

**Denmark-Fredericia: Liability insurance services**  
**OJ S 159/2021 18/08/2021**  
**Contract notice – utilities**  
**Services**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Energinet including all subsidiaries

National registration number: 28980671

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

Contact person: Martin Holme Frost

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

**Internet address(es):**

Main address: <https://permalink.mercell.com/161577143.aspx>

Address of the buyer profile: [www.energinet.dk](http://www.energinet.dk)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://permalink.mercell.com/161577143.aspx>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://permalink.mercell.com/161577143.aspx>

**I.6. Main activity**

Other activity: Electricity, Gas, Fiber and Gas Storage

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**Section II: Object**

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

**II.1.1. Title**

Energinet\_Insurance Procurement\_Directors and Officers Liability

**II.1.2. Main CPV code**

66516000 Liability insurance services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

The insurance procurement for Directors and Officers Liability for Energinet with inception January 1, 2022 involving the following lots:

Lot 1: Excess I

Lot 2: Excess II

Lot 3: Excess III

Lot 4: Excess IV

The contracting entity may award the contract on the basis of the initial tender and, hence, the tenderers cannot rely on negotiation meetings to be conducted.

There is anticipated to be one negotiation meeting. The negotiation meetings will preferably be held remotely via "Microsoft Teams".

There is no remuneration to participants in the negotiations.

Costs incurred by the tenderer in connection with the preparation and submission of a tender for one or more lots are the tenderers to bear and will not be reimbursed.

Please see ITT and tender materials for more information.

Tender is handled by Mercell Sourcing Services, use <https://permalink.mercell.com/161577143.aspx>

#### **II.1.5. Estimated total value**

Value excluding VAT: 170 000,00 DKK

#### **II.1.6. Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

### **II.2. Description**

#### **II.2.1. Title**

Lot 1: Excess I

Lot No: 1

#### **II.2.2. Additional CPV code(s)**

66516000 Liability insurance services, 66000000 Financial and insurance services, 66500000 Insurance and pension services, 66510000 Insurance services

#### **II.2.3. Place of performance**

NUTS code: DK Danmark

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

The insurance procurement covers Directors and Officers Liability and involves the following lot:

Lot 1: Excess I

Class of Insurance: Directors and Officers Liability

Lot details: Limit of liability DKK 50,000,000 per occurrence/claim and in the annual aggregate in excess DKK 100,000,000 per occurrence/claim and in the annual aggregate.

#### **II.2.5. Award criteria**

Criteria below

Price

#### **II.2.6. Estimated value**

Value excluding VAT: 50 000,00 DKK

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

Start: 01/01/2022 End: 31/12/2022

This contract is subject to renewal: no

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

Envisaged minimum number: 2Maximum number: 50Objective criteria for choosing the limited number of candidates:

Should the number of tenderers wishing to be prequalified exceed 50, the contracting authority reserves the right to choose the 50 tenderers, who can show the best financial rating, however still meeting the minimum requirement set out in section III.1.2. The decision will be based upon what the company states their current financial rating for the last financial year. This information is to be stated in the section III.1.2 Economic and Financial Standing.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **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**

Lot 2: Excess II

Lot No: 2

##### **II.2.2. Additional CPV code(s)**

66510000 Insurance services, 66516000 Liability insurance services, 66500000 Insurance and pension services, 66000000 Financial and insurance services

##### **II.2.3. Place of performance**

NUTS code: DK Danmark

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

The insurance procurement covers Directors and Officers Liability and involves the following lot:

Lot 2: Excess II

Class of Insurance: Directors and Officers Liability

Lot details: Limit of liability DKK 50,000,000 per occurrence/claim and in the annual aggregate in excess DKK 150,000,000 per occurrence/claim and in the annual aggregate.

##### **II.2.5. Award criteria**

Criteria below

Price

##### **II.2.6. Estimated value**

Value excluding VAT: 45 000,00 DKK

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

Start: 01/01/2022 End: 31/12/2022

This contract is subject to renewal: no

##### **II.2.9.**

## **Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 2 Maximum number: 50 Objective criteria for choosing the limited number of candidates:

Should the number of tenderers wishing to be prequalified exceed 50, the contracting authority reserves the right to choose the 50 tenderers, who can show the best financial rating, however still meeting the minimum requirement set out in section III.1.2. The decision will be based upon what the company states their current financial rating for the last financial year. This information is to be stated in the section III.1.2 Economic and Financial Standing.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **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**

Lot 3: Excess III

Lot No: 3

##### **II.2.2. Additional CPV code(s)**

66000000 Financial and insurance services, 66500000 Insurance and pension services, 66510000 Insurance services, 66516000 Liability insurance services

##### **II.2.3. Place of performance**

NUTS code: DK Denmark

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

The insurance procurement covers Directors and Officers Liability and involves the following lot:

Lot 3: Excess III

Class of Insurance: Directors and Officers Liability

Lot details: Limit of liability DKK 50,000,000 per occurrence/claim and in the annual aggregate in excess DKK 200,000,000 per occurrence/claim and in the annual aggregate.

