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**Germany-Bayreuth: Installation services of electrical equipment
2022/S 123-351119**

Contract notice – utilities

Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1) Name and addresses

Official name: TenneT Offshore GmbH
National registration number: Amtsgericht Bayreuth: HRB 4516
Postal address: Bernecker Straße 70
Town: Bayreuth
NUTS code: DE Deutschland
Postal code: 95448
Country: Germany
Contact person: Carsten Heinrich
E-mail: carsten.heinrich@tennet.eu
Telephone: +49 5132892421

Internet address(es):

Main address: <https://www.tennet.eu/de/>
Address of the buyer profile: <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=197445>

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=197445>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=197445>
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:

HVAC universal submarine repair joint (110-220kV) ("SMART Joint")

II.1.2) Main CPV code

51110000 Installation services of electrical equipment

II.1.3) Type of contract

Services

II.1.4) Short description:

Development of an AC universal submarine repair joint for cable faults on AC cable systems (110 - 220 kV).
Construction as developed of two AC universal submarine repair joint and testing of the AC universal submarine repair joint for suitability for cable repair on the cables in operation by the Client.

II.1.5) **Estimated total value**

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.3) **Place of performance**

NUTS code: DE Deutschland

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

Client is in the market for procuring an AC universal submarine repair joint ("SMART Joint") for repairs capable of jointing 110 to 155 kV HVAC cables as operated offshore in Germany and 220 kV HVAC cables as operated offshore in the Netherlands. In order to have one universal repair joint for all these connections Client is looking to procure a so called "SMART Joint" design, where one design fits all.

According to the understanding of the Client, 1 (set) SMART Joint consists of the following design components:

- set of single phase joints for all conductor sizes and all kV levels
- fibre optic splice boxes
- outer rigid casing with connections (e.g. flanges) for bend restrictors
- set of articulated bend restrictors fitting for all outer diameters of cables

Client intends to use these joints in water depth from 0 m to 50 m (LAT). Preferably the number of electrical interfaces in the single phase joint design shall be kept to a minimum and mechanically a sound design shall be proposed by the Contractor. The "SMART Joint" shall be designed to last for a guaranteed in service lifetime of at least 30 years. This type of repair joint shall be easy to install onboard a cable repair vessel or barge in a 40-foot jointing container with as few different standard tools and within shortest duration as possible.

After development, construction and successful testing of two prototypes according to the corresponding test regime, the client has the possibility to order six "SMART Joints" from the contractor.

II.2.5) **Award criteria**

Criteria below

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

Quality criterion - Name: Contract terms / Weighting: 25%

Quality criterion - Name: HSE / 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: 8

This contract is subject to renewal: yes

Description of renewals:

In case of unfinished development, construction, testing of the AC universal submarine repair joint or an extra delivery of the six AC universal submarine repair joints, the framework agreement may be extended until delivery is completed.

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

The client reserves the right to negotiate with a maximum of four candidates. The selection of candidates to be invited for negotiations after the submission of tenders will be based on the award criteria according to number 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:

(a) Extract of professional or trade register

Proof of registration in a professional or trade register of the country in which the applicant is established, which must be no more than three months old at the time of expiry of the time limit for submitting an application for participation and

(b) Declaration that no grounds for exclusion under §§123,124 GWB (Act against Restraints of Competition) exists (corresponding form Annex_A7) and

(c) Business organization

The applicant and each member of a bidding consortium shall submit a presentation of the business organization as part of their application for participation, including references to the business model (corresponding form Annex_A1 and, if applicable, form Annex_A2).

Please follow the instructions given in the "Procedure_guidelines" that can be downloaded from Negometrix. The form "Annex_A4" should be used for verification purposes.

In the event that the tenderer uses the capacity 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 "Annex_A3" must be completed and handed in together with the request for participation (the relevant documents can be downloaded from Negometrix) by the tenderer in order to prove that other company/companies will be jointly and severally liable with.

The corresponding form Annex_A1-A4 and A7 can be downloaded via Negometrix and are to be submitted (uploaded) along with the application for participation of the applicant / tenderer.

III.1.2) Economic and financial standing

List and brief description of selection criteria:

- Annual reports (at least company balance sheet/profit and loss account) of the last 3 years must be submitted;
- Proof of an average annual turnover of at least EUR 4,000,000.00 must be provided for the past three years; In the case of a consortium, the aforementioned turnover shall be based on the cumulative turnover of the consortium partners, whereby the total turnover of the group shall apply to each individual bidder or consortium partner in the case of a group integration, provided that the bidder or consortium partner is 100% owned by the group parent company;
- Please provide proof of existing business and product liability insurance with an amount to at least EUR 3,000,000.00 per insured event for bodily injury, property damage and resulting consequential financial losses

and EUR 3,000,000.00 for environmental liability insurance and EUR 3,000,000.00 for environmental damage insurance.

The above-mentioned minimum coverage amounts can be demonstrated by a certificate from the insurer that the applicant is willing to cover the above-mentioned coverage amounts in the event of an award, including a letter of confirmation from the applicant to conclude these in the event of an award.

Please follow the instructions given in the "Procedure_guidelines" that can be downloaded from Negometrix. The form "Annex_A5" should be used for verification purposes.

In the event that the tenderer uses the capacity 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 "Annex_A3" must be completed and handed in together with the request for participation (the relevant documents can be downloaded from Negometrix) by the tenderer in order to prove that other company/companies will be jointly and severally liable with.

