

Verfahren: 2025006524 - REB, Lot 4c: two 400/110kV grid transformers (300 MVA) and Lot 4d: two distribution 110/22.5kV transformers (125 MVA), Projekt Reuter Electrical Backbone

EIGNUNGSKRITERIEN

1 Lot query [Mussangabe]

Which lot or lots would you like to apply for?

- Lot 4c
- Lot 4d
- Both lots (4c and 4d)

Mehrere Antworten wählbar

2 Eligibility (and other requirements)

2.1 Disclaimer (language)

For technical reasons, the award platform "Deutsche eVergabe" partly uses terms in German. The awarding authority has no influence on this setting. In order to avoid misunderstandings, you will find translations below:

Teilnahmewettbewerb - pre-qualification procedure (for selection of bidders)

Verfahren - procedure

Kriterienkatalog - criteria catalog

Eignungskriterien - eligibility criteria

K.O.-Kriterium = Mindestbedingungen - minimum requirement

Mussangabe - mandatory information

Nur eine Antwort wählbar - Only one answer can be selected

Keine Angabe - No response

Ja - yes

Nein - no

The passages in English are binding.

2.2 Information and forms

Along with the request to participate, the applicant must provide proof of compliance with the following conditions in the manner described (every applicant and every member of a bidding consortium must submit the documents mentioned in 5.1.9) Register A, B, C, D and E of the contract notice):

2.3 Register A

Covering letter presenting the company and its complete group structure (including ownership).

Mention of the main contact person for this tender with name, function, mail address, mobile phone

- Keine Angabe (0)
- Ja (0)
- Nein (0)

Nur eine Antwort wählbar

2.4 Note

All registers B), C), D) and E) must be fulfilled. For this purpose, the applicant must use the form provided by the contracting authority (see Annex "Register B C D E Self-declarations").

2.5 Register B) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

In accordance with the Act on the Establishment and Operation of a Register for the Protection of Competition for Public Contracts and Concessions (WRegG), the contracting authority is obliged to consult the competition register. The contracting authority shall consult the registration authority at the latest before awarding the contract to determine whether any entries are stored in the competition register. The existence of entries in the competition register may lead to exclusion from the award procedure. For this purpose, the completed declaration for the information to be queried in the competition register (see Annex 'Register B C D E_Self-declarations') must be submitted with the tender documents.

- Keine Angabe
- Ja
- Nein

Nur eine Antwort wählbar

2.6 Register C) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

Submission of the applicant's completed declaration on mandatory and optional exclusion criteria within the meaning of Sections 123 and 124 of the GWB (German Act against Restraints of Competition) as well as Section 21 AentG (German Act on the Employment of Foreign Workers), Section 98c AufenthG (German Residence Act), Section 21 SchwarzArbG (German Act against Illegal Employment), Section 19 MiLoG (German Minimum Wage Act) and Section 22 LkSG (German Act on the Employment of Foreign Workers). For this purpose, the applicant must use the form provided by the contracting authority ('Register B C D E_Self-declarations').

Keine Angabe
 Ja
 Nein

Nur eine Antwort wählbar

2.7 Register D) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

Submission of the applicant's completed declaration of compliance with the BEW Berliner Energie und Wärme GmbH Code of Conduct for Suppliers and Partners. For this purpose, the applicant must use the form provided by the contracting authority (see Annex 'Register B C D E_Self-declarations').

Keine Angabe
 Ja
 Nein

Nur eine Antwort wählbar

2.8 Register E) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

Submission of the applicant's completed declaration regarding VO-2022-833 (Russia sanctions).

For this purpose, the applicant must use the form provided by the contracting authority ('Register B C D E_Self-declarations').

Keine Angabe
 Ja
 Nein

Nur eine Antwort wählbar

3 Economic and financial standing

3.1 Information and forms

Each applicant and each member of a consortium of applicants must submit the documents specified in 5.1.9, Register F of the notice.

The evidence specified in 5.1.9, Register G of the notice must be submitted only once by each applicant or consortium of applicants.

3.2 Register F) [Mussangabe]

Submission of a recent business credit report.

Keine Angabe (0)
 Ja (0)
 Nein (0)

Nur eine Antwort wählbar

3.3 Register G) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

The applicant must prove its financial capacity by demonstrating, *inter alia*, that its average annual turnover for the last three completed financial years corresponds to the following values:

for an application for lot 4c: at least EUR 15 million

for an application for lot 4d: at least EUR 7.5 million

for an application for lots 4c AND 4d: at least EUR 20 million

(Each applicant or consortium of applicants need to submit this evidence only once.)

