

**Germany-Berlin: Insurance services**  
**OJ S 250/2022 28/12/2022**  
**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: 50Hertz Offshore GmbH

Postal address: Heidestraße 2

Town: Berlin

NUTS code: DE300 Berlin

Postal code: 10557

Country: Germany

E-mail: [sebastian.scholz@50hertz.com](mailto:sebastian.scholz@50hertz.com)

Telephone: +49 305150-3027

Fax: +49 305150-2616

**Internet address(es):**

Main address: <http://www.50hertz.com>

**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: [https://eliagroup.sharepoint.com/:f/s/Filebox](https://eliagroup.sharepoint.com/:f/s/Filebox/EgsnfuWBYNFAMWFLRjttSi0B0S7opsQmPEmT-OMah4NCPA?e=CsqfQb)

[/EgsnfuWBYNFAMWFLRjttSi0B0S7opsQmPEmT-OMah4NCPA?e=CsqfQb](https://eliagroup.sharepoint.com/:f/s/Filebox/EgsnfuWBYNFAMWFLRjttSi0B0S7opsQmPEmT-OMah4NCPA?e=CsqfQb)

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

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**Section II: Object**

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

**II.1.1. Title**

Project related Combined Marine- and Construction Allrisk Insurance and Third Party Liability Insurance for two Offshore Grid Connection Systems located in the German Baltic Sea

Reference number: T21-2022-0001

**II.1.2. Main CPV code**

66510000 Insurance services

**II.1.3. Type of contract**

Services

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

Project Insurance Policies for HV/AC Grid Connection Systems Ostwind 3 and Gennaker  
The tendered Insurance Coverage is subdivided in 4 lots, such as:

- Lot 1: Combined Marine and Construction Allrisk Insurance for HV/AC Grid Connection System Ostwind 3
- Lot 2: Combined Marine and Construction Allrisk Insurance for HV/AC Grid Connection System Gennaker
- Lot 3: Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Ostwind 3
- Lot 4: Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Gennaker

#### **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

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

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

Combined Marine- and Construction Allrisk Insurance for the Offshore Grid Connection System Ostwind 3  
Lot No: 1

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

66510000 Insurance services

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

NUTS code: DE3 Berlin  
Main site or place of performance: German Baltic Sea

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

Procurement of Combined Marine- and Construction Allrisk Insurance for the Offshore Grid Connection System Ostwind 3 located in the German Baltic Sea.

The Grid Connection system is consisting of

- 1 x 220 kV 300 MW Cable System with a total length of approx. 100 km offshore and 5 km onshore

- Offshore Substation incl. auxiliary equipment

- Onshore Substation incl. auxiliary equipment

Insured Interest (including but not limited to):

- Laying of cables onshore and offshore (cable laying on the seabed and burying/wetting /drilling, cable protection measurements,

- pull of cables to the shore), Earthworks.

- Construction of Offshore-Substation

- Installation of technical equipment from 50Hertz Offshore GmbH on- and offshore

- all kind of transports needed to perform the project, in particular:

- Transports offshore

- Transports onshore and corresponding storages, loading- and unloading activities in particular loading onto the cable laying vessel and onto land based vehicles.

- Return shipments (also related to claims) ect.

- Spooling of cables onto turn tables (starting with first loading activities at manufacturers

premises)

Insurance policy wording will grant seamless transition from Marine- to Construction Allrisk Insurance.

Inception of insurance cover will be with start of assembly of Offshore Substation in the Shipyard estimated in July 2023. The insurance period will end with final taking-over of the whole project estimated in May 2026, followed by 24 months of Extended Maintenance.

More detailed information to the Ostwind 3 project you will find in the project summary at <https://eliagroup.sharepoint.com/:f:/s/Filebox/EgsnfuWBYNFAmWFLRjttSi0B0S7opsQmPEmT-OMah4NCPA?e=CsqfQb>.

