S 206/2015 23/10/2015**  
**Contract notice – utilities**  
**Services**

**Directive 2004/17/EC**

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Sandbank Offshore Wind GmbH

Postal address: Überseering 12

Town: Hamburg

Postal code: 22297

Country: Germany

For the attention of: Frau Pietschmann

E-mail: [wind-procurement@vattenfall.com](mailto:wind-procurement@vattenfall.com)

**Internet address(es):**

General address of the contracting entity: <http://www.vattenfall.de>

**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:** the abovementioned address

**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

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**Section II: Object of the contract**

**II.1. Description**

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

Provision of Client Representatives and Quality Inspectors for wind turbine pre-assembly, installation and commissioning for the offshore windfarm Sandbank.

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

Services

Service category No 22: Personnel placement and supply services

Main site or place of performance: The contract shall comprise the services to be provided on the pre-assembly site in the Port of Esbjerg, vessels and foundations/turbines at the Sandbank offshore wind park, located in the German sector of the North Sea, which is within the German Exclusive Economic Zone (EEZ). The base harbour and operational base for the Employer is the Port of Esbjerg. In addition, meetings may be organized at the Employer's project office in Hamburg and/or at the port of Esbjerg.

NUTS code

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

#### **II.1.4. Information about framework agreement**

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

The contract shall comprise the provision of specialists for quality control and site representation on behalf of the Client (SBOW) for wind turbine pre-assembly (Lot 1), for wind turbine installation (Lot 2) and for wind turbine completion and commissioning works (Lot 3). The specialists shall be required to act as Client Representatives (Reps.) and quality inspectors and ensure that the wind turbine contractor fulfils its obligations with respect to the applicable standards, contractual requirements as well as agreed work procedures and method statements, and to report back to the Client.

#### **II.1.6. CPV code(s)**

76520000 Offshore services, 98360000 Marine services, 76521000 Offshore installation services

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

#### **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**

LOT 1: Client Representation and Quality Control for Pre-Assembly Works.

1. Client Representation:

- a. evaluation and reporting of the project progress;
- b. hold and participate in Site meetings.

2. Quality Inspections:

- a. monitoring of the assembly activities;
- b. final inspection of assembled components before loading onto the installation vessel.

3. Reporting:

- a. reporting to the SBOW WTG package;
- b. be responsible and maintain the List of Open Points (LOP).

Estimated duration of contract: 03-2016-02/2017: on average 2 persons, working 10 h / 5 d from Monday to Friday with occasional night and weekend shifts.

Lot 2: technical Offshore Representative (TOR) during WTG Installation.

1. Client Representation:

- a. evaluation and reporting of the project progress;
- b. liaise with Certification Authority / Marine Warranty Surveyor personnel on Site.

2. Quality Inspections:

- a. monitoring of the lifting activities of the WTG components from the WIV to the foundation;
- b. monitoring and evaluation of (manufacturers) quality documentation (e.g. completion of checklist).

3. Reporting:

- a. reporting to the SBOW WTG package;
- b. be responsible and maintain the List of Open Points (LOP).

Estimated duration of contract: 06-2016-02/2017: On average 1 person, working 12 h / 7 d on 2 weeks / 2 weeks off rotation.

Lot 3: quality control for completion and commissioning works.

1. Client Representation:

- a. evaluation and reporting of the project progress;
- b. liaise with Contractor's personnel and Contractor's project management team.

2. Quality Inspections:

- a. monitoring of completion and commissioning activities;
- b. final inspection of the commissioned WTGs.

3. Reporting:

- a. reporting to the SBOW WTG package;
- b. be responsible and maintain the List of Open Points (LOP).

Estimated contract duration: 06-2016-05/2017: on average 2 persons, working 24 h / 7 d on 2 weeks / 2 weeks off rotation.

## **II.2.2. Information about options**

Options: no

## **II.2.3. Information about renewals**

This contract is subject to renewal: no

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

Start 15.3.2016 Completion 31.5.2017

Information about lots

Lot No: 1

Lot title: Client Representation and Quality Control for Pre-Assembly Works

### **1) Short description**

1. Client Representation:

- a. Evaluation and reporting of the project progress;
- b. hold and participate in Site meetings.

