

**Denmark-Fredericia: Insulated wire and cable**  
**OJ S 218/2022 11/11/2022**  
**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: Energinet Forretningservice A/S

National registration number: 39 31 47 97

Postal address: Tonne Kjærsvej 65

Town: Fredericia

NUTS code: DK Danmark

Postal code: 7000

Country: Denmark

Contact person: Procurement - R

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

Telephone: +45 70102244

**Internet address(es):**

Main address: <https://eu.eu-supply.com/ctm/supplier/publictenders?B=ENERGINET>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/228008>

**I.2. Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: [http://eu.eu-supply.com/app/rfq/rwlentrance\\_s.asp?PID=345921&B=ENERGINET](http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=345921&B=ENERGINET)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: [http://eu.eu-supply.com/app/rfq/rwlentrance\\_s.asp?PID=345921&B=ENERGINET](http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=345921&B=ENERGINET)

Tenders or requests to participate must be submitted to the abovementioned address

**I.6. Main activity**

Electricity

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**Section II: Object**

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

**II.1.1. Title**

Establishment of Framework Agreement for purchase of Conductor Accessories

Reference number: 22/06402

**II.1.2. Main CPV code**

31300000 Insulated wire and cable

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

Supplies

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

Establishment of Framework Agreement for purchase of Conductor Accessories

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

Value excluding VAT: 7 000 000,00 EUR

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

This contract is divided into lots: no

## **II.2. Description**

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

31321000 Electricity power lines

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

NUTS code: DK Danmark

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

The frame agreement is tendered by Forretningservice (part of the Energinet group). Forretningservice serves as a Central purchasing body awarding the frame agreement on behalf of the Energinet group. Further information is available in the Tender Documents. Overview of participating companies within the Energinet group is available here: Fakturering (CVR) Energinet | Energinet. Please note that the companies included in the overview from Evida are not part of the framework agreement.

The scope of the frame agreement is to have a formal agreement and setup for purchases of various overhead line accessories (Earth conductor fittings, Aircraft Warning Markers, Phase Spacer, Phase Compression joint, Phase weight and Phase Dampers) for Energinet. Through the frame work agreement all necessary standards and requirements from Energinet are thoroughly described in the Technical Requirements: Framework Agreement Conductor Accessories. All other requirements (legal, HSE, Quality etc.) from Energinet is described in the Tender Documents.

### **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**

Value excluding VAT: 7 000 000,00 EUR

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

Duration in months: 96

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: 3Maximum number: 5Objective criteria for choosing the limited number of candidates:

If more than [5] applicants fulfill the minimum requirements, cf. section III, the Contracting Authority will prequalify the [3-5] applicants who are evaluated as most qualified for the specific tendered assignment. Only these applicants will be invited to submit a tender. The selection of the applicants will be based on the relevance of the submitted references, cf. the scope stated in section II.2.4, and the extent to which the references overall demonstrate

comprehensive experience with deliveries comparable to the tendered assignment regarding solution, complexity and scope, especially concerning:

Specific description of the work performed for each reference including:

- o Contract value (if possible)
- o Contact information for the entity in question (including contact person)
- o Date of initiation and final delivery (day, month, year)

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

Variants will be accepted: no

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

Options: yes

Description of options:

Options for extension of Agreement with 2 times 2 years.

Companies in which Energinet SOV or another company in the Energinet group acquire half or more than half of the capital or have the authority to exercise half or more than half of the voting rights or has the right to manage the company's business regardless of the official name during the term of the Frame Agreement will have an option to use the Frame Agreement.

#### **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**

Please note that this is a negotiated procedure. With the exception of mandatory parts, the Tender Documents may as a result undergo changes as part of the negotiation process.

### **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:

The applicant must confirm the economic ability in the ESPD part IV.B: "Economic and financial standing" with information from the latest annual report regarding the following economic indicators:

1. Equity (total equity incl. share capital, reserves, revaluation, retained earning etc.)
2. Equity ratio (equity/total assets). This must be stated with two decimals.

If the applicant is relying on the capacities of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the information for the ESPD part IV.B must also be given in a separate ESPD from each of these entities, cf. section VI.3 "Additional information". It is the sole responsibility of the applicant to secure that the minimum level(s) of standards required are reached on the basis of consolidation when the applicant is relying on the capacity of other entities or when the applicant is a group of economic operators (e.g. a consortium).

