

Denmark-Fredericia: Gas oils  
OJ S 233/2014 03/12/2014  
Contract notice – utilities  
Supplies

Directive 2004/17/EC

Section I: Contracting entity

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**I.1. Name and addresses**

Official name: DONG Energy A/S  
Postal address: Kraftværksvej 53, Skærbæk  
Town: Fredericia  
Postal code: 7000  
Country: Denmark  
Contact person: DONG E&P Procurement  
For the attention of: Mika Bärlund  
E-mail: [mikab@dongenergy.dk](mailto:mikab@dongenergy.dk)  
Telephone: +45 99559394

**Internet address(es):**

General address of the contracting entity: [www.dongenergy.dk](http://www.dongenergy.dk)

**Additional information can be obtained from:**

Official name: DONG Energy E&P Procurement  
Postal address: Nesa Allé 1  
Town: Gentofte  
Postal code: 2820  
Country: Denmark  
Contact person: DONG Energy E&P Procurement  
For the attention of: Mika Bärlund  
E-mail: [mikab@dongenergy.dk](mailto:mikab@dongenergy.dk)  
Telephone: +45 99559394

Internet address: [www.dongenergy.dk](http://www.dongenergy.dk)

**Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from:** Official name: DONG Energy E&P Procurement

Postal address: Nesa Allé 1  
Town: Gentofte  
Postal code: 2820  
Country: Denmark  
Contact person: DONG Energy E&P Procurement  
For the attention of: Mika Bärlund  
E-mail: [mikab@dongenergy.dk](mailto:mikab@dongenergy.dk)  
Telephone: +45 99559394  
Internet address: [www.dongenergy.dk](http://www.dongenergy.dk)

**Tenders or requests to participate must be submitted:** Official name: DONG Energy E&P Procurement

Postal address: Nesa Allé 1  
Town: Gentofte  
Postal code: 2820  
Country: Denmark

Contact person: DONG Energy E&P Procurement  
For the attention of: Mika Bärlund  
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Telephone: +45 99559394  
Internet address: [www.dongenergy.dk](http://www.dongenergy.dk)

## **I.2. Main activity**

Production, transport and distribution of gas and heat  
Electricity  
Extraction of gas and oil

## **I.3. Contract award on behalf of other contracting entities**

The contracting entity is purchasing on behalf of other contracting entities: yes

## **Section II: Object of the contract**

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### **II.1. Description**

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

Tender for fuel supply 2015-2020.

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

Supplies

NUTS code DE Deutschland,DK Danmark,UK United Kingdom,NL Nederland,PL Polska,LT Lietuva,EE Eesti

#### **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  
: 8

#### **Duration of the framework agreement**

Duration in years: 4

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

The framework agreements cover the DONG Energy Group's purchase of the following 3 qualities of fuel:

- Marine Gas Oil: Must meet minimum specification ISO 8217, DMA;
- Gasoil: 10 PPM;
- Gasoil: 50 PPM.

The following companies in the Dong Energy Group shall be covered by the framework agreements:

DONG Energy A/S (CVR 36213728);  
DONG Energy Thermal Power A/S (CVR 27446469);  
DONG Energy Oil and Gas A/S (CVR 27446485);  
DONG Energy Sales and Distribution A/S(CVR 20214414);  
DONG Energy Wind Power Holding A/S (CVR 18936674);  
DONG E&P A/S (CVR 73349613).

Moreover, subsidiaries to the above mentioned companies, license partners and contractors working on contract for any company in the DONG Energy Group shall be covered by the

framework agreements, cf. VI.3) below.

Dong Energy's Tender for fuel supply 2015-2020 is divided into 8 lots with possibilities to tender for 1 or more lots. The lots are separated by geographical areas. The total scope covered by the tender procedure is approximately 18 000 tonnes/year in total with potential of increment.

Further details are described in the lot specifications and the tender documents.

It will be possible to submit tenders for several lots as described in the tender documents, provided that the tenderer is pre-qualified for several lots.

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

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

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

The procurement is covered by the Government Procurement Agreement: no

#### **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**

The total scope covered by the tender procedure is approximately 18 000 tonnes/year in total consisting of:

— 16 500 tonnes/year Marine Gas Oil (minimum specification ISO 8217, DMA);

— 600 tonnes/year Gasoil (10 PPM);

— 700 tonnes/year Gasoil (50 PPM).

Total scope for 4 years is: 72 000 tonnes.

Total scope for 4 years + the option (1 year) is: 90 000 tonnes.

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

Options: yes

Description of options: DONG Energy A/S has an option of extending the framework agreements by 1 year. This option can be called once.

#### **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: 48 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Fuel supply for offshore activities from port of Esbjerg, DK

#### **1) Short description**

Fuel Supply to Vessels operating from port of Esbjerg, Denmark. Supply of Marine Gas Oil to Crew Vessels or larger construction or installation vessels. Supply shall be available by pipeline, barge, tanker or self-service installation in port by choice of the contracting entity.

