

Co-use and nature enhancement in Nordic offshore wind farms – Invitation to tender



**Invitation to tender**

for open competition under the EEA threshold  
when procuring:

**Co-use and nature enhancement in Nordic offshore wind farms  
(Deadline: 03.05.2022, 13:00 CEST)**

## Co-use and nature enhancement in Nordic offshore wind farms

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# 1. Introduction

## 1.1 About the contracting authority

Nordic Energy Research is an institution under the Nordic Council of Ministers which manages and finances international research programs and projects that add value to national work in the Nordic countries. In addition, we perform certain secretariat and analytical functions in the energy policy cooperation under the Nordic Council of Ministers. The board of Nordic Energy Research comprises representatives from the authorities and ministries responsible for energy research funding in Denmark, Finland, Iceland, Norway, and Sweden, who also contribute to most of the organisation's funding.

In this invitation to tender, Nordic Energy Research acts as the contracting partner on behalf of the Nordic Council of Ministers, which funds this report.

## 1.2 Overview

In 2021, the Nordic Council of Ministers commissioned a study to gather good examples of co-existence between offshore wind farms (OWFs) and biodiversity. This resulted in the 2022 report [Accommodating Biodiversity in Nordic Offshore Wind Projects](#), which recommended the following actions for Nordic public authorities and OWF industry:

1. Leverage existing frameworks for cross-border co-operation on data collection and cumulative impact assessment.
2. Initiate collaboration for marine spatial planning at sea basin scales to ensure minimal conflict with environmental and other sea users' interests.
3. Explore potentials for sharing experience on practices for stakeholder engagement in wind energy development, across borders and industries.

The report emphasises that co-use/nature enhancement can be integrated into OWFs if properly planned, and sea basin-wide cross-sectoral consultation is key to facilitating this.

### 1.2.1 Objective

Investigate which tendering instruments and partnerships are needed to facilitate co-use/nature enhancement in Nordic OWFs, with a view to assist governments in issuing substantive requirements for licensing and choice of locations. Preliminary findings shall be presented at a meeting of Nordic energy ministers on 24 August 2022.

### 1.2.2 Background

The European Commission anticipates a twentyfold increase in Europe's offshore wind capacity to reach climate neutrality by 2050. The [Offshore Renewable Energy Strategy](#) recognises that the Nordic region will be key, since it is estimated that the North Sea can supply around 200 GW by 2050, and the Baltic Sea around 80 GW. However, realising this ambition will create new challenges for marine spatial planning.

The [European Green Deal Communication](#) underscores that OWF expansion must be compatible with the [Marine Planning Directive](#) and [EU Biodiversity Strategy](#), while also promoting co-use of sea space. Policy-relevant species include those protected under the [Habitats Directive](#), marine species in [Natura 2000](#) habitats, [Red List](#) species, those for which targets are defined in national marine strategies, and commercially interesting species.

The Commission's [European Maritime, Fisheries and Aquaculture Fund](#) (EMFAF) has financed [innovative multi-use projects](#) supporting the development and uptake of offshore renewable energies and other blue economy activities with nature protection. Other relevant EU initiatives include: MULTIFRAME, UNITED, MUSICA, MARIBE, MERMAID, TROPOS, MUSES, Space@Sea, Edulis, Wier&Wind, ORECCA, H<sub>2</sub>OCEAN and CO-EXIST.

In the Netherlands, it is a requirement in the licensing process that OWFs provide nature-enhancing solutions<sup>1</sup> – the [Rich North Sea](#) and [Flat Oyster Consortium](#) are supporting this. Likewise, [The North Sea Agreement](#) exemplifies that cross-sectoral consultation between government, business, NGOs and civil society is crucial to identify opportunities and risks related to co-use of the sea space. However, using OWFs as a means of active biodiversity restoration is yet to be a major focus area in other parts of the North or Baltic Seas.

This assignment aims to investigate: Whether a similar licensing requirement to the Dutch example should be implemented in a Nordic context; How a market dialogue might take place such that a site-specific approach is followed before new OWFs are tendered, or a course is set for co-use/nature development in tendered and built OWFs; To what extent a common sea basin-wide “area passport” or “overlap map” would add value for MSP.

See Appendix G for additional resources.