2. Quality Inspections:

- a. monitoring of the assembly activities;
- b. final inspection of assembled components before loading onto the installation vessel.

3. Reporting:

- a. reporting to the SBOW WTG package;
- b. be responsible and maintain the List of Open Points (LOP);

### **2) CPV code(s)**

76520000 Offshore services, 98360000 Marine services

### **3) Quantity or scope**

03-2016-02/2017: on average 2 persons, working 10 h / 5 d from Monday to Friday with occasional night and weekend shifts.

### **4) Indication about different time frame or duration**

Start 15.3.2016 Completion 28.2.2017

Lot No: 2

Lot title: Technical Offshore Representative (TOR) during WTG Installation

### **1) Short description**

1. Client Representation:

- a. evaluation and reporting of the project progress;
- b. liaise with Certification Authority / Marine Warranty Surveyor personnel on Site.

2. Quality Inspections:

- a. monitoring of the lifting activities of the WTG components from the WIV to the foundation;
- b. monitoring and evaluation of (manufacturers) quality documentation (e.g. completion of checklist).
- 3. Reporting:
  - a. reporting to the SBOW WTG package;
  - b. be responsible and maintain the List of Open Points (LOP).

**2) CPV code(s)**

76520000 Offshore services, 98360000 Marine services

**3) Quantity or scope**

06-2016-02/2017: on average 1 person, working 12 h / 7 d on 2 weeks / 2 weeks off rotation.

**4) Indication about different time frame or duration**

Start 1.6.2016 Completion 28.2.2017

Lot No: 3

Lot title: Quality control for completion and commissioning works

**1) Short description**

- 1. Client Representation:
  - a. Evaluation and reporting of the project progress;
  - b. Liaise with Contractor's personnel and Contractor's project management team.
- 2. Quality Inspections:
  - a. Monitoring of completion and commissioning activities;
  - b. Final inspection of the commissioned WTGs.
- 3. Reporting:
  - a. Reporting to the SBOW WTG package;
  - b. Be responsible and maintain the List of Open Points (LOP).

**2) CPV code(s)**

76520000 Offshore services, 98360000 Marine services

**3) Quantity or scope**

06-2016-05/2017: on average 2 persons, working 24 h / 7 d on 2 weeks / 2 weeks off rotation.

**4) Indication about different time frame or duration**

Start 1.6.2016 Completion 31.5.2017

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**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 provided in the invitation to tender (ITT).

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

Details will be provided in the invitation to tender (ITT).

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

2 or more applicants may also form a grouping in the form of an application consortium in order to obtain an ITT. No specific legal form is required but the individual members of such a

consortium should be jointly and separately liable for performance of the contract. The application and later bidder consortium shall remain unchanged throughout the whole procedure until the works have been completed. If unforeseen circumstances require a change in the composition of such consortium, the awarding authority may allow such change at its sole discretion provided that the change does not distort competition amongst the applicants.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **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: Information and formalities necessary for evaluating if requirements are met:

1. cover letter with information about the applicant's business case and the structure of applicant's entity (other information);
2. copy of an up to (not older than 6 months since announcement date) date registry entry in the companies or professional register (or similar) of the country in which the applicant is seated, issued by the responsible authority. (minimum condition);
3. confirmation of current membership of a professional association of the country in which the applicant is seated, issued by the responsible authority (other information);
4. current confirmation of payment of taxes and social security contributions in the country in which the applicant is seated, issued by the responsible authority (e.g. Germany: Finanzamt and Krankenkasse; UK: HM revenue and customs; The Netherlands: Belastingdienst; Denmark: Erhvervs- og Selskabsstyrelsen) (minimum condition);
5. self-declaration that no legally binding judgement has been passed relating to offences in the sense of § 21 Abs. 1 and 2 SektVO (minimum condition);
6. self-declaration about the absence of the following circumstances (minimum conditions):
  - a) any preconditions which could lead to bankruptcy or any similar financial situation,
  - b) convictions for an offence committed by applicant or applicant's management in connection with professional conduct,
  - c) any circumstances with regard to grave professional misconduct committed by applicant or applicant's management,
  - d) of the fact that the applicant has not been charged by a court to be in serious breach of a contract,
  - e) of any conflict of interest,
  - f) of any misrepresentation in supplying the information required by awarding authority of contacts with other applicants or bidders with the purpose of restraining competition (e.g. due to lack of funds).