If the applicant/consortium of applicants is unable to provide the required evidence for understandable reasons, e.g. because it has not yet been active on the market for three years, or because only consolidated financial statements are prepared within a group of companies, or because it is exempt from the disclosure of annual reports under commercial law, the contracting authority reserves the right – without being obliged to do so – to request equivalent alternative documents as proof of the required financial capacity. Particular attention is drawn to the possibility of loan of eligibility. (The so called "Eignungsleihe" means lending economic capability, financial, technical and professional ability.)

Keine Angabe
 Ja
 Nein

Nur eine Antwort wählbar

3.4 Register H) [not applicable]

not applicable

4 Technical and professional ability

4.1 Information and forms

See also further explanations under 5.1.6.

Each applicant and each member of a consortium of applicants must submit the documents specified in 5.1.9, sections J, M and N of the notice.

Each applicant or consortium of applicants must submit the evidence specified in 5.1.9, sections I, K and L of the notice only once.

4.2 Register I) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

Reference information on comparable products and services related to the subject matter of the tender (see also section 5.1 of this announcement):

As a minimum requirement, applicants must submit per lot at least three (3) reference projects carried out within the last 10 years for products and services comparable to the tendered scope of work (see project description) in the field of public infrastructure (energy generation and transmission) or in a comparable industrial environment.

The following applies to Lot 4c:

- At least three (3) reference projects involving the planning, delivery, installation and commissioning of 400/110kV grid transformers (or EHV/HV transformers with comparable technical characteristics and comparable voltage levels) with a capacity of at least 300 MVA.

The following applies to lot 4d:

at least three (3) reference projects involving the planning, delivery, installation and commissioning of 110/22.5kV distribution transformers (or HV/MV transformers with comparable technical characteristics and comparable voltage levels) with a capacity of at least 125 MVA.

For applicants who apply for both lots, the minimum requirements per reference and lot can also be demonstrated collectively within a reference project, so that in this case it is sufficient if the above requirements per lot are met collectively in at least 3 reference projects.

The minimum requirements can also be demonstrated collectively within a single reference project, in which case it is sufficient if at least 3 of the total of at least 6 reference projects meet the above requirements.

The following information must be provided for each reference:

Reference project: (name, location/country)

Client:

Date of contract award....

*Contract value: ...

Brief description of the scope of the project and the main services provided (e.g. planning, delivery, installation, commissioning, documentation, training, service): ...

*Start and end of services and date of commissioning:

*Number of the applicant's employees working on the project:

Transformer/product name and type: ...

Voltage level [kV]: ...

Capacity [MVA]: ...

*Type of power connections: ...

*Type of cooling system: ...

*Manufacturer of the tap changer drive: ..

Names of the persons responsible on the applicant's side: ...

*Contact details of the person responsible on the reference client's side: ...

The applicant must use the form provided by the contracting authority for each reference ('Register I_References_Transformers').

If the information marked with an asterisk (*) cannot be provided for understandable reasons to be explained by the applicant (e.g. confidentiality agreements), this will not result in exclusion, as this information is for informational purposes only.

The contracting authority is entitled to take into account its own experiences with applicants from comparable projects. If there is evidence of negative experiences, the client may invite the applicant to a personal interview. If, during the interview, the applicant is unable to demonstrate its capability despite the client's own negative experiences, the contracting authority is entitled to exclude the applicant from the tender process as incapable.

Keine Angabe
 Ja
 Nein

4.3 Register J) [Mussangabe]

Proof of a quality management system in place and implemented through operational instructions in accordance with the DIN EN ISO 9001 series, as demonstrated by currently valid certificates. Alternatively, proof of a comparable quality management system in place must be provided.

Keine Angabe (0)
 Ja (0)
 Nein (0)

4.4 Register K) [not applicable]

not applicable

4.5 Register L) [not applicable]

not applicable

4.6 Register M) [MINIMUM REQUIREMENT] [Mussangabe]

Ausschlusskriterium

The applicant must answer an H&S (Health & Safety) questionnaire.

The questionnaire will be provided by the contracting authority (see section I.1)).