Keyfacts of tendered Coverage:

Combined Marine and Construction Allrisk Insurance for HV/AC Grid Connection System Ostwind 3

Single Loss Limit: 580,000,000 EUR

Deductibles:

Marine/Transportation: 2,500,000 EUR each and every occurrence

Onshore works: 200,000 EUR each and every occurrence

All other: 5,000,000 EUR each and every occurrence

#### **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**

Start: 01/07/2023 End: 01/06/2026

This contract is subject to renewal: yes

Description of renewals:

The insurance period can be prolonged on request of the purchaser.

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

Envisaged number of candidates: 50

#### **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**

Combined Marine- and Construction Allrisk Insurance for the Offshore Grid Connection System Gennaker

Lot No: 2

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

66515000 Damage or loss insurance services

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

NUTS code: DE3 Berlin

Main site or place of performance: German Baltic Sea

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

Procurement of Combined Marine- and Construction Allrisk Insurance for the Offshore Grid Connection System Gennaker located in the German Baltic Sea.

The Grid Connection system with a calculated total value of 1,500,000,000 - 2,000,000,000 EUR is consisting of

- 3 x 220 kV 300 MW Cable System with a total length of approx. 160 km offshore and 100 km onshore

- 2 Offshore Substation incl. auxiliary equipment

- Onshore Substation incl. auxiliary equipment

Insured Interest (including but not limited to):

- Laying of cables onshore and offshore (cable laying on the seabed and burying/wetting /drilling, cable protection measurements,

- pull of cables to the shore), Earthworks.

- Construction of Offshore-Substation

- Installation of technical equipment from 50Hertz Offshore GmbH on- and offshore

- all kind of transports needed to perform the project, in particular:

- Transports offshore

- Transports onshore and corresponding storages, loading- and unloading activities in particular loading onto the cable laying vessel and onto land based vehicles.

- Return shipments (also related to claims) etc.

- Spooling of cables onto turn tables (starting with first loading activities at manufacturers premises)

Insurance policy wording will grant seamless transition from Marine- to Construction Allrisk Insurance.

Inception of insurance cover will be with start of assembly of Offshore Substation in the Shipyard estimated in August 2023. The insurance period will end with final taking-over of the whole project estimated in June 2026, followed by 24 months of Extended Maintenance.

More detailed information to the Gennaker project you will find in the project summary at

<https://eliagroup.sharepoint.com/:f/s/Filebox/EgsnfuWBYNFAmWFLRjttSi0B0S7opsQmPEmT-OMah4NCPA?e=CsqfQb>.

Keyfacts of tendered Coverage:

Combined Marine and Construction Allrisk Insurance for HV/AC Grid Connection System Gennaker

Single Loss Limit: 580,000,000 EUR

Deductibles:

- Marine/Transportation: 2,500,000 EUR each and every occurrence

- Onshore works: 200,000 EUR each and every occurrence

- all other: 5,000,000 EUR each and every occurrence

### **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**

Start: 01/08/2023 End: 01/07/2026

This contract is subject to renewal: yes

Description of renewals:

The insurance period can be prolonged on request of the purchaser.

#### **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**

Project related Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Ostwind 3 located in the German Baltic Sea.

Lot No: 3

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

66516000 Liability insurance services

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

NUTS code: DE3 Berlin

Main site or place of performance: German Baltic Sea

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

Project related Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover including all deliverables and works of insured contractors. Works related to this projects will be performed onshore as well as offshore.

This insurance will grant coverage for legal liability and – as far as explicit included - contractual liability

- of co-insured contractors, subcontractors including joint-ventures working on this project,
- of experts, architects, engineers, project manager (project developer, project controller) as well as specialist experts and safety coordinators, involved in the project,
- freelancer with regard to claims, which will be incurred by performing works in the interest of the Principal Insured.

With regard to co-insured contractors and their respective subcontractors is agreed that their own insurances will be primary to this insurance – this insurance will grant DIC/DIL coverage subsidiary to existing insurances of co-insureds. If the primary insurance of co-insured subcontractors will not grant coverage, this DIC/DIL insurance will grant coverage based on agreed terms and conditions, including personal liability of respective subcontractor related to the insured project.