For further information please check No. VI.3) of this notice.

The lack of confirmations/declarations/documentation designated as 'minimum condition' information/formalities will result in exclusion from the further award procedure.

If the bidder or bidder consortium, if this is applicable for the scope of work, intends to make use of the resources of third parties/sub-contractors for confirmation of the performance capability in the course of the participation competition, the above declarations and confirmations regarding to the proportional scope of work must also be submitted with regard to the third parties/sub-contractors.

#### **III.2.2. Economic and financial ability**

List and brief description of conditions: Information and formalities necessary for evaluating if the requirements are met:

1. information and formalities necessary for evaluating if the requirements are met:
  - i. Respondent or, if applicable its parents, shall have the reputable and healthy financial standing necessary to execute the announced Contract with the corresponding risk profile. The yearly turnover average over the last 3 years will be minimal 1 times the Estimated Contract value (other information);
2. information part of the Respondents Application: full audited, consolidated annual reports, including management report and explanatory notes and with a non-qualified auditor opinion, for the most recent 3 years for the Respondent and, if applicable its parents. In case of a Joint Venture, please include this information for each partner. Additional financial information must be provided that relates specifically to the field of business related to the scope of the announced contract (other information);
3. information part of the Respondents Application: Duly signed declaration from the Respondent stating its unconditional willingness to issue such guarantee at contract award or as stated in the Contract (other information);
4. information required at conditional contract award: duly signed Performance Guarantee part of the Contract and according to the format included in the ITT;
5. at contract award, Respondent is willing to issue security for any advance payments with advance payment bonds in a form and amount acceptable to Vattenfall and by an independent, third party bank with a minimum rating of A-/A3 (rating by Standard Poor's and/or Moody's);
6. information part of the Respondents Application: Duly signed declaration from the Respondent stating its unconditional willingness to issue such guarantee at contract award or as stated in the Contract (other information);
7. information required at conditional contract award: Duly signed Advance Payment Guarantee part of the Contract and according to the format included in the ITT;
8. respondent shall provide an overview of the corporate legal structure of Respondents or its parent (if applicable) (other information).
9. information part of the Respondents Application: Overview of corporate legal ownership structure of Respondent or, if applicable, its parents (other information).
10. a full credit check and financial assessment will be part of the evaluation procedure.

### **III.2.3. Technical and professional ability**

List and brief description of conditions: Information and formalities necessary for evaluating if the requirements are met: (If applicable):

references (not older than 3 years) for the services as requested under II.1.5) and II.2.1) including detailed information of the following:

1. detailed information of services provided for projects of comparable complexity;
2. confirmation that the applicant, in the event of contract award, is able to fulfil all requirements of the contract;
3. information on the applicant's Health Safety and Environment management system (including statistics about accidents or lost time incidents for a period of the last 2 years);
4. organization chart of the company;
5. confirmation that Applicant is able to provide competent personnel upon contract award;
6. ISO 9001 certification and copy of the most recent audit report (minimum conditions).

### **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**

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### **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**

### **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)

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

19.11.2015

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

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**

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### **VI.1. Information about recurrence**

### **VI.2. Information about European Union funds**

### **VI.3. Additional information**

The application and tender procedure is conducted in accordance with EU procurement regulations.

Pursuant to this regulation the following procedural guidelines have to be observed:

A. formal:

1. the participation application and the corresponding confirmations/declarations /documentation must be made in writing in English language and additional electronic on a data carrier (CD) submission to the specified point of contact by the closing date. Submission

by telefax or electronic form, e.g. by e-mail, is not sufficient;

