

**Germany-Berlin: Transformers**  
**OJ S 155/2023 14/08/2023**  
**Contract notice – utilities**  
**Supplies**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: 50Hertz Transmission GmbH  
National registration number: DE813473551  
Postal address: Heidestraße 2  
Town: Berlin  
NUTS code: DE Deutschland  
Postal code: 10557  
Country: Germany  
Contact person: Isabel Müller  
E-mail: [isabel.mueller@50hertz.com](mailto:isabel.mueller@50hertz.com)  
Telephone: +49 3051503688  
**Internet address(es):**  
Main address: <https://www.50hertz.com/>

**I.1. Name and addresses**

Official name: Elia Asset nv/sa  
National registration number: BE 0475.028.202  
Postal address: Boulevard de l'Empereur 20 - Keiserlaan 20  
Town: Brussels  
NUTS code: BE Belgique / België  
Postal code: 1000  
Country: Belgium  
Contact person: Isabel Müller  
E-mail: [isabel.mueller@50hertz.com](mailto:isabel.mueller@50hertz.com)  
Telephone: +49 3051503688  
**Internet address(es):**  
Main address: <https://www.elia.be/>

**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:  
Germany

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://eliagroup.sharepoint.com/:f/s/EFSS/EFSS/EuaTRjOmyL5Cniv6mexMZgQBhPae8OVx57WzLTkvfTMk2A?e=MMy3qe>  
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**

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

#### **II.1.1. Title**

Onshore Power TFO 400MVA - Shunt Reactors 33kV - FA 2024

#### **II.1.2. Main CPV code**

31170000 Transformers

#### **II.1.3. Type of contract**

Supplies

#### **II.1.4. Short description**

The subject of this tender is the design, manufacturing, factory testing, supply, delivery, unloading, installation, on-site testing, commissioning and after sales servicing of Power Transformers and Shunt Reactors, including all necessary/ related accessories and or services for German (50Hertz) / Belgium (Elia) Onshore substations for a period of 3 years. The contract is composed of two (2) Lots. An extended description of each Lot is provided in the Selection Questionnaire (SQ) - see VI.3 for details.

#### **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:

Will be described in the tender documents.

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

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

Power Transformers  $U_m \leq 420kV$  /  $S_r \geq 200MVA$  for German (50Hertz) Onshore Substations  
Lot No: 1

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

31170000 Transformers

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

NUTS code: DE Deutschland

Main site or place of performance: Germany

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

The subject of this tender is the design, manufacturing, factory testing, supply, transport, delivery, unloading, installation, on-site testing, commissioning and after sales servicing of Power Transformers  $U_m \leq 420kV$  /  $S_r \geq 200MVA$ , including all necessary/related accessories and or services for German (50Hertz) Onshore substations for a period of 3 years. An extended description of this Lot is provided in the Selection Questionnaire (SQ) – see VI.3 for details.

Estimated quantities (units) : approx. 60 units (+ additional 100%)

The contracting entity reserves the right to organize mini-competition(s) between the awarded suppliers in case new projects with a similar scope arise within Elia Group.

**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: 36

This contract is subject to renewal: no

**II.2.10. Information about variants**

Variants will be accepted: no

**II.2.11. Information about options**

Options: yes

Description of options:

If applicable, will be described 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**

If a Candidate applying with 1 or more production factory(ies) new to the Contracting Authority is awarded, 50Hertz reserves the right to subject them to a Qualification Phase.

During this Qualification Phase, the quantity of units ordered could be limited for a period of 1 year from the energizing of all ordered units.

More details on qualification phase will be given in the tender documents.

**II.2. Description**

**II.2.1. Title**

Shunt Reactors  $U_m \leq 36\text{kV}$  /  $Q_r \leq 90\text{MVAR}$  for German (50Hertz) Onshore Substations  
Lot No: 2

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

31170000 Transformers

**II.2.3. Place of performance**

NUTS code: DE Deutschland

Main site or place of performance: Germany

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

The subject of this tender is the design, manufacturing, factory testing, supply, transport, delivery, unloading, installation, on-site testing, commissioning and after sales servicing of Shunt Reactors  $U_m \leq 36\text{ kV}$  /  $Q_r \leq 90\text{MVAR}$ , including all necessary/related accessories and or services for German (50Hertz) Onshore substations for a period of 3 years. An extended description of this Lot is provided in the Selection Questionnaire (SQ) – see VI.3 for details.  
Estimated quantities (units) : approx. 20 units (+ additional 100%)

The contracting entity reserves the right to organize mini-competition(s) between the awarded suppliers in case new projects with a similar scope arise within Elia Group.

#### **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: 36

This contract is subject to renewal: no

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

Variants will be accepted: no

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

Options: yes

Description of options:

If applicable, will be described 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**

If a Candidate applying with 1 or more production factory(ies) new to the Contracting Authority is awarded, 50Hertz reserves the right to subject them to a Qualification Phase.