##### **II.2.5. Award criteria**

Criteria below

Price

##### **II.2.6. Estimated value**

Value excluding VAT: 40 000,00 DKK

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

Start: 01/01/2022 End: 31/12/2022

This contract is subject to renewal: no

##### **II.2.9.**

## **Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 2 Maximum number: 50 Objective criteria for choosing the limited number of candidates:

Should the number of tenderers wishing to be prequalified exceed 50, the contracting authority reserves the right to choose the 50 tenderers, who can show the best financial rating, however still meeting the minimum requirement set out in section III.1.2. The decision will be based upon what the company states their current financial rating for the last financial year. This information is to be stated in the section III.1.2 Economic and Financial Standing.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **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**

Lot 4: Excess IV

Lot No: 4

##### **II.2.2. Additional CPV code(s)**

66516000 Liability insurance services, 66000000 Financial and insurance services, 66500000 Insurance and pension services, 66510000 Insurance services

##### **II.2.3. Place of performance**

NUTS code: DK Denmark

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

The insurance procurement covers Directors and Officers Liability and involves the following lot:

Lot 4: Excess IV

Class of Insurance: Directors and Officers Liability

Lot details: Limit of liability DKK 50,000,000 per occurrence/claim and in the annual aggregate in excess DKK 250,000,000 per occurrence/claim and in the annual aggregate.

##### **II.2.5. Award criteria**

Criteria below

Price

##### **II.2.6. Estimated value**

Value excluding VAT: 35 000,00 DKK

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

Start: 01/01/2022 End: 31/12/2022

This contract is subject to renewal: no

##### **II.2.9.**

### **Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 2 Maximum number: 50 Objective criteria for choosing the limited number of candidates:

Should the number of tenderers wishing to be prequalified exceed 50, the contracting authority reserves the right to choose the 50 tenderers, who can show the best financial rating, however still meeting the minimum requirement set out in section III.1.2. The decision will be based upon what the company states their current financial rating for the last financial year. This information is to be stated in the section III.1.2 Economic and Financial Standing.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **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**

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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:

All Tenderers who wish to submit a tender must file a request for participation by submitting the European Single Procurement Document (hereafter ESPD) in accordance with the time limits put forth in the procurement documents. The Tenderer must declare whether the Tenderer is covered by the exclusion grounds listed in the ESPD. To fulfil the suitability criterion "Enrolment in a trade register" in the ESPD, all Tenderers must uphold permission to write insurance risks as specified in this tender by the Danish FSA.

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

List and brief description of selection criteria:

To fulfil the economic criterion "Other economic or financial requirements" in the ESPD, all Tenderers must have a rating of no less than A- (Standard & Poor's) or an equivalent rating from a comparable ratings agency. A letter of commitment if the candidate relies on the technical or financial capacity of other entities, see Appendix D (Confirmation regarding other entity's capacity (Letter of Commitment)). Only the candidates relying on other legal entities to fulfill technical or financial capacity must complete Appendix D.

Minimum level(s) of standards possibly required:

All Tenderers must have a rating of no less than A- (Standard & Poor's) or an equivalent rating from a comparable ratings agency. A letter of commitment if the candidate relies on the technical or financial capacity of other entities, see Appendix D (Confirmation regarding other entity's capacity (Letter of Commitment)). Only the candidates relying on other legal entities to fulfill technical or financial capacity must complete Appendix D.

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

List and brief description of selection criteria:

A letter of commitment if the candidate relies on the technical or financial capacity of other entities, see Appendix D (Confirmation regarding other entity's capacity (Letter of Commitment)). Only the candidates relying on other legal entities to fulfill technical or financial capacity must complete Appendix D.

Minimum level(s) of standards possibly required:

A letter of commitment if the candidate relies on the technical or financial capacity of other entities, see Appendix D (Confirmation regarding other entity's capacity (Letter of Commitment)). Only the candidates relying on other legal entities to fulfill technical or financial capacity must complete Appendix D.

#### **III.1.4. Objective rules and criteria for participation**

List and brief description of rules and criteria:

Please refer to ITT for additional information.

### **Section IV: Procedure**

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#### **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**

##### **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: 13/09/2021 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

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

Tender must be valid until: 01/04/2022

### **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: Nævnenes Hus

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark  
E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)  
Telephone: +45 72405600  
Fax: +45 33307799  
Internet address: <http://www.naevneneshus.dk>

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to Danish act on The Complaints Board for Public Procurement (act No 492 of 12.5.2010 with subsequent amendments - available at [www.retsinformation.dk](http://www.retsinformation.dk)), the following time limits for filing a complaint apply. Complaints regarding a candidate not being prequalified must be filed with The Complaints Board for Public Procurement within 20 calendar days starting the day after the contracting authority has sent notification to the candidates involved, provided that the notification includes a short account of the relevant reasons for the decision. Other complaints must be filed with The Complaints Board for Public Procurement within: 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date).

#### **VI.4.4. 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)  
Telephone: +45 41715000  
Fax: +45 41715100  
Internet address: <http://www.kfst.dk>

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

13/08/2021