The applicant must fully comply with the H&S exclusion criteria (1st spreadsheet) as minimum requirements. The contracting authority will also evaluate the answers in the H&S questionnaire (2nd spreadsheet) in accordance with the provisions listed in the questionnaire. In individual cases, the contracting authority reserves the right to review and approve applications that do not achieve the 16 points. The specific distribution of the points to be awarded is set out in the questionnaire (3rd spreadsheet).

Note: Contrary to the above requirement to achieve a total of at least 10 points, the contracting authority is free to deviate from this minimum requirement in special cases in order to promote competition – without being obliged to do so – and to admit applicants to the further procedure anyway, subject to conditions if necessary. Special cases include, among others, those in which an overall assessment shows that the applicant has already improved its efforts in the area of HS – in particular, but not limited to, those areas in which the minimum requirements are not met – and has taken appropriate measures, and it can be expected that it will be able to fully meet all of the HS requirements of the awarding authority if the contract is awarded.

These must be specific technical, organisational and personnel measures, and the facts and circumstances relating to the failure to meet the minimum requirements must have been comprehensively clarified through active cooperation between the various organisational units of the applicant company.

The contracting authority is free to carry out audits at the applicant's premises for verification purposes and/or to agree on further measures with the applicant. However, there is no obligation to do so.

Applicants who do not meet the minimum requirements are requested to submit a separate document describing the reasons for not meeting the minimum requirements and also indicating which improvement measures have already been initiated and which additional measures are planned for the future.

Keine Angabe
 Ja
 Nein

4.7 Register N) [Mussangabe]

Proof of an existing information security management system (ISMS, e.g. ISO/IEC 27001 or equivalent) at the applicant.

Keine Angabe (0)
 Ja (0)
 Nein (0)

5 Formal declarations**5.1 Confidentiality [MINIMUM REQUIREMENT] [Mussangabe]**

Ausschlusskriterium

The confidentiality agreement (appendix) is acknowledged.

Keine Angabe
 Ja
 Nein

6 Guidelines for the request to participate

6.1 Formal requirements for applications

1. Applications must be submitted electronically in the specified form and preferably in English (optionally in German) to: <https://root.deutsche-eve-rgabe.de/portal/>.

Use of the deutsche-evergabe.de portal is free of charge for applicants and bidders for BEW projects.

Applications to participate can be submitted there.

Applications for participation by post, fax or email will not be accepted.

2. All evidence of compliance with the conditions of participation must be uploaded to the appropriate place (section 'Own attachments') and given a descriptive file name to facilitate verification. The corresponding file names should begin with 'Reg_-' (Reg_ = respective register), contain abbreviations for the content and company, and not exceed a length of 60 characters and a size of 20 MB.

(Example: 'Reg_A_UN-Praesent_Fa_XXX XXXXXXX_2025_XX_XX').

Minimum requirements are 'knockout criteria'; section 5.1.A, item 8 applies here. 'Mandatory information' must be provided so that applicants can submit their applications on the portal. However, the term 'mandatory information' does not indicate whether it is a minimum requirement. Minimum requirements are always designated as such. The application must be structured in accordance with the numbering in section 5.1.9 and must contain the requested information in the respective sections. The contracting authority reserves the right not to consider information that is not contained in the sections designated for this purpose. References to previous applications are not sufficient as proof.

3. 'Current' in section 5.1.9 means that the date of issue of the respective third-party certificate must not be more than 6 months prior to the date of publication in the Official Journal of the EU.

4. The obligation to submit third-party certificates does not apply if and to the extent that a comparable register is not maintained or registration is not required. The applicant must provide evidence of this and explain the situation. In this case, the applicant must provide the information required to verify the register in question by submitting other documents or self-declarations. The contracting authority is free to request additional documents and information for clarification purposes, but is not obliged to do so. This also applies to minimum requirements.

5. In accordance with the previous point 4, foreign applicants are required to submit comparable third-party certificates. Their equivalence must be proven. A comprehensive description is expected in this regard. In this context, please note that the entire application must be submitted in English (optionally in German), including the relevant evidence and attachments. If an official document or reference information, etc. is not in English or German, a literal translation by a sworn interpreter must be submitted.

6. An applicant may, even as a member of a consortium of applicants, refer to the capabilities of other companies when proving its capability:

a) Bidders who wish to make use of the loan of eligibility (not possible for reliability in accordance with Section 5.1.9) must immediately name the subcontractors whose capability they are borrowing and must submit the relevant evidence from section 5.1.9 of the subcontractors with the application for participation, whereby the obligation to submit evidence is limited to the part of the service for which the subcontractor is to be responsible. In this case, the applicant must prove that the subcontractor provides them with the necessary resources (e.g. by means of a letter of commitment).

b) Any other subcontractors (those not used for the loan of eligibility) do not initially have to be named in the application for participation, and the evidence in accordance with sections 5.1.9 for the subcontractors does not initially have to be submitted. Only the proportion of external services must be specified.