Keyfacts of tendered Coverage:

Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Ostwind 3

Limit of Liability: 50,000,000 EUR per occurrence and in the aggregate

Deductible for claims related to Principle Insured: 100,000 EUR each and every occurrence

for claims related to other Insured: 25,000,000 EUR each and every occurrence

#### **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**

Start: 01/07/2023 End: 01/07/2026

This contract is subject to renewal: yes

Description of renewals:

The insurance period can be prolonged on request of the purchaser.

#### **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**

Project related Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Gennaker located in the German Baltic Sea.

Lot No: 4

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

66516000 Liability insurance services

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

NUTS code: DE3 Berlin

Main site or place of performance: German Baltic Sea

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

Project related Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover including all deliverables and works of insured contractors. Works related to this projects will be performed onshore as well as offshore.

This insurance will grant coverage for legal liability and – as far as explicit included - contractual liability

- of co-insured contractors, subcontractors including joint-ventures working on this project,
- of experts, architects, engineers, project manager (project developer, project controller) as well as specialist experts and safety coordinators, involved in the project,
- freelancer with regard to claims, which will be incurred by performing works in the interest of the Princial Insured.

With regard to co-insured contractors and their respective subcontractors is agreed that their own insurances will be primary to this insurance – this insurance will grant DIC/DIL coverage

subsidiary to existing insurances of co-insureds. If the primary insurance of co-insured subcontractors will not grant coverage, this DIC/DIL insurance will grant coverage based on agreed terms and conditions, including personal liability of respective subcontractor related to the insured project

Keyfacts of tendered Coverage:

Third Party Liability Cover including Environmental Liability Cover and Environmental Impairment Cover for HV/AC Grid Connection System Gennaker

Limit of Liability: 50,000,000 EUR per occurrence and in the aggregate

Deductible for claims related to Principle Insured: 100,000 EUR each and every occurrence for claims related to other Insured: 25,000,000 EUR each and every occurrence

#### **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**

Start: 01/07/2023 End: 01/07/2026

This contract is subject to renewal: yes

Description of renewals:

The insurance period can be prolonged on request of the purchaser.

#### **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:

With this application the bidder has to submit:

- 1) Permission for the business concern as insurers in accordance with §§ 8 ff., §§ 61 ff. VAG or equal under foreign law (see No. 1. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“).
- 2) Excerpt from the commercial register or equal under foreign law - not older than six months starting with the date of release of this call for tender (see No. 2. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“).
- 3) Self-declaration that criteria for exclusion according to § 21 Abs. 1 and SektVo will not apply to the bidder (see No. 3. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“).

4) Signed Non-Disclosure Agreement - NDA (see No. 4. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“).

Above mentioned information are reflecting minimum requirements to participate in this tender. Please submit these information via attached “Participation Application Document”. Please note that these criteria need to be proved by supporting documents.

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

List and brief description of selection criteria:

With this application the bidder has to submit:

- 1) Actual business report - copy or download-Link (see No. 5. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“)
- 2) Confirmation is required that a minimum rating of A- according to Standard & Poor’s or equivalent exists for the bidder (see No. 6. Of the „GENERAL REQUIREMENTS“ of the „Participation Application Document“).

Above mentioned criteria are reflecting minimum requirements to participate in this tender. Please submit these information via attached “Participation Application Document”. Please note that these criteria need to be proved by supporting documents.

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

List and brief description of selection criteria:

In addition to the “GENERAL REQUIREMENTS”, bidders for a LEADING QUOTE need to provide the following references (see “Information for Leading Insurers” of the “Participation Application Document”):

- a) Experienced Offshore underwriting capabilities (key personnel) in a leading role
- b) The minimum subscription quote for a leading quote is 20%.
- c) The claims service with in-house offshore risk engineer(s) and/or claims manager(s) must be always available at short notice.

