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**Germany-Bayreuth: Shipping operations
2019/S 193-470115**

Contract notice – utilities

Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1) Name and addresses

TenneT TSO GmbH
Amtsgericht Bayreuth: HRB 4923
Bernecker Straße 70
Bayreuth
95448
Germany
Contact person: Dominik Schellhase
Telephone: +49 5132892933
E-mail: dominik.schellhase@tennet.eu
NUTS code: DE

Internet address(es):

Main address: <https://www.tennet.eu/de/>
Address of the buyer profile: <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=133307>

I.2) Information about joint procurement

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=133307>
Additional information can be obtained from the abovementioned address
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:

Provision of a Platform Supply Vessel
Reference number: PRC-N-ODC-DS

II.1.2) Main CPV code

60640000

II.1.3) Type of contract

Services

II.1.4) Short description:

TenneT is looking for reliable, trustworthy and highly professional providers of DP2-compliant Platform Supply Vessels (PSV) to conclude a contract for the duration of 3 years plus extensions for regular cargo transports to and from the offshore platforms in the German and Dutch North Sea.

II.1.5) **Estimated total value**

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.1) **Title:**

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

60651600

76522000

II.2.3) **Place of performance**

NUTS code: DE

Main site or place of performance:

North sea: German Bight and Dutch waters and the port of Emden, Germany (Nordkai).

II.2.4) **Description of the procurement:**

The bidders are to continuously provide and operate an appointed PSV and the respective crews and carry out the supply runs of cargo to our offshore platforms in the German and Dutch North Sea. The PSV is required as the elementary part of the logistics chain in connection with the maintenance activities of the offshore sections of the grid connection systems in the North Sea. This is intended to ensure the provision of the client's platforms with material, food and consumables as well as for disposal services, in scheduled and unscheduled cases. The transport of passengers to the offshore platforms is not part of the requested job.

Primarily certified containers, break bulk cargo and various liquids will be loaded onto the vessel. The start and end point of the tours is the port of Emden. This is where the client's goods will be delivered and loaded onto the vessel. All loading and unloading activities are within the area of responsibility of the client's contract partner for the seaport.

The goods will be transported mainly in 10 ft and 20 ft containers on deck of the supply vessel. A minimum of 13 containers (10 ft) and a maximum of 47 containers (10 ft) are to be assumed, depending on the route. Standard offshore containers are used as well as bottle racks, ASF and ASP containers. For catering goods, so-called reefer containers are used. A minimum of 2-4 reefers and a maximum of 12-14 reefers will be transported simultaneously on the vessel. In addition, the bunkering, transport and transfer of liquids, such as drinking water and diesel fuel, or waste, sewage and bilge water etc. are part of the demanded scope of work. The client is responsible for the provision of fresh water and diesel fuel for the platforms at the seaport, the required vessel serves for its transportation only.

The vessel used must at least meet the criteria specified within Chapter III.1.3.)1).

The planning, prioritization and coordination of the tours are solely within the client's responsibility.

II.2.5) **Award criteria**

Criteria below

Quality criterion - Name: Technical concept/availability / Weighting: 35

Quality criterion - Name: Contractual conditions / Weighting: 25

Quality criterion - Name: SHE (safety, health and environment) concepts / Weighting: 5

Price - Weighting: 35

II.2.6) **Estimated value**

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

Duration in months: 36

This contract is subject to renewal: yes

Description of renewals:

The contract expires after 36 months, unless the client requests an extension of the contract, latest 3 months before expiration. The contract can be prolonged twice, each time by one year.

The client plans an actual commencement of the requested service (commencement of work) on 15.4.2020, whereby, irrespective of the conclusion of the contract, the agreed contract period begins.

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

Envisaged number of candidates: 3

Objective criteria for choosing the limited number of candidates:

Selection of 3 candidates for negotiations after submission of offers will be based on the award criteria acc. Section II.2.5).

II.2.10) Information about variants

Variants will be accepted: no

II.2.11) Information about options

Options: no

II.2.12) Information about electronic catalogues

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

Reg. II 2.9: client reserves the right to negotiate with max. 3 candidates with the possibility to subsequently nominate lower-ranked bidders in the event that one or more bidders get disqualified or withdraw from the tender during negotiations. Selection of candidates for negotiations after submission of offers will be based on the award criteria acc. Section II.2.5).

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:

Proof must be provided by presenting the following documents, which represent TenneT's minimum conditions for all candidates:

— please provide an up-to-date extract of commercial register, not older than 3 months at the time of expiry of the participation period (5.11.2019) for the applying company,

— please provide a self-declaration that no grounds for exclusion under §§ 123, 124 GWB exist ('Form A7', the corresponding form 'Form A7' can be downloaded via Negometrix and is to be submitted (uploaded) along with the application for participation of the applicant/tenderer),

— please provide a comprehensive and detailed company presentation providing information about company structure/organization, ownership, main customers, and offered services including cargo supply runs to offshore assets,

— please provide a company organizational chart including all company locations and showing the total number of FTE (full-time employees).