However, the contracting authority reserves the right to request other applicants/bidders who are shortlisted for participation in the further procedure and who intend to use subcontractors to name these subcontractors and to submit the above evidence for their share of the work before the conclusion of the competition for participation or during the entire further procedure.

7. The contracting authority reserves the right – without being obliged to do so – to request additional declarations and evidence (including in relation to the minimum requirements). It also reserves the right to request a personal interview with an applicant or a visit to the applicant's company or a reference project, e.g. in order to verify the validity of the self-declarations. The applicant has no right to demand additional information or a personal interview.

8. The contracting authority reserves the right to exclude applications that do not meet the minimum requirements and/or deadlines from further consideration without further review.

9. By submitting the application to participate, the applicant also declares their agreement to a change of contracting authority. It cannot be ruled out that another company may become the contracting authority in the course of the award procedure.

10. Questions must be submitted exclusively via the eVergabe question and answer tool. The contracting authority will endeavour to respond promptly.

11. If and to the extent permitted by law, suitability criteria may also be demonstrated by using a European Single Procurement Document.

12. Applicants – in the case of consortia, each member individually – are required to sign a confidentiality agreement; to do so, applicants must use the form provided by the contact point (see section 1.1 of the notice).

6.2 Tender procedure / Requirements for contract award

The specific procedural provisions governing the tendering process are set out in the invitation to tender. For reasons of maximum transparency, the contracting authority nevertheless announces in advance a number of general rules, compliance with which is not, however, mandatory and which may therefore be specified in more detail or amended in the invitation to tender:

1. Throughout the entire further course of the procedure, the contracting authority reserves the right to disregard bids which, based on the award criteria, are economically inferior to those of competitors and/or do not comply with the specifications, even after the bids have been submitted and during the further course of the negotiations (so-called 'layering').

Furthermore, the contracting authority reserves the right to request the participating bidders to submit new bids after each round of negotiations. In doing so, the contracting authority is likely to use the findings at the respective stage of the procedure and, if necessary, issue a modified request, which, for reasons of comparability of the bids, may only be submitted by each participating bidder in the specified manner.

2. The award of the contract is subject to the approval of the client's committees.

3. The award of the contract is subject to the availability of public law approvals.
4. The award of the contract is subject to the contracting authority determining that the services can be performed in an economically viable manner.
5. When evaluating the bids, the contracting authority reserves the right to give positive consideration to presumed bids for both lots if this results in an overall discount and/or the bidder assuming responsibility for the interfaces (so-called 'super lots'). However, the contracting authority is not obliged to do so.
6. As the procurement project is of great importance for the functioning of the community as a whole, and the complete publication of the documents would allow conclusions to be drawn about the functioning of critical infrastructure facilities, the contracting authority invokes Sections 5(3), 41(4) of the SektVO to maintain confidentiality and secrecy, and will only provide further information on the project to those bidders in the tendering process who have demonstrated in the preliminary competition for participation that they are capable of performing the required services (eligibility assessment).
7. The contracting authority reserves the right to announce further options in the tender documents.
8. Information on review periods:

In accordance with Section 160 (3) sentence 1 nos. 1 to 4 GWB, a request for a review is inadmissible

 - a) if the requester identified the alleged violation of procurement rules before lodging the request for a review and did not notify the contracting entity within ten calendar days; the expiry of the period pursuant to Section 134 (2) remains unaffected (Section 160 (3) sentence 1 no. 1 GWB);
 - b) if violations of public procurement regulations that are apparent from the announcement are not reported to the contracting authority by the deadline for submitting bids or applications specified in the announcement (Section 160 (3) sentence 1 no. 2 GWB);
 - c) insofar as violations of procurement regulations that are only apparent in the procurement documents are not reported to the contracting authority by the deadline for submitting bids or applications specified in the announcement/invitation to tender (Section 160 (3) sentence 1 no. 3 GWB);
 - d) if more than 15 calendar days have passed since receipt of the contracting authority's notification that it does not intend to remedy a complaint (Section 160 (3) sentence 1 no. 4 GWB).