2. all declarations and confirmations specified in the announcement must be submitted completely. The participation application, confirmations and declarations must be signed personally in original and as legally binding. Copies or Scans of signatures are not allowed;
3. the application documents must be structured according to No. III. 2) and have to contain the requested information in the respective category. Otherwise the awarding authority is not obliged to take such information into consideration. A reference to an earlier application is not sufficient;
4. the application must contain the applicant's consent to the fact that the awarding authority may be exchanged with another entity. It might be necessary to change the awarding authority to a separate legal entity within the group of the awarding authority in the course of the tender procedure;
5. applicants who are not seated in Germany shall submit their registry copies, confirmations, certifications and qualifications in accordance with the legal requirements of the seating country;
6. applicants shall state in their application details of any service(s)/work for execution of services, are to be awarded to third parties as subcontractors. In such case, an index of subcontractors with corresponding service(s)/work and the necessary information/declarations /confirmations must be attached to the application;
7. the obligation of the submission of certificates is not applicable, if a comparable register does not exist or if a registration is not necessary in the particular country. In this case applicant has to give sufficient evidence that a comparable register does not exist or if a registration is not necessary;
8. the required information, declarations and confirmations do not constitute minimum conditions. Essential information, i.e. information which absolutely must be submitted by the end of the application period, is designated as 'minimum conditions'. Delay or failure to submit information designated as 'minimum conditions' will result in exclusion from the procedure. The awarding authority reserves the right to require further declarations and confirmations, but is not obliged to do so, neither are the applicants entitled to complete their documents;
9. the decision on the invitation to tender will take into account the principles of transparency, equal access, publicity and equal treatment;
10. regarding to the technical capacity (point III.2.3 of this publication) and deviant to the additional information (point VI.3 of this publication) the bidder has to be able to create necessary documents for permissions in German;
11. the awarding authority is not liable for any costs incurred by the applicants nor shall it reimburse any expenses or losses which applicants incur or suffer in connection with the application procedure, including in the event of a cancellation;

B. selecting the Applicants who will be invited to tender.

The awarding authority will examine the participation applications in a four-stage process:

1. examination of the required confirmations and qualifications,
2. examination of potential reasons for exclusion ('minimum conditions'),
3. examination of the suitability of the applicant in accordance with the published participation conditions which are not designated as minimum condition.
4. in case that, as a result of the examination more than 5 applicants will meet the required demands, the awarding authority reserves the right to send out the invitation to tender (itt) to the most suitable applicants in consideration of the following qualification criteria:
  - all required information, declarations and confirmation designated as 'other information' will be evaluated each with 1 point if submitted; otherwise with 0 points;
  - information, declaration and confirmation regarding the technical capacity (point III.2.3 of this publication) of the applicant will be evaluated in total with 6 points by the awarding

authority.

The evaluation will follow in accordance with the evaluation rules for the particularly qualification criteria.

The selection of applicants will follow the ranking as a summary of the awarded scores. The Awarding Authority reserves the right in the case that more than 5 applicants fulfil the requirements to select the five best applicants based on the ranking list. The higher the rank, the better.

C. Conditions relating to the contract.

1. The contract award is subject to approval by the corporate bodies of the awarding authority (i.e. Board of Directors of Sandbank Offshore Wind GmbH) (organ reservation).
2. The contract award is subject to the confirmation by the awarding authority that the work described in this announcement will be carried out with commercial reasonableness.
3. The contract award is subject to the issuance of the necessary permits, approvals and regulatory licenses.
4. The awarding authority reserves the right to cancel the tender procedure in its entirety or in parts at any time.
5. The awarding authority is not liable for any costs incurred by the bidders nor shall it reimburse any expenses or losses which bidders incur or suffer in connection with the tender procedure, including in the event of a cancellation.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Vergabekammer bei der Finanzbehörde Hamburg

Postal address: Gänsemarkt 36

Town: Hamburg

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: Appeals have to be done immediately; the undefined term 'immediately' is hereby fixed on 5 calendar days.

In accordance with § 107 Abs 3 S. 1 Nr 2, 3 and 4 GWB (Gesetz gegen Wettbewerbsbeschränkungen; German Competition Act), a 'Nachprüfungsantrag' (formal review proceedings) is inadmissible:

- a) if violations of tender regulations that can be recognized in the announcement have not been complained against towards the tendering authority before the date referred to in the announcement for the submission of bids or applications (§ 107 Abs 3 S. 1 Nr 2 GWB);
- b) if violations of tender regulations that can only be recognized in the tender documents have not been complained against towards the tendering authority before the date referred to in the announcement / the invitation to tender or applications (§ 107 Abs 3 S. 1 Nr 3 GWB);
- c) if more than 15 calendar days have passed since the reply by the tendering authority that he will not remedy a complaint.

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

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

19.10.2015