The corresponding form Annex_A5 can be downloaded via Negometrix and are to be submitted (uploaded) along with the application for participation of the applicant / tenderer.

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

List and brief description of selection criteria:

- Certification according to ISO 9001:2015
- Evidence of at least 2 reference projects, no more than 3 years ago, with the following criteria 1) that required the development of an HVAC joint 2) that required the construction of an HVAC joint
- Evidence of experience in testing HVAC joints according to the relevant test regime

Please follow the instructions given in the "procedural_guideline" that can be downloaded from Negometrix. The form "Annex_A6" should be used for verification purposes.

In the event that the tenderer uses the capacity 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 "Annex_A3" must be completed and handed in together with the request for participation (the relevant documents can be downloaded from Negometrix) by the tenderer in order to prove that other company/companies will be jointly and severally liable with.

The corresponding form Annex_A6 can be downloaded via Negometrix and are to be submitted (uploaded) along with the application for participation of the applicant / tenderer

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

In the event that different bidders join together to form a consortium, the client will only accept a joint liability of the consortium.

A statement has to be made, using Annex A2, stating that all members of the consortium are jointly liable. Furthermore, a clear consortia leader must be appointed. Moreover, the exact bidder constellation has to be explained and the legal construction needs to be visualized. The consortium structure shown in the prequalification phase is considered as fixed and may not be changed in the further proceedings

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.1.8) **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: 25/07/2022
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**
Tender must be valid until: 31/12/2022

Section VI: Complementary information

- VI.1) **Information about recurrence**
This is a recurrent procurement: no
- VI.3) **Additional information:**

Please refer to all documents provided on Negometrix (<https://platform.negometrix.com/PublishedTenders.aspx?tenderid=197445>)

Please read and follow the "procedural_guideline" provided on the tender home page in Negometrix and follow the instructions given.

The application for participation must be submitted electronically via the Negometrix e-Tendering Platform, together with all the required information and supporting documents. Pre-submission of the application documents by email, post and fax is not permitted and may lead to an exclusion.

The requests to participate must be submitted in due time and completely by the deadline (see section IV.2.2). Late entries cannot be considered. Incompletely submitted documents may lead to exclusion.

All documents referred to in point III.1) "Conditions of participation" and the "Procedure_guidelines" in this call for tender have to be submitted. All attachments have to be submitted via Negometrix only.

Please use the templates made available on Negometrix.

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.

Except for the award of the first individual contract, the framework agreement shall be concluded without minimum purchase quantities.

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 in Negometrix under the following link <https://platform.negometrix.com/PublishedTenders.aspx?tenderid=181444>

For the avoidance of doubt, it is emphasized that the framework agreement does not give rise to any claims against the Customer for call-offs up to the above mentioned maximum quantity.

Entitled to call-off for this framework agreement are also companies affiliated with the customer within the meaning of §§ 15 et seq. AktG (German Stock Corporation Act).

The call-offs under this contract shall be made by the principal (TenneT Offshore GmbH) and/or in particular one of the following commissioning companies:

- TenneT TSO GmbH,
- TenneT Offshore 1. Beteiligungsgesellschaft mbH,
- TenneT Offshore 9. Beteiligungsgesellschaft mbH,
- TenneT Offshore DolWin3 GmbH & Co. KG,
- TenneT TSO B.V.

The award of the contract is subject to changes in the legal and/or regulatory framework, rules and regulations in force at the time of the date of this announcement, the legal and/or regulatory framework, rules and regulations.

VI.4) **Procedures for review**

VI.4.1) **Review body**

Official name: Regierung Mittelfranken — Vergabekammer Nordbayern

Town: Ansbach

Postal code: 91511

Country: Germany

E-mail: vergabekammer.nordbayern@reg-mfr.bayern.de

Telephone: +49 981531277

Fax: +49 981531837

Internet address: <http://www.regierung.mittelfranken.bayern.de>

VI.4.3) **Review procedure**

Precise information on deadline(s) for review procedures:

Applicants/bidders must report violations of procurement regulations in compliance with the provisions of Section 160 (3) of the GWB. An application for review is inadmissible pursuant to Section 160 (3) GWB insofar as

1. the applicant was aware of the alleged infringement of procurement regulations before submitting the the application for review and has not notified the contracting authority thereof within a period of ten calendar days; the expiry of the time limit pursuant to Section 134 (2) GWB shall remain unaffected,
2. violations of procurement regulations which are identifiable on the basis of the notice are not notified to the contracting authority at the latest by the expiry of the time limit for application or submission of bids specified in the notice, or the contracting authority at the latest by the end of the period for application or submission of bids specified in the notice,
3. infringements of procurement regulations which are only apparent in the tender documents are not notified to the contracting authority by the the contracting entity no later than the expiry of the time limit for submitting applications or bids,
4. more than 15 calendar days have elapsed after receipt of the contracting entity's notification that it does not wish to remedy a complaint.

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

Official name: Regierung Mittelfranken — Vergabekammer Nordbayern

Town: Ansbach

Postal code: 91511

Country: Germany

E-mail: vergabekammer.nordbayern@reg-mfr.bayern.de

Telephone: +49 981531277

Fax: +49 981531837

Internet address: <http://www.regierung.mittelfranken.bayern.de>

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

24/06/2022