



INSTRUCTIONS TO TENDERER

Project KBH01

ENERGINET



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Content

<i>Please note that these Instructions to Tenderers will not be part of the Contract.</i>		4
1.	Legal basis	4
1.1	Tender with negotiation procedure	4
1.2	Documents	4
1.3	Confidentiality	4
2.	Contracting authority	4
2.1	Contracting authority	4
2.2	Contact information	5
3.	Extent of the procurement	5
3.1	Structure	5
3.2	Basic Coverage	5
3.3	Additional Coverage	5
3.4	Optional Coverage	5
3.5	Taxes	6
3.6	Insurance policies	6
4.	Procedure	6
4.1	Quotation	6
4.2	Alternative tender submissions	6
4.3	Validity	6
4.4	Acceptance or rejection of Tender.	6
4.5	Correspondence	6
4.6	Cost of Tendering	7
4.7	Conditions of Tenderer	7
4.8	Reservations	7
4.9	Questions	7
5.	Evaluation	7
5.1	Award Criteria	7
5.1.1	The amount of the total insurance cost	8
5.1.2	Additional Coverage – LEG 3/96	8
5.2	Clarifications	8
5.3	Opening of Tender submissions	8
5.4	Initial review of received bids	8
5.5	Negotiation	8
5.6	Awarding	9
5.7	Cancellation	9
6.	Time Schedule	9

These Instructions to Tenderer provide the information necessary for Tenderers to prepare Tenders in accordance with the requirements of the Contracting Authority. It also provides information on Tender submission and evaluation and on contract award.

Please note that these Instructions to Tenderers will not be part of the Contract.

1. Legal basis

1.1 Tender with negotiation procedure

This procurement is conducted using a negotiated procedure with prior publication of a notice pursuant to the legislation on public purchase below threshold with clear cross-border interests by the Danish parliament coordinating the procurement procedures.

1.2 Documents

The tender documents consist of the following documents (not in priority):

- Instruction to Tenderers
- Risk and Insurance Information

The Tender must be submitted on the basis of the Tender documents. Tenderer is therefore encouraged to check if the documents downloaded are complete. Moreover, note that any corrections, clarifications and questions / answers are regularly broadcasted during the quotation phase.

If the Tenderer becomes aware of errors or significant discrepancies in the tender documents then he or she is urged to bring this fact to the attention of the Contracting Authority thus giving the Contracting Authority the opportunity to remedy the situation by sending out corrigendum. This commitment also includes any inappropriately formulated insurance terms.

1.3 Confidentiality

The Tenderer shall consider the Tender documents and other information supplied to the Tenderer by the Contracting Authority or Willis Towers Watson, confidential and treat it accordingly, unless otherwise agreed by the Contracting Authority.

If a potential tenderer does not wish to tender, the Tenderer will be required to destroy the Tender documents and any copies thereof.

2. Contracting authority

2.1 Contracting authority

Energinet is the contracting Authority and will procure on own behalf:

Energinet
Tonne Kjærs Vej 65
7000 Fredericia
Denmark (DK)

Further information regarding Contracting Authority can be found in the tender documents.

2.2 Contact information

All inquiries regarding further information, documentation etc. should be directed to the designated broker:

Willis Towers Watson I/S
Rundforbivej 303
2850 Nærum
Tlf. +45 88 13 96 00
E-mail: michael.ekdahl@willistowerswatson.com

Inquiries must be in form of an e-mail.

In the event of discrepancies between the written instructions and verbal statements the written instructions will prevail.

3. Extent of the procurement

3.1 Structure

Tenderers are invited to submit their bids for the following lot:

Construction/Erection All-Risks Insurance incl. Third Party Liability, Marine Cargo and extended maintenance (CAR/EAR)

Please refer to the Schedule in the Tender documents.

3.2 Basic Coverage

Everything included in the Insurance Schedule forming part of the Risk and Insurance Information shall be regarded as basic coverage except for what is described in more detail in paragraphs 3.3 (Additional Coverage) and 3.4 (Optional Coverage) below.

The basic coverage shall be regarded as minimum requirements. Offers that do not meet these will therefore be rejected. If no quote meets the minimum requirements negotiations to obtain best possible quote will be initiated.
For the avoidance doubt, security demands are not regarded as part of the basic coverage but will be evaluated.

3.3 Additional Coverage

In the Schedule for the CAR/EAR – section 1 - additional coverage with regard to the sum insured for LEG 3/96 is requested.

The Contracting Authority will from an overall estimate of the Tenderer's compliance with additional coverage, evaluate which offer provides the best performance according to the Tender criteria. Failure to comply will not result in rejection of the Quotation.

3.4 Optional Coverage

No optional coverages in the Tender.

3.5 Taxes

1.1% of the premium is to be paid under the Danish General Insurance Tax Act. The tax shall be added to the net premium and must be separately indicated in the quotation.

3.6 Insurance policies

Insurance policies must be in English and Danish

In connection with the establishment of policies a proper and prompt policy issuance is required.

Tenderer is asked to confirm a delivery of certificate no later than 15 days prior to inception of policy.

Tenderer is asked to confirm a delivery of policy no later than 10 days prior to inception of policy.

4. Procedure

4.1 Quotation

Offers including supporting documents must be in English.

NB: There is a risk that Part P3 will be delayed or even cancelled or postponed on indefinite time. Energinet knows more about this in October 2018. If cancelled etc. the insurer must reimburse Energinet the prepaid premium for this part of the project. Due to this the Tender must specify the actual premium split for P1, P2 and P3 in their quotation. See also Cancellation clause.