Please submit these information via attached “Participation Application Document”

In addition to the “GENERAL REQUIREMENTS”, bidders for a PARTICIPATION QUOTE need to provide the following references (see “Information for Co-Insurers” of the “Participation Application Document”):

- a) Regarding the offer for a co-insurance quote only bidders are accepted which generally confirm their readiness to accept the Full Following Form without reservations.
- b) Expected participating share - non-binding -

Please submit these information via attached “Participation Application Document”

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

See general terms of purchasing (Allgemeine Einkaufsbedingungen) of 50Hertz Transmission GmbH

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

Bidding consortiums has to submit with this application a legally binding statement duly signed by all parties:

- naming all parties and an authorized representatives for the bidding consortium
- Stating that the authorized representative can lagally binding represent the bidding consortium towards the employer;
- Stating that in case of assignment a consortium will be established
- Stating tht all parties will be jointly and severally liable debtors

- Additionally to that it has to be declared which party will performing what part of the requested overall scope

## **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: no

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

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

Date: 23/01/2023 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: 01/09/2023

## **Section VI: Complementary information**

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

This is a recurrent procurement: no

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

1) Tenders or requests to participate must be submitted via e-mail to the above mentioned address.

2) Tenders or requests to participate (including all information and documents) has to be submitted in English language

3) By submitting the final offer no deviation to insurance terms and conditions are accepted. With submitting of first indicative offer deviations to insurance terms and conditions can be proposed. The bidder cannot request that proposed deviations will be reflected in the final insurance terms and conditions.

4) Process for selection of bidders based on their first indicative offers for participation in negotiations:

The number of bidders, requested to provide a proposal will not be reduced during the tender process.

We reserve the right, just to negotiate with a limited number of 5 bidders about future insurance terms and conditions. One prequalification criteria is that all of these 5 bidders aiming for a leading role will offer a minimum share of 20 %. If this prequalification criteria is fulfilled by more than 5 bidders, we will select the bidders based on following criteria:

Premium rate: 60 points

Wording: 20 points

Offered share: 10 points

References: 10 points

With regard to lead the insurance consortium we will assess relevant experience and references by leading insurance programmes for similar/comparable projects. In maximum 10 points can be achieved.

After negotiations with potential leading insurers about insurance terms and conditions all bidders will be asked for their binding final offer based on insurance terms and conditions agreed in before mentioned negotiations.

5) Bidders are entitled to offer a share of less than 100 %. By submitting of binding final offer the bidder has to declare, if he is willing to lead the insurer consortium or not in case of assignment. This is subject to a proposed share of not less than 20 %.

Every bidder has to declare if he is willing to lead the future insurance consortium and/or participate in the future insurance consortium.

6) Selection criteria with regard to binding final offer:

Premium rate: 80 points

Offered share: 20 points

7) Assessment process with regard to offered premium rates:

The bid with the lowest premium rates will get the maximum number of achievable points – 80 points. Bidders with premium rates 100 % above the lowest bid will get zero points. Achievable points for all bids between the lowest bid and the threshold of 100 % increase will be assessed by linear interpolation.

8) Assessment process with regard to offered share: Each percentage of share will be calculated with 0,2 points.

9) The bidder who had declared to lead the future insurers consortium and had been selected as the economically best offer based on before mentioned criteria will be assigned with his proposed share. If this proposed share will be less than 100 % further bids will be assigned based on their rating out of assessment criteria until 100 % will be reached. A request for the bidder of the full proposed share is therefore not granted.

10) This tender is based on net premiums (without any brokerage commission). The employer intends to appoint an insurance broker to services the tendered insurance contracts after this tender process had been finalized. The future insurance broker will be remunerated on a fee base directly from the employer. The services of the future insurance broker are not subject to this tender process.

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

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

Official name: Vergabekammer des Landes

Postal address: Martin-Luther-Straße 105

Town: Berlin

Postal code: 10825

Country: Germany

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

Telephone: +49 3090138316

Fax: +49 3090137613

Internet address: <http://www.berlin.de/sen/wirtschaft/wirtschaft-und-technologie/wirtschaftsrecht/vergabekammer/>

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

23/12/2022