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

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

**3) Quantity or scope**

Fuel quantities approx. 12 000 tonnes annually.

Lot No: 2

Lot title: Fuel supply for activities from German ports

**1) Short description**

Fuel Supply to vessels operating from Port of Norddeich, Emden & Borkum, Germany. Supply of Marine Gas Oil to vessels operating from German ports. Supply shall be available by tanker in Norddeich, tanker and barge in Emden and tanker as well as pipe installation in Borkum by choice of the contracting entity.

**2) CPV code(s)**

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

**3) Quantity or scope**

Fuel quantities approx. 500 tonnes annually.

Lot No: 3

Lot title: Fuel Supply to onshore machinery / vehicles in Denmark

**1) Short description**

Fuel Supply to machinery operating at Power Plants, Distribution hub Ballerup and Offices in Denmark. Supply of Gas Oil with maximum 10 or 50 PPM sulphur (road diesel or homeheating gas oil) by truck. For the distribution centre, supply shall include supply and installation of a card reader dispenser unit to keep track of delivered volume to each individual vehicle.

**2) CPV code(s)**

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

**3) Quantity or scope**

Fuel quantities approx. 1 300 tonnes annually.

Lot No: 4

Lot title: Fuel Supply to tug boat

**1) Short description**

Fuel Supply to tugboat operating from Danish Power Plants, distribution hub Stignæs, Denmark, or from ports in Poland, Lithuania and Estonia. Supply of Marine Gas Oil directly to tugboat mainly at Danish sites (Avedøre-, Studstrup-, Asnæsværket as well as Stignæs), but also in Poland (Swinoujscie and Stettin), Lithuania (Riga and Mersrags) and Estonia (Pärnu). Supply should take place by truck.

**2) CPV code(s)**

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

**3) Quantity or scope**

Fuel Quantities approximately 3 000 tonnes annually.

Lot No: 5

Lot title: Anholt site Grenå, DK

**1) Short description**

Supply of fuel for Crew Transfer Vessels operating from Port of Grenå. Supplier must be able to supply from both truck and self-service installation.

**2) CPV code(s)**

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

### 3) Quantity or scope

Fuel Quantities approximately 700 tonnes annually.

Lot No: 6

Lot title: Nysted site Gedser, DK

#### 1) Short description

Supply of fuel for Crew Transfer Vessels operating from Port of Gedser. Supplier must be able to supply from both truck and self-service installation.

#### 2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

### 3) Quantity or scope

Fuel Quantities approximately 120 tonnes annually.

Lot No: 7

Lot title: Eemshaven, NL

#### 1) Short description

Supply of fuel to construction / installation Vessels operating from Port of Eemshaven and Port of Ijmuiden, NL, respectively. The exact quantity of this lot is unknown at the moment. Supplier must be able to supply by both truck and barge.

#### 2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

Lot No: 8

Lot title: Belfast, UK

#### 1) Short description

Supply of fuel to construction / installation Vessels operating from Port of Belfast, UK. The exact quantity of this lot is unknown at the moment. Supplier must be able to supply by both truck and barge.

#### 2) CPV code(s)

09134000 Gas oils, 09134200 Diesel fuel, 09134100 Diesel oil, 09134220 Diesel fuel (EN 590)

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

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### III.1. Conditions related to the contract

#### III.1.1. Deposits and guarantees required

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

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

There are no specific requirements to the legal form to be taken by a group of economic operators, but if such a group submit a joint tender, all economic operators in the group must be jointly and severally liable for the performance and fulfilment of the contract. A contact for the consortium should be nominated.

#### 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: The application for pre-qualification must contain information regarding:

- 1) The applicant, i.e. a short presentation of the applicant, including company name, address, company registration number and contact information in connection with this tender procedure;
- 2) Which of the 8 lots the applicant is applying pre-qualification for;
- 3) The discretionary grounds for exclusion set out in article 45 (2) (a-g) in Directive 2004/18 /EC, cf. article 54 (4) in Directive 2004/17/EC, i.e. a solemn declaration that none of these grounds for exclusion apply to the applicant. If one or more of the grounds for exclusion referred to in article 45 (2) (a-g) in Directive 2004/18/EC apply to the applicant, the applicant is excluded from participation in this tender procedure.

The above shall be submitted in one hardcopy and 1 electronic copy (on USB key).

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

List and brief description of conditions: The application for pre-qualification must contain information regarding:

- 1) The applicant's economic and financial ability, i.e. the applicant's audited financial statements or audited annual reports covering the last 2 concluded financial years;
- 2) If the applicant is a subsidiary and the applicant wishes the parent company's economic and financial ability to be taken into consideration in connection with this tender procedure, the parent company shall submit audited financial statements or audited annual reports for the same periods including a statement of the parent company's willingness to support the subsidiary through a parent company guarantee.

