



INSTRUCTIONS TO TENDERERS

Declaration policy: SK4, REI Lykkegård,
REI Herning, Ad hoc projects, Ad hoc repair projects

Content

| | |
|---|---|
| <i>Please note that these Instructions to Tenderers will not be part of the Contract.</i> | 3 |
| 1. Legal basis | 3 |
| 1.1 Tender with negotiation procedure | 3 |
| 1.2 Documents | 3 |
| 1.3 Confidentiality | 3 |
| 2. Contracting authority | 3 |
| 2.1 Contracting authority | 3 |
| 2.2 Contact information | 4 |
| 3. Extent of the procurement | 4 |
| 3.1 Structure | 4 |
| 3.2 Basic Coverage | 5 |
| 3.3 Additional Coverage | 6 |
| 3.4 Optional Coverage | 6 |
| 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 | 7 |
| 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 |
| 5.2 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 to be conducted pursuant to Danish legislation on public purchases below threshold with clear cross-border interest. The procurement will be following a negotiated procedure with prior publication of a notice.

1.2 Documents

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

- Signed Broker of Record Letter
- Energinet – Risk & Insurance Information
- Instructions to tenderers (ITT)

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 Kjærsvej 65
Erritsø
7000 Fredericia
Denmark CVR: 28980671

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 / +45 22 69 11 11
 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 – Declaration Policy

3.1 Structure

Tenderers are invited to submit their bids for the following Declaration Policy, split in 4 different segments (see below).

All projects declared will be within Energinet’s normal scope of activities. For further information about the projects, periods etc. please see the Schedule in the Risk and Insurance Information document.

| | |
|---|---|
| <p>A 1) Onshore el</p> <p>Reinvestment Lykkegård DKK 97 mio. Reinvestment Herning DKK 59,5 mio. SK 4 Cable Repair DKK 10 mio.</p> <p>+ Ad hoc Onshore electrical works projects with a limit up to DKK 100 mio. per project and in total</p> <p>Value used in the evaluation model is DKK 250 mio.</p> | <p>A 2) Offshore el</p> <p>Ad hoc Offshore repair projects with an average repair cost of DKK 32 mio. and historically between 1 and 2 incidents per year.</p> <p>Maximum limit per repair project is DKK 100 mio. and in total</p> <p>Value used in the evaluation model is DKK 25 mio.</p> |
| <p>B 1) Onshore gas</p> <p>No expected projects.</p> <p>+ Ad hoc Onshore gas projects with a limit up to DKK 100 mio. per project and in total.</p> <p>Value used in the evaluation model is DKK 25 mio.</p> | <p>B 2) Offshore gas</p> <p>Ad hoc Offshore repair projects Historically there has been no incidents. Maximum limit per repair project is DKK 100 mio. and in total.</p> <p>Value used in the evaluation model is DKK 25 mio.</p> |

Ad hoc projects:

The (potential) Ad hoc projects mentioned in A1 and B1 relates to projects that have matured faster than expected which will start up from 15.11.2019 – 01.03.2020.

The (potential) Ad hoc projects mentioned in A2 and B2 relates to any potential claim to Energinet's existing Cables and/or Gas pipelines that might occur from 15.11.2019 – 01.03.2020 that needs to be immediately repaired.

This Contract determines the terms and conditions for the CAR/EAR insurance that will then be in place upon such repair.

Evaluation Model:

Evaluation criteria: Price 100%

The estimate and the Tenderer's offered rate will be multiplied to calculate an estimated insurance cost for each of the 4 segments for tender evaluation purposes.

Evaluation model, principles:

Price = Value of A1 x A1 rate + value of A2 x A2 rate + value of B1 x B1 rate + value of B2 x B2 rate.

Estimated total contractual value in the 4 segments above are inserted in the evaluation model:

Budgeted Premium Model:

Price = DKK 250.000.000 x A1 rate + DKK 25.000.000 x A2 rate + DKK 25.000.000 x B1 rate + DKK 25.000.000 x B2 rate

Turnover and Premium payment

Total budget turnover DKK 325 mio. with values and applicable rates as split above. Due to the uncertainty regarding Ad hoc works, the maximum turnover for this contract is DKK 500 mio.

The premium will be calculated according to the Evaluation model above.

The advance premium will be based and calculated upon 100% of the budgeted turnover, DKK 325 mio. Due to uncertainty regarding especially the extent of Ad hoc projects,

No minimum premium shall apply for this contract.

The premium will be adjusted (in April 2020) according to the actual works and the actual declared turnover with the applicable rates for A1/A2/B1/B2.

The insurance will continue for each project declared under this insurance until final TOC following the extended maintenance period according to the Schedule.

3.2 Basic Coverage

Everything included in the UW Material 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

No additional coverages in the Tender.

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 Danish or English

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 policy inception and delivery of policy no later than 10 days after policy inception.

4. Procedure

4.1 Quotation

Offers including supporting documents must be in Danish or English.

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 January 2020.

4.4 Acceptance or rejection of Tender.

Acceptance or rejection is expected by 15th of November 2019.

4.5 Correspondence

Correspondence must be in Danish or 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:

michael.ekdahl@willistowerswatson.com

Questions must be in Danish or English and tenderers will receive a notification when answers are released.

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:

The amount of the total insurance cost 100 %

Further information regarding evaluation criteria see Section 3.1 above.

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

Due to the early inception of this contract the Tender process will most likely not consist of a negotiation phase hence Tenderers are bound by their first tender, which will then be considered Best and Final Offer (BAFO).

Some minor adjustments to the contract may be agreed between the Contracting Authority and Tenderers.

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

| Tender procedure | Date |
|--|-------------------|
| Publication of tender documents | 7. November 2019 |
| Deadline for receipt of questions | 12. November 2019 |
| Deadline for release of Q&A | 13. November 2019 |
| Deadline for submission of tender / BAFO | 14. November 2019 |
| Release of intention and Award of Contract | 15. November 2019 |
| Inception Date | 15. November 2019 |

The time schedule is subject to change.

End of document.