Please follow the instructions given in the 'Information Memorandum' that can be downloaded from Negometrix.

The form 'Form A4' should be used for verification purposes (can be downloaded from Negometrix).

In the event that the tenderer uses the capacities of another company to obtain the necessary professional, financial and technical qualifications under Sections III.1.1) to III.1.3) (e.g. group companies), the 'Form A3' must be completed and handed in together with the application for participation (the relevant documents can be downloaded via Negometrix) by the tenderer in order to prove that the other company/companies will be jointly and severally liable together with the applicant.

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

List and brief description of selection criteria:

Proof must be provided by presenting the following documents, which represent TenneT's minimum conditions for all candidates:

- please provide, in English or German language, your annual financial reports (at least the company balance sheet and profit and loss) of the last 3 years that show an average annual revenue of minimum 9 000 000,00 EUR in each of the last 3 years,
- please provide proof of existing business liability insurance with a coverage of at least 2 500 000 EUR per claim for property damage, personal injury and consequential loss (incl. duration of the insurance cover) or provide a statement to take such insurance in case of contract award,
- please confirm that all vessels to be utilized in the course of the contract will be properly insured with Marine Hull insurance/Hull and machinery insurance up to the full value of the vessel and will have a P&I-insurance, or equivalent, with a minimum cover of 10 000 000,00 USD,
- please confirm existence of a workers' compensation and employer's liability insurance to cover claims that are not covered by the insurance under P&I or similar, in accordance with legal requirements regarding your employees and other persons for which you could be held liable, if applicable, or confirm this is not required by your legislation.

In the event that the tenderer uses the capacities of another company to obtain the necessary professional, financial and technical qualifications under Sections III.1.1) to III.1.3) (e.g. group companies), the 'Form A3' must be completed and handed in together with the application for participation (the relevant documents can be downloaded via Negometrix) by the tenderer in order to prove that the other company/companies will be jointly and severally liable together with the applicant.

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

List and brief description of selection criteria:

Important:

During the initial call for competition, bidders may nominate one or more vessels, fully suitable for the contract. Latest with the offer, the bidders must designate one firm vessel which was proposed during the call for competition and qualified by passing the Minimum requirements which would be used to carry out the contract. Replacing the vessel after the call for competition with a vessel previously not proposed, or after the offer, will not be accepted and would lead to exclusion from the tender.

This nominated PSV must already be in direct possession of the bidder (either direct ownership or owned by the bidder's subcontractor/consortium partner) or operated by the bidder.

Furthermore, the vessel should have served in the field of cargo runs for a minimum of 30 days throughout the last 12 months (to be proven by the vessel track record). The vessel should not come out of a lengthy cold layup.

The proposed PSV must be fully mobilized without any restrictions by the start of the service on 15.4.2020.

Proof must be provided by presenting the following documents, which represent TenneT's minimum conditions for all candidates:

- please provide proof of availability (written statement, reference to ownership) of one or more PSV(s) suitable for the tendered service, which meets at least the following minimum requirements (vessels not fully matching these requirements cannot be accepted):
 - vessel type: platform supply vessel (PSV),
 - dynamic positioning (DP): Class 2,
 - clear deck area: min. 650 m² (free from obstructions, vertically reachable and useable for cargo handling and stowage. It may not include areas which are safety-relevant),
 - year of construction: not older than year 2008,
 - average fuel consumption at 12 kn: max. 15 t per day,
 - draught: max. 8 m,
 - tank capacities (for client's usage only): drinking water: min. 250 m³, divided into at least 2 tanks with a min. capacity of 60 m³ waste water: min. 150 m³, bilge water: min. 70 m³ and marine gas oil (MGO): min. 200 m³ (to be proven by tank arrangement plan indicating the tanks for vessel's own usage and clients usage),
 - please provide references in the area of PSV cargo run operations by stating at least 3 appropriate reference deployments executed in 2018 - 2019,
 - please provide a written concept (including time schedule) which shows how you will enable a timely start of the scheduled tours of the client beginning on 15.4.2020 (short written concept is sufficient),
 - please provide a detailed datasheet of the proposed PSV(s) with all required performance data in connection with the above mentioned technical minimum requirements,
 - please provide the tank arrangement plan of the proposed PSV(s) indicating the tanks for vessel's own usage and clients usage,
 - please provide a written confirmation (written statement) of compliance with Industry Standards as per Annex 13 – Vessel Requirements for the proposed PSV(s),
 - please provide the comprehensive track record of the proposed PSV(s) of the last 2 years 2018-2019 showing at least 30 days of service for cargo runs during the last 12 months.
- In the event that the tenderer uses the capacities of another company to obtain the necessary professional, financial and technical qualifications under Sections III.1.1) to III.1.3) (e.g. group companies), the 'Form A3' must be completed and handed in together with the application for participation (the relevant documents can be downloaded via Negometrix) by the tenderer in order to prove that the other company/companies will be jointly and severally liable together with the applicant.

