

Belgium-Brussels: Lightning arrestors
OJ S 188/2017 30/09/2017
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Elia Asset SA
Postal address: Quai Léon Monnoyer 3
Town: Brussels
NUTS code: BE Belgique / België
Postal code: 1000
Country: Belgium
Contact person: Mathy Aline
E-mail: aline.mathy@elia.be
Internet address(es):
Main address: <http://www.elia.be/>

I.1. Name and addresses

Official name: 50Hertz Transmission GmbH
Postal address: Heidestraße 2
Town: Berlin
NUTS code: DE Deutschland
Postal code: D-10557
Country: Germany
Contact person: Riudalbas Marc
E-mail: marc.riudalbas@50hertz.com
Internet address(es):
Main address: <http://www.50hertz.com/>

I.2. Information about joint procurement

The contract involves joint procurement
In the case of joint procurement involving different countries, state applicable national procurement law:
Belgian.

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.50hertz.com/de/50Hertz/Lieferanten/Aktuelle-Ausschreibungen>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://www.ariba.com/>
Tenders or requests to participate must be submitted to the abovementioned address

I.6. Main activity

Electricity

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Supply of Medium and High Voltage Surge Arresters.

II.1.2. Main CPV code

31216000 Lightning arrestors

II.1.3. Type of contract

Supplies

II.1.4. Short description

Framework agreement for the design, manufacture, testing, delivery and unloading of Surge Arresters in Belgium and in Germany. This includes also the supply of optional services.

The final contracting entity may be:

1. Elia Asset S.A. and/or 50 Hertz Transmission GmbH.

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

Lot 1: Elia

Lot 2: 50Hertz

Tenderers must submit tenders for both Lots. The economically most favourable tender will be evaluated across both Lots. The bidder with the most favourable offer based on both lots will be awarded Lot 1 and a certain part of Lot 2. Lot 2 (50Hertz) may be awarded up to 2 bidders and the quantities split up according to the attributional logic described in the tender doc.

II.2. Description

II.2.1. Title

Elia: Framework Agreement for the design, manufacture, testing, delivery and unloading of Surge Arresters from 70 kV to 380 kV in Belgium.

Lot No: 1

II.2.2. Additional CPV code(s)

31216000 Lightning arrestors

II.2.3. Place of performance

NUTS code: BE Belgique / België

II.2.4. Description of the procurement

Framework Agreement for the design, manufacture, testing, delivery and unloading of Surge Arresters from 30 kV to 380 kV in Belgium. This includes also the supply of optional services.

The final contracting entity will be: Elia Asset S.A.

The estimated quantities are:

70 kV: 250

110 kV: 10

150 kV: 250

220 kV: 5
380 kV: 30

All quantities mentioned are indicative.

It is not mandatory for the contracting entity to order.

The quantities are indicated to provide guidance during the award process and shall not be understood as a final confirmation of a specific order volume.

There is no legal commitment by the contracting entity with respect to any volume of orders.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

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

Duration in months: 60

This contract is subject to renewal: yes

Description of renewals:

3 times extendible by the principal for the duration of 1 year.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3 Maximum number: 7

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

More information about options will be given in the tender documents.

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

II.2. Description

II.2.1. Title

50Hertz: Framework Agreement for the design, manufacture, testing, delivery and unloading of Surge Arresters from 30 kV to 380 kV in Germany.

Lot No: 2

II.2.2. Additional CPV code(s)

31216000 Lightning arrestors

II.2.3. Place of performance

NUTS code: DE Deutschland

II.2.4. Description of the procurement

Framework Agreement for the design, manufacture, testing, delivery and unloading of Surge Arresters from 30 kV to 380 kV in Germany. This includes also the supply of optional services.

The final contracting entity will be: 50Hertz Transmission GmbH.

The estimated quantities are:

30 kV: 100
110 kV: 130
220 kV: 100
380 kV: 300

All quantities mentioned are indicative.

It is not mandatory for the contracting entity to order.

The quantities are indicated to provide guidance during the award process and shall not be understood as a final confirmation of a specific order volume.

There is no legal commitment by the contracting entity with respect to any volume of orders.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

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

Duration in months: 60

This contract is subject to renewal: yes

Description of renewals:

3 times extendible by the principal for the duration of 1 year.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3 Maximum number: 7

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

More information about options will be given in the tender documents.

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 III: Legal, economic, financial and technical information

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 general conditions for participation are described in the Prequalification Questionnaire (PQQ) — See VI.3. of the present contract notice. The questionnaire is available for unrestricted and full direct access, free of charge under the following link: <http://www.50hertz.com/de/50Hertz/Lieferanten/Aktuelle-Ausschreibungen>

In addition the applicant may be excluded from participating in the contract if he

- a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or for an arrangement with creditors or of any similar proceedings under national laws or regulations;
- c) has been convicted of an offence concerning his professional conduct by a judgment which has the force of res judicata;
- d) has been guilty of grave professional misconduct proved by any means which the contracting entity can justify;
- e) is guilty of serious misrepresentations in supplying the information herein required;
- f) does not submit a signed sworn statement;
- g) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting entity;
- h) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or those of the country of the contracting authority;
- i) if a person, whose conduct is attributable to the company, has been convicted for a breach of one of the provisions laid down in Section 123 No 1 — 10 GWB (only valid for 50Hertz (Lot 2), the absence of this Statement results in the exclusion).