The above shall be submitted in one hardcopy and one electronic copy (on USB key).

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

List and brief description of conditions: The application for pre-qualification must contain information regarding:

- 1) The applicant's referees regarding contracts similar to the framework agreements covered by this tender procedure. The referees must be no older than 3 years from the date of publication of this contract notice. 'Similar contracts' is to be understood as contracts regarding the supply of fuel with the same product quality as covered by this tender procedure, cf. II.1.5.
- 2) The applicant's documented Quality Management and Health and Safety and Environment Control System. The system must be ISO9001 certified or equivalent.

The documented QHSE managerial system shall describe how the applicant is managing the process from the point of placing orders, delivery of goods and documentation of delivery. If the applicant does not hold a QHSE-system as described above, the applicant is excluded from participation in this tender procedure.

The above shall be submitted in one hardcopy and one electronic copy (on USB key).

### **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**

An electronic auction will be used: yes

Additional information about electronic auction: DONG Energy A/S maintain the right to carry out the final price negotiation using e-auction. The e-auction will only apply to the price criteria, but the price criteria may be influenced by non-price related criterias, which will be recalculated to a cost element and added to the price proposal given by the tenderer. More information will follow in the tender documents.

#### **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)

Payable documents: no

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

6.1.2015 - 12:00

##### **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**

This is a recurrent procurement: no

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

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

The applicants are hereby informed that the tendered framework agreement will be signed by DONG Energy A/S on behalf of a large number of companies in the DONG Energy Group. The contracting entities on this framework agreement are companies within the

DONG Energy Group and the companies mentioned explicitly on the following webpage [http://assets.dongenergy.com/DONGEnergyDocuments/com/About-us/Delivery-and-invoice-adresse\\_DA.pdf](http://assets.dongenergy.com/DONGEnergyDocuments/com/About-us/Delivery-and-invoice-adresse_DA.pdf)

Call off agreements will be signed by the specific contracting entity that requires the fuel supply.

'DONG Energy Group' means those undertakings in which DONG Energy A/S, CVR number 36 21 37 28, Kraftværksvej 53, Skærbæk, DK-7000 Fredericia, directly or indirectly: (i) owns half or more of the capital or business assets, (ii) has the right to exercise half or more of the voting rights, (iii) has the right to appoint half or more of the members of the supervisory board, the administrative board or bodies legally representing the undertakings, or (iv) has the right to manage the undertakings' affairs. Furthermore, 'DONG Energy Group' also means those undertakings in which undertakings as referred to in (i) –(iv) jointly have the rights or powers listed in (i)- (iv). The DONG Energy Group establish on an ongoing basis new companies in connection with its activities. New companies that fulfil the definition above will also be contracting entities on the framework agreement, as long as the new companies' activities are within the usual activities of the DONG Energy Group which are related to procuring, producing, distributing and trading in energy and related products in Northern Europe. New companies are especially (but not exclusively) established in connection with the establishment of new offshore wind parks, and this is particularly relevant in relation to the coming wind parks in the UK, Northern Ireland, Germany (including the German Bight) and Denmark.

This tender procedure is a negotiated procedure where applicants have to be pre-qualified before they can submit a tender.

If more than 8 applicants per lot submit application for pre-qualification that comply with the minimum requirements specified above, the contracting entity will prequalify no more than 8 applicants per lot to submit a tender.

The contracting entity will carry out the pre-qualification on each lot based on an overall assessment of the information submitted in the sections III. 2.2 and III 2.3. In particular, the contracting entity will base the pre-qualification on:

- 1) The technical capacity of the applicant, i.e. (i) the quality and relevance of the referees submitted by the applicant and (ii) the credibility and quality of the applicant's Quality Management and Health and Safety and Environment Control System;
- 2) The economic and financial ability of the applicant.

Please note that DONG Energy A/S will also tender Fuel Supply Contracts for consumption not regulated by the EU utilities directive. More information is available from the appointed contact point in Annex A.

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

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

Official name: Klagenævnet for Udbud

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: [klfu@klfu.dk](mailto:klfu@klfu.dk)

Internet address: [www.klfu.dk](http://www.klfu.dk)

##### **Body responsible for mediation procedures**

Official name: Not applicable

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

Precise information on deadline(s) for review procedures: Appeals re. an applicant not obtaining pre-qualification must be lodged with the Complaints Board within 20 calendar days from the day after the day, the contracting entity has sent a notification to the applicants regarding which of the applicants have obtained pre-qualification. Other appeals re. the framework agreement covered by this contract notice must be lodged with the Complaints Board within six months from the day after the day, the contracting entity has sent a notification to the applicants and tenderers regarding the result of the tender procedure.

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)

Internet address: [www.kfst.dk](http://www.kfst.dk)

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

28.11.2014