III.1.4) Objective rules and criteria for participation

III.1.5) Information about reserved contracts

III.1.6) Deposits and guarantees required:

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

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

III.2) Conditions related to the contract

III.2.1) Information about a particular profession

III.2.2) Contract performance conditions:

III.2.3) Information about staff responsible for the performance of the contract

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 a single operator

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

IV.1.6) Information about electronic auction

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.2.1) Previous publication concerning this procedure

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

Date: 05/11/2019

Local time: 14:00

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 26/11/2019

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: 15/04/2020

IV.2.7) Conditions for opening of tenders

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: no

VI.2) Information about electronic workflows

VI.3) Additional information:

Please consider all tender documents and information provided on Negometrix: <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=133307>

On the basis of legitimate confidentiality interests, the client will make the tender documents available to the bidders only after receipt of the confidentiality agreement signed by the bidder. The NDA can be downloaded via Negometrix under the following link:

https://platform.negometrix.com/doc/5a42e933-3d1a-4bf7-8a22-bc14082195cd/Annex%209_NDA.pdf?type=saveas

Please carefully read the 'Information Memorandum' on the call for competition phase and the 'Procedural Guide' on the offer phase made available on Negometrix and follow the given instructions.

The application for participation must be submitted electronically (in standardized data formats, such as PDF and MS Office format) via the Negometrix e-Tendering Platform, including all required information and supporting documents.

Pre-submission of the application documents by e-Mail/post/fax is not permitted and will lead to exclusion from the tender process.

The requests to participate must be submitted in due time and complete by the deadline (see Section IV.2.2).

Late submissions cannot be considered.

Incomplete sets of documents may lead to exclusion.

All documents referred to in point III.1) 'Conditions of participation' in this call for tender have to be submitted. All attachments have to be submitted exclusively via Negometrix only. Please use the templates made available on Negometrix.

In the case of a consortium, all parties of the consortium have to hand in the same documents mentioned in Section III.1) 'Conditions for participation'.

The client is entitled to transfer the rights and obligations of the subject matter of the contract to a special purpose vehicle (NewCo), irrespective of whether third parties have already participated as shareholders in this project company, or only after any transfer of this master agreement to such a project participate.

§57 SektVO entitles the client to discontinue the award procedure at any time. The period of §160 Abs. 3 No 4 GWB is explicitly pointed out.

On the basis of legitimate confidentiality interests, the client will make the tender documents available to the tenderer only after receipt of the confidentiality agreement signed by the tenderer. The NDA can be downloaded via Negometrix under the following link:

https://platform.negometrix.com/doc/5a42e933-3d1a-4bf7-8a22-bc14082195cd/Annex%209_NDA.pdf?type=saveas

Authorized to call for this framework agreement are also companies affiliated with the client within the meaning of §§ 15 ff. AktG.

Hence, call-offs under this contract can be made by the client (TenneT Offshore GmbH) and/or one of the following authorized entities:

- TenneT Offshore 1. Beteiligungsges. mbH,
- TenneT Offshore 9. Beteiligungsges. mbH,
- TenneT Offshore DoWin3 GmbH and Co. KG,
- TenneT TSO GmbH,
- TenneT TSO B.V.

TenneT will only place call-off orders WRT to this contract as soon and as long TenneT is in the full responsibility to purchase those demands. In cases of joined projects for which TenneT is not in full charge of provision of such vessels, the contractor is not entitled to claim for providing such vessel services to TenneT.

VI.4) **Procedures for review**

VI.4.1) **Review body**

Regierung Mittelfranken — Vergabekammer Nordbayern
Postfach 606
Ansbach
91511
Germany
Telephone: +49 981531277
E-mail: vergabekammer.nordbayern@reg-mfr.bayern.de
Fax: +49 981531837
Internet address: <http://www.regierung.mittelfranken.bayern.de>

VI.4.2) **Body responsible for mediation procedures**

Regierung Mittelfranken — Vergabekammer Nordbayern
Postfach 606
Ansbach
91511
Germany
Telephone: +49 981531277

E-mail: vergabekammer.nordbayern@reg-mfr.bayern.de
Fax: +49 981531837
Internet address: <http://www.regierung.mittelfranken.bayern.de>

VI.4.3) **Review procedure**

VI.4.4) **Service from which information about the review procedure may be obtained**

Regierung Mittelfranken — Vergabekammer Nordbayern
Postfach 606
Ansbach
91511
Germany
Telephone: +49 981531277
E-mail: vergabekammer.nordbayern@reg-mfr.bayern.de
Fax: +49 981531837
Internet address: <http://www.regierung.mittelfranken.bayern.de>

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

02/10/2019