The Contracting entity reserves the right to demand at any time from the applicant the written evidence and all the justificatory, official documents related to the legal position as specified above.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The commercial conditions for participation are described in the Prequalification Questionnaire (PQQ) — See VI.3. of the present contract notice. The questionnaire is available for unrestricted and full direct access, free of charge under the following link: <http://www.50hertz.com/de/50Hertz/Lieferanten/Aktuelle-Ausschreibungen>

The most relevant commercial conditions for participation (among others) are as follows:

- Submit all information/ data asked in the Prequalification Questionnaire (PQQ) for details,
- Describe shareholder structure,
- The applicant has to submit proof of its registration in the trade/commercial register for the competent country,
- Sworn statement/ declaration that no grounds for exclusion pursuant to §§ 123, 124 GWB exist (only valid for 50Hertz (Lot 2), the absence of this Statement/declaration results in the exclusion),
- Sworn statement/ confirmation that the statutory minimum wage and remuneration schemes apply to all employers and comply with the national laws.

All financial reports and documentation provided by the contractor shall be no later than 12 months from the tender publication.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The technical conditions for participation are described in the Prequalification Questionnaire (PQQ) — See VI.3. of the present contract notice. The questionnaire is available for unrestricted and full direct access, free of charge under the following link: <http://www.50hertz.com/de/50Hertz/Lieferanten/Aktuelle-Ausschreibungen>

- The most relevant commercial conditions for participation (among others) are as follows:
- A confirmation that the manufacturing complies with IEC-Standards (the absence of this confirmation will result in the exclusion);
 - A list of Type Test (Overview) including complete test reports for the devices that are offered need to be handed over;
 - An ISO-9000 certificate or any other equivalent-level certification in the field concerned;
 - A EMAS or ISO-14001 certificate or any other equivalent-level certification in the field concerned;
 - At least 1 reference letter from customers (relevant products) located in Europe, reference letters not older than 2 years;
 - A complete reference list of comparable scope of supplies (by indicating their volume and type of surge arrestors) in the European Union during the last 5 years;
 - A proof of the ability of the contact person and the person in charge of the on site installation to communicate orally and in writing in Dutch/French/German;
 - An organisation chart showing main functional responsibilities.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:

The objective rules and criteria for participation are described in the Prequalification Questionnaire (PQQ) — See VI.3. of the present contract notice. The questionnaire is available for unrestricted and full direct access, free of charge under the following link:

<http://www.50hertz>

The bidders should submit their tender through the Ariba platform.

For further information on how to submit the tender documents, please consult the following links:

— http://www.elia.be/~media/files/Elia/Suppliers/E-Sourcing/Supplier_manuals_EN/Elia-Supplier-Registering-as-an-Ariba-supplier-on-invitation_201610.pdf

— http://www.elia.be/~media/files/Elia/Suppliers/E-Sourcing/Supplier_manuals_EN/Elia-Supplier-Information-Guide-Participating-in-an-Elia-Sourcing-Event.pdf

— http://www.elia.be/~media/files/Elia/Suppliers/E-Sourcing/Supplier_manuals_EN/Elia-Supplier-Information-Guide-Ariba-Supplier-Self-Registration-EN.pdf

III.1.6. Deposits and guarantees required

If applicable, will be described in the call for tenders.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

All tenders have to be quoted in EURO, further details will be provided in the tender documents.

III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Conditions for participation are described in the Prequalification Questionnaire (PQQ) — See VI.3 of the present contract notice for details.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Negotiated procedure with prior call for competition

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 several operators Envisaged maximum number of participants to the framework agreement: 3

IV.1.4. Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 30/10/2017 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

English, German

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

VI.3. Additional information

The Applicant must request, complete and submit by the closing date (see IV.2.2) the pre-qualification questionnaire (PQQ) with the most actual available data together with the requested documents on the Ariba platform. The applicants must request the access to the Ariba platform used for this pre-qualification phase by sending an e-mail to the responsible buyer (see I.1.) mentioning the name of the legal entity, address, VAT number, name + e-mail + telephone of the contact. Information to access the Ariba will be provided by return of an e-mail as soon as possible. Applicants are advised to request this access as soon as possible as the PQQ is an extensive questionnaire.

VI.4. Procedures for review

VI.4.1. Review body

Official name: President of the Court of first instance of Brussels

Postal address: Rue des quatre Bras 13

Town: Brussels

Postal code: 1000

Country: Belgium

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

All information on review procedure are described on the EU platform: http://europa.eu/youreurope/business/public-tenders/irregularities/index_en.htm

VI.5. Date of dispatch of this notice

27/09/2017