### 1.2.3 Tasks

The consultant shall organise a minimum of two workshops:

**Workshop 1:** Assess the needs of stakeholders regarding licensing and area designation for co-use/nature enhancement, possible adjustments to tendering conditions, timetable, pre-qualification, award criteria, processes for environmental assessment etc.

**Workshop 2:** Scope partnerships/market dialogue to follow a site-specific approach before new OWFs are tendered, or enable co-use/nature enhancement in already tendered and built OWFs, and approaches to implement Nordic pilot projects.

**Workshop X:** To be proposed by the consultant in the offer.

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<sup>1</sup> The Ministry of Agriculture, Nature and Food Quality, The Netherlands, 2020

The workshops shall result in an input paper to support Nordic governments in issuing substantive licensing and location requirements for co-use/nature enhancement in OWFs.

#### 1.2.4 Method

The consultant is responsible for defining a detailed approach to the tasks. It is expected that relevant stakeholders are identified via interviews. The workshops shall include government, OWF investors, developers and operators, commercial interests (e.g., mariculture, fisheries, data services), NGOs, civil society, and scientific experts.

The proposal must include an overview of relevant stakeholders and a draft approach to organising the workshops. It is expected that the consultant organises two to three meetings with Nordic Energy Research to provide progress updates during the project.

#### 1.2.5 Preliminary timeframe & deliverables for the project execution

The proposed timeframe is set out in the table below. The timing of deliverables is flexible and can be agreed with Nordic Energy Research, except for the 24 August Nordic ministerial meeting, where preliminary findings/progress shall be presented.

Action	Deliverable	Date	Responsible
Contract signed	Contract	01.06.2022	NER
Kick-off meeting	Minutes from meeting	01.06.2022	Consultant
Present plan for workshop execution to NER	Oral presentation, Nordic capital/video call	08.06.2022	Consultant
Workshop 1	Workshop proceedings, minutes and outcomes	Q2/Q3 2022	Consultant/Moderator/Steering group
Workshop 2-3	Workshop proceedings, minutes and outcomes	Q2/Q3 2022	Consultant/Moderator/Steering group
Present workshop outcomes to Steering group	Oral presentation	17.08.2022	Consultant
<b>Nordic ministerial meeting</b>	<b>Two PowerPoint slides summarising outcomes from the workshops</b>	<b>24.08.2022</b>	<b>Consultant</b>
Summary meeting	Workshop outcomes, input paper (single document)	Q3/Q4	Consultant/NER
Language check of input paper	Comments to editor	Q4 2022	Consultant/NER
Layout customization of input paper	Comments	Q4 2022	Consultant
Final presentation	Oral presentation, European capital/video call	Q1 2023	Consultant

Contract signature will be done via e-mail or mail. The kick-off meeting will be conducted via Teams/teleconference.

#### *1.2.6 Use of the report and the results*

The workshop results and tender instruments catalogue will be made publicly available, free of charge, on the Norden Publications portal (NordPub, <https://norden.diva-portal.org/smash/search.jsf?dswid=-7222>), and will be offered as a tool to be used by Nordic ministries and other relevant stakeholders. Applicants are requested to familiarise themselves with the Norden design manual (<http://design-en.norden.org/>) when finalising these deliverables.

#### *1.2.7 Value of the assignment*

The total cost for the tender may not exceed 550 000 NOK, VAT excluded. All expenses should be included.

#### *1.2.8 Contract*

A contract shall be established with the awarded consultant.

The supplier may have subcontractors to specific task, but it will be the supplier who should have the entire responsibility regarding deadlines, quality insurance and finances etc. vis-à-vis the purchaser. If subcontractors are used, documentation for their participation in the project must be submitted, their role must be described and together with their estimated budget allocated.

### **1.3 Announcement of the tender**

The invitation to tender will be available via Doffin and TED, as specified in Chapter 2.5.

## **2 Administrative regulation**

### **2.1 Purchase procedure**

The procurement directive is not directly applicable to Nordic Energy Research as an international organization located in Oslo. Consequently, only the general principles of the EU/EEA will apply to this procurement process. This procurement process will be conducted in accordance with the Norwegian Act on Public Procurement of 17 June 2017 (Lov om Offentlige Anskaffelser – LOV-2016-06-17-73) and the Norwegian Regulation on Public Procurement (FOA; Forskrift om offentlige anskaffelser – FOR-2016-08-12-974) of 18 August 2016 part I.