Quotations are preferred electronically via Michael.ekdahl@willistowerswatson.com

Offers and related documents are not returned.

Offers received after deadline won't be taken into account.

Upon personal delivery of the offer a receipt is issued.

4.2 Alternative tender submissions

No alternate submissions are possible.

4.3 Validity

The offer shall remain valid for acceptance until 1st of June 2018.

4.4 Acceptance or rejection of Tender.

Acceptance or rejection is expected by 20th of March 2018.

4.5 Correspondence

Correspondence must be in English.

4.6 Cost of Tendering

Costs incurred by the Tenderer in connection with the preparation and submission of proposal, or with any other activities relating to the tendering process will not be reimbursed by Contracting Authority or Willis Towers Watson.

4.7 Conditions of Tenderer

Tenderer must be the legal person/entity with authority to sign on behalf of the Tenderer. For the avoidance of doubt, this also applies to companies belonging to the same group of companies than the legal person/entity.

4.8 Reservations

Public procurement rules causes that an exclusion within the bid – i.e. a reservation in the bid to a Tender specification - will often lead to the fact that the Contracting Authority is required to reject the offer.

Tenderers are advised to limit the use of reservations and instead try to clear up any ambiguities by asking questions.

Furthermore, the Contracting Authority will retain the right to reject bids that contain material reservations.

Any kind of reservation must be clearly stated.

4.9 Questions

Prior to submission of bid any questions may be directed at Willis Towers Watson I/S by e-mail:

dk-udbud@willis.com

or directly: Michael.Ekdahl@willistowerswatson.com

Questions must be in English and tenderers will receive a notification when answers are leased.

Q&A will be anonymized before release.

Questions received after the deadline will also be answered unless the nature of the question makes it an excessive burden to supply the answer before expiry of the offer period. Please see timetable below for deadline.

5. Evaluation

5.1 Award Criteria

Each quotation is evaluated to identify the most advantageous bid in accordance with the criteria below.

The contract is awarded to the most economically advantageous Tender in terms of the following criteria and the issued weighting:

- | | |
|---|------|
| 1. The amount of the total insurance cost | 80 % |
| 2. Additional Coverage - LEG 3/96 | 20 % |

5.1.1 The amount of the total insurance cost

By the size of the total insurance cost the total net premium is to be understood. The review of the insurance cost will be measured in relation to the target prize. The target prize is an average on basis of the received quotes. The lowest prize will be awarded the most points on a scale from zero to five.

5.1.2 Additional Coverage – LEG 3/96

LEG3/96 sum insured DKK 300,000,000 is a mandatory requirement. However Energinet request as high a sum as possible preferred is Full contract value.

The Contracting Authority will on the basis of an analysis of the quotes, award a number of points from zero to five, based on the Tenderer's ability to provide the requested coverage. A sum of DKK 300,000,000 will be appointed zero point and Full contract value will be appointed five points.

5.2 Clarifications

The Tenderer should ensure that both negotiating offer as well as final offer is complete.

In the time between receipts of the final offer until the Contracting Authority making the notification of the award decision, the Tenderers cannot expect that there will be contact with the Contracting Authority. If any, the contact will be instigated by Contracting Authority, and then only to obtain clarification of possible questions.

The Contracting Authority holds the right to verify the information given in the Tender within the limits of the procurement legislation. The Tenderer will be required to urgently provide reasonable assistance in connection with the request from Contracting Authority for this purpose.

5.3 Opening of Tender submissions

Tenders are recorded at their receipt and timely received Tenders are opened immediately after the deadline for submitting tenders.

The Tenderer is not authorized to attend the opening of Tenders or to receive information about other bids.

5.4 Initial review of received bids

Tenders received will be reviewed with a view to determining; first, whether each Tender contains the information sought and the requested material.

Offers that do not meet these conditions will be rejected and thus not considered eligible.

The offers, which meet the conditions, will then be reviewed with a view to determining whether each Tender contains reservations as regards basic issues, including basic coverages. If the offer contains such reservations, it will be rejected.

5.5 Negotiation

The Tender process consists of two phases:

The first phase includes Tenderers submitting negotiation offer.

Negotiation themes are determined by the Contracting Authority.

During the negotiations the Contracting Authority will give his views on the strong and weak sides of the Tender. The negotiations can comprise every aspect of the negotiation offers, including price.

After negotiations with the Tenderers on the basis of negotiating offers, the second phase comprises the invitation from the Contracting Authority to the Tenderer to submit best and final offer (BAFO) within the deadline and which will be evaluated by the Contracting Authority in accordance with the prescribed award criteria.

The Contracting Authority reserves the rights to limit the number of insurance companies to negotiate with and in any stage of the Tender phase to stop negotiations with a specific company.

5.6 Awarding

All Tender participants will as soon as possible and simultaneously receive written notification regarding the awarding of contracts.

Contracting Authority's notification of the award decision does not relieve unsuccessful Tenderers from obligations under the offer, which is still binding in accordance with clause 4.3.

5.7 Cancellation

Until the Tender is completed with the conclusion of the contract, the Contracting Authority may cancel the Tender as long as the cause is not unfair.

6. Time Schedule

The tender procedure is expected to be conducted in accordance with the following preliminary time schedule

Publication of tender documents	23 JAN 2018
Deadline for receipt of questions	09 FEB 2018
Deadline for release of Q&A	16 FEB 2018
Deadline for submission of first tender	23 FEB 2018
Negotiation phase	Week 9: from 25 FEB – 02 MAR 2018
submission of best and final offer	09 MAR 2018
Release of intention and Award of Contract	20 MAR 2018
Entry into force	01 APR 2018

The time schedule is subject to change.

End of document.