

Germany-Hamburg: Offshore installation services
OJ S 227/2015 24/11/2015
Contract notice – utilities
Services

Directive 2004/17/EC

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: procurement-wind@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

Section II: Object of the contract

II.1. Description

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

Sandbank TETRA Wind Turbine Tower Repeaters.

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: Port of Esbjerg, Denmark and (if required) Sandbank Offshore Windfarm.

Transport to and from the wind farm will be provided by the Employer. At the discretion of the Employer, transport will be either via Crew Transfer Vessel from the Port of Esbjerg or Helicopter from Esbjerg Airport.

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 Contractor(s) shall engineer, supply, install, configure, commission and service one TETRA repeater system in each of the 72 wind turbine towers at the Sandbank offshore wind-farm.

II.1.6. CPV code(s)

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: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Engineer, supply, install, configure and commission one TETRA repeater system in each of the 72 wind turbine towers for the Sandbank offshore wind-farm. The scope of supply shall include 72 repeater units including external and internal antennas, necessary cabling and mounting hardware. In order to install the external antennas and cabling to the exterior of the towers a mounting system shall be engineered and supplied and installed for each repeater system.

Each repeater system and related hardware as described above shall be installed in each of the wind turbine towers at the quayside in the Port of Esbjerg, Denmark. Ideally, the repeater systems should be completely configured and commissioned prior to installation in the wind turbine towers however this shall be completed no later than load-out of the wind turbine towers for offshore erection. Any remaining works that, due to timing or other reasons, cannot be completed before tower load-out shall be completed offshore once the wind turbine in question has been made available to the Contractor.

Each repeater system shall repeat the incoming and outgoing TETRA radio signals (by Others) such that high quality voice calls are possible from any part of tower/turbine and foundation transition piece down to the level of the air-tight deck.

The Contractor shall engineer and adapt any and all necessary interfaces to equipment by Others. The Contractor shall have full responsibility for defining, designing and ensuring compatibility and functionality of such interfaces. Specifically, the Contractor shall have full responsibility for the interface between the tower repeaters and the hand-held radios (by Others) and the TETRA Base Station (by Others) in its final location and configuration for Sandbank including any and all alignment with the Base Station supplier.

The Employer reserves the right to require the Contractor to carry out a real-world mock-up test (to be agreed with Employer) in order to prove the compatibility of the Contractor's equipment with the TETRA Base Station and hand-held radios in a set-up similar to the final installation.

In the event that offshore works are required, the Contractor shall ensure that it's personnel has the necessary training for transportation, access and working on/inside offshore wind turbines. Safety equipment not provided by the Employer shall be provided by the Contractor.

II.2.2. Information about options

Options: yes

Description of options: Offshore service/maintenance of each TETRA repeater system and related hardware described herein for a period to be defined. The Contractor shall ensure that its personnel has the necessary training for transportation, access and working on/inside offshore wind turbines. Safety equipment not provided by the Employer shall be provided by the Contractor.

II.2.3. Information about renewals

This contract is subject to renewal: no

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

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, EN Standard form 05 — Contract notice — utilities 7 / 18;
- 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: 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 500 000 EUR.
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.
3. At contract award, Respondent is willing to issue performance bonds of approximately 15 % of the annual contract amount, valid for the contract duration, in a form and amount acceptable to Vattenfall and by an independent, third party bank with a minimum A-/A3 (rating by Standard Poor's and/or Moody's).
4. 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.
5. Information required at conditional contract award: duly signed Performance Guarantee part of the Contract and according to the format included in the ITT.
6. At contract award, Respondent is willing to issue security for any advance payments with advance payment bonds in a form and amount acceptable to EN Standard form 05 — Contract notice — utilities 8 / 18 Vattenfall and by an independent, third party bank with a minimum rating of A-/A3 (rating by Standard Poor's and/or Moody's).
7. 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.

8. Information required at conditional contract award: duly signed Advance Payment Guarantee part of the Contract and according to the format included in the ITT.

9. Respondent shall provide an overview of the corporate legal structure of Respondents or its parent (if applicable).

10. Information part of the Respondents Application: overview of corporate legal ownership structure of Respondent or, if applicable, its parents.

11. A full credit check and financial assessment will be part of the evaluation procedure.

All these information are other information.

III.2.3. Technical and professional ability

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

1. references (not older than 5 years) for the products and services as requested under II.1.5) and II.2.1) including detailed information of the following (other information):

a. detailed information of products and 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 (other information);

3. confirmation that the applicant, in the event of contract award, will employ qualified and competent personnel for site-based (onshore and offshore) works, i.e. installation, configuration and commissioning and the service option (other information);

4. confirmation that the applicant, in the event of contract award, will meet the requirements with respect to offshore training as noted under II.2.1) and II.2.2) (other information);

5. 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) (other information);

6. organisation chart of the company (other information);

7. 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

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: no

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

22.12.2015

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

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.

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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 operators who will be invited to tender.

The awarding authority will examine the participation applications in a 4-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.

The evaluation will follow in accordance with the valuation 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 5 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

Country: Germany

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

20.11.2015