Minimum level(s) of standards possibly required:

Concerning 1: Equity from the latest annual report must, at the time of prequalification, be at least EUR 500.000

Concerning 2: Equity ratio from the latest annual report must be at least 20 pct. If the equity ratio is between 15 pct. and 20 pct. the applicant can qualify if Equity exceeds EUR 1.000.000

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

List and brief description of selection criteria:

The applicant can include the up to 5 most comparable and relevant references undertaken in the past three (3) years as part of the application. The references must be stated in the ESPD part IV.C: "Technical and professional ability". Undertaken in the past three (3) years implies that the reference must not have been completed prior to the date reached when counting 3 years backwards from the submission date for prequalification. References older than this will not be taken into consideration. References which have not yet been fully completed can be included as part of the application, but if this is the case, the applicant must describe the parts which have not yet been delivered, and this may affect the evaluation of the applicant, cf. section II.2.9.

The references should include:

2. A specific description of the work performed for each reference, including:

- o Contract value (if possible)
- o Contact information for the entity in question (including contact person)
- o Date of initiation and final delivery (day, month, year)

Any ambiguities and/or incomprehensibilities concerning the above information may have a negative effect on the selection of candidates, cf. section II.2.9. Please note the "description" box can contain more text than is visible. I.e. it is possible to copy paste text into the box.

If the applicant is relying on the references of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the information for the ESPD part IV.C must also be given in a separate ESPD from each of these entities.

The number of references should not surpass a maximum of the 5 most comparable and relevant references. If the applicant is relying on the capacity of one or more other entities (e.g. a parent or sister company or a subcontractor) or the applicant is a group of economic operators (e.g. a consortium) the maximum number of references to be submitted must still be respected and cannot exceed 5 when combined. If more than 5 references are included, the Contracting Authority will only consider the 5 most recent references determined by date of final delivery (in this case not yet finished references will not be included).

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

List and brief description of rules and criteria:

The applicant must submit a completed version of the ESPD.

Applicants may not be subject to the mandatory grounds for exclusion, cf. the Danish Public Procurement Act (udbudsloven) Section 135 (1-3) and 136.

Please see section VI.3 "Additional information" for further information regarding the ESPD.

The application must be submitted through EU-Supply, cf. link in section I.1 in this TED announcement. Applications not submitted via EU-supply or received after the deadline will not be accepted.

The Contracting Authority reserves the right to request the applicant to supplement, specify or complete the information submitted.

### **III.1.6. Deposits and guarantees required**

The information is stated in the Tender Documents.

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

The information is stated in the Tender Documents.

### **III.1.8.**

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

The information is stated in the Tender Documents.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

The information is stated in the tender material.

## **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 Envisaged maximum number of participants to the framework agreement: 3

#### **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: yes

### **IV.2. Administrative information**

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

Date: 25/11/2022 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**

Duration in months: 3 (from the date stated for receipt of tender)

## **Section VI: Complementary information**

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

This is a recurrent procurement: no

### **VI.2. Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

The applicant must submit a completed ESPD to apply for prequalification for this tender procedure. The ESPD for this tender can be found via EU-supply. The ESPD must be completed in EU-Supply and submitted via "My Response". A guide to the ESPD can be found on the webpage of the Competition and Consumer Authority ([www.KFST.dk](http://www.KFST.dk)) in Danish (the Contracting Authority is not responsible for the content of the guide).

Please note:

- An applicant participating on its own, but relying on the capacities of one or more other entities (e.g. a parent or sister company or a subcontractor), must ensure that the application includes the applicants own ESPD together with a separate ESPD from each of the entities it relies on with a completed part II: "Information concerning the economic operator" and part III: "Exclusion grounds" of the ESPD as well as the relevant information regarding part IV: "Selection criteria" and part V: "Reduction of the number of qualified candidates". The ESPD from each of the entities should be duly filled and signed by the entities concerned. Further where an applicant wants to rely on the capacities of other entities, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect, which must be submitted as part of the final documentation.

- Where groups of economic operators, including temporary associations, participate together in the procurement procedure, a complete separate ESPD for each of the participating economic operators must be submitted.

Further the final documentation must include a signed declaration by all parties of the group of economic operators (joint venture, consortium or other) stating that all economic operators assume joint and several liabilities towards the Contracting Authority for the performance of the contract as a whole.

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

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

Official name: Klagenævntet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 72405708

Internet address: <https://naevneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

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

Precise information on deadline(s) for review procedures:

Complaints regarding a candidate not being pre-qualified 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:

1. 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);
2. 30 calendar days starting the day after the contracting authority has informed the tenderers in question, that the contracting authority has entered into a contract based on a framework agreement through reopening of competition or a dynamic purchasing system, provided that the notification includes a short account of the relevant reasons for the decision;

3. 6 months starting the day after the contracting authority has sent notification to the candidates/tenderers involved that the contracting authority has entered into the framework agreement, provided that the notification included a short account of the relevant reasons for the decision.

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsen Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

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

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

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

08/11/2022