During this Qualification Phase, the quantity of units ordered could be limited for a period of 1 year from the energizing of all ordered units.

More details on qualification phase will be given in the tender documents.

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

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#### **III.1. Conditions for participation**

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

List and brief description of selection criteria:

Selection criteria as stated in the Selection Questionnaire.

<https://eliagroup.sharepoint.com/:f:/s/EFSS/EFSS/EuaTRjOmyL5Cniv6mexMZgQBhPae8OVx57WzLTkvfTMk2A?e=MMy3qe>

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

List and brief description of selection criteria:

Selection criteria as stated in the Selection Questionnaire.

<https://eliagroup.sharepoint.com/:f:/s/EFSS/EFSS/EuaTRjOmyL5Cniv6mexMZgQBhPae8OVx57WzLTkvfTMk2A?e=MMy3qe>

### **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**

The procurement involves the establishment of a framework agreement  
Framework agreement with several operators

### **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: 13/09/2023

### **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**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: no

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

Pursuant to Article 29 of Regulation (EU) 2022/2560 (the "Regulation"), economic operators participating in the Tender within the meaning of Articles 2(1) and 29(5) of the Regulation must, (1) together with the request to participate and (2) together with the final bid:

1. submit a notification to the Employer in accordance with Article 29(1) of the Regulation listing all foreign financial contributions within the meaning of Articles 3, 28(1) and 28(2) of the Regulation. This notification shall be submitted to the Employer in the form set out in Annex II to the European Commission's implementing Regulation (EU) 2023/1441; or
2. if the notifying parties did not receive any notifiable foreign financial contributions:
  - a) submit a declaration to the Employer in accordance with Article 29(1) of the Regulation; and
  - b) submit a list of all foreign financial contributions received; and
  - c) submit a statement confirming that none of the participating notifying party(ies) have received foreign financial contributions notifiable under Chapter 4 of the Regulation.

The declaration or statement shall be submitted to the Employer in the form set out in Annex II to the European Commission's implementing Regulation (EU) 2023/1441.

Pursuant to Article 29(5) of the Regulation, the obligation to notify foreign financial contributions applies to:

- economic operators, groups of economic operators within the meaning of Article 37(2) of Directive 2014/25/EU; and
- main subcontractors and main suppliers within the meaning of Article 29(5) of the Regulation.

The main contractor within the meaning of Directive 2014/25/EU shall ensure the submission of the notification or declaration. Failure to submit the notification or declaration will be treated in accordance with Article 29(3) of the Regulation

The Candidate must request, complete and submit by the closing date (see IV.2.2.) the Selection Questionnaire (SQ) with the most actual available data together with the requested documents.

The applicants must request the access to the tender on the Ariba platform 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(s).

Information to access the tender on the Ariba platform will be provided by e-mail as soon as possible.

Applicants are advised to request this access as soon as possible and to click on 'intend to participate' in Ariba in order to receive possible clarifications from the contracting entity.

Contracting entity don't guaranty to provide the Ariba login details before closing time for candidates requesting their access to Ariba less than 72 hours before closing time.

The applicant is solely responsible for requesting the access to the tender on the Ariba platform on time.

The contracting entity declines any responsibility in the event of problems with the Ariba platform.

Any application not sent correctly via Ariba will be rejected.

The manuals for usage of E-Sourcing (Ariba) can be found via the following URL:

<http://www.elia.be/en/suppliers/information-and-tools-for-suppliers#ariba>

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

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

Official name: Vergabekammer des Landes Berlin

Postal address: Martin-Luther-Straße 105

Town: Berlin

Postal code: 10825

Country: Germany

E-mail: [vergabekammer@senweb.berlin.de](mailto:vergabekammer@senweb.berlin.de)

Telephone: +49 3090138316

Fax: +49 3090137613

Internet address: <https://www.berlin.de/sen/wirtschaft/wirtschaft/wirtschaftsrecht/vergabekammer>

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

Precise information on deadline(s) for review procedures:

Deadlines for submitting an application for review are set out in Section 160 (3) GWB. . For clarification, this provision is reproduced in full. "The application is inadmissible if 1. the applicant became aware of the claimed violation of public procurement provisions before filing the application for review, but did not complain to the contracting authority within a time limit of 10 calendar days; the expiry of the time limit under § 134(2) remains unaffected, 2. violations of public procurement provisions which become apparent from the tender notice are not notified to the contracting authority by the end of the time limit for the application or the submission of a tender specified in the notice, 3. violations of public procurement provisions which only become apparent from the procurement documents are not notified to the contracting authority by the end of the time limit for the application or the submission of a tender specified in the notice, 4. more than 15 calendar days have expired since receipt of notification from the contracting authority that it is unwilling to redress the objection.

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

09/08/2023