The purchase procedure will be executed in an open competition according to the main principles of FOA. This procedure allows all potential suppliers to bid.

## 2.2 Requested structure of the competition

The competition will be based on:

- this document, containing information about the content, procedures and frames describing the process until the award and signing of the contract, and
- the appendices as presented below.

Appendices:

Appendix A: EHS declaration

Appendix B: Tender

Appendix C: Disclaimer and Deviation

Appendix D: Consultancy Agreement Draft

Appendix E: Standard Terms of Contract for Consultants

Appendix F: ESPD (optional)

Appendix G: Recommended resources

## 2.3 Contact information

Contact persons concerning this purchase are Marton Leander Vølstad, Adviser at Nordic Energy Research, E-mail: [Marton.Leander.Volstad@nordicenergy.org](mailto:Marton.Leander.Volstad@nordicenergy.org); and Astrid Bratli, Coordinator at Nordic Energy Research, [Astrid.Bratli@nordicenergy.org](mailto:Astrid.Bratli@nordicenergy.org)

## 2.4 Language

All communication, written and oral, regarding this matter should be made in English. This also applies for the tender itself. Possible legal questions must be communicated in Norwegian.

## 2.5 Execution of the tendering process

Activity	Date
Announcement via Doffin and TED	16.03.2022
Deadline for questions concerning the invitation to tender	21.04.2022
Answers to questions concerning the invitation to tender	26.04.2022
Deadline for tender submission	03.05.2022, 13:00 CEST
Opening of tender	03.05.2022, 14:00 CEST
Evaluation of tender	04.05-10.05.2022
Contract award intention announced	13.05.2022
Deadline for submitting objections to award	31.05.2022
Contract award and signing	01.06.2022
Kick-off meeting	01.06.2022



## 2.6 Correction, addition and/or change of the competition

Before the deadline of the competition, the purchaser is entitled to make corrections, additions or changes to the competition that are not significant.

## 2.7 Questions for the competition

Any questions the suppliers may have for the competition must be received by the deadline indicated in the schedule 2.5.

Questions must be sent by e-mail to the contact person of the competition as indicated in 2.3. All questions will be answered anonymously and made available for all who have registered to receive the competition on Doffin and TED in due time before the deadline of the competition.

## 2.8 The participation cost of the supplier

Any cost that the supplier may have in connection with the preparation, delivery or follow-up of the tender and the procurement process will not be refunded. Participation in the tendering process will in no way commit the purchaser to enter into a contract with the supplier or involve the purchaser in financial obligations.

## 2.9 Return of tender

The purchaser will not return the tender of the supplier.

# 3 Wages and working conditions

If this competition includes services or construction work in accordance with regulations of February 8, 2008 no.112 on wages and working conditions in public contracts, separate requirements and remedies related to this apply.

# 4 Requirements for the tender

## 4.1 Structure of the tender

The tender should contain the following documentation that should be structured according to the following sectioning.

Section no.	Documentation
1.	Tender which should include the following: 1.1 Reference to the name of the competition 1.2 The address, phone number and e-mail address of the supplier 1.3 The contact person of the supplier and his phone number and e-mail address

	1.4 Confirmation of the validity of the tender, cf. section 4.3. 1.5 Binding signature from a person with authority to sign on behalf of the supplier
2.	Documentation of eligibility: Documentation described in 6.2-6-4, or via completion of European Single Procurement Document (ESPD), available as Appendix F
3.	Requirements for technical and professional qualifications ref. section 6.5 Documentation of award criteria ref. section 7.1.
4.	Any modifications or alteration to the competition or the contract ref. section 4.7. and Appendix C.
5.	Other relevant information.

#### 4.2 Delivery Format of the tender

Tenders should be delivered by e-mail to [tender@nordicenergy.org](mailto:tender@nordicenergy.org) with the following subject line: **Co-use and nature enhancement in Nordic offshore wind farms – TENDER**

The tender should be in PDF format and/or another Microsoft Office compatible format.

#### 4.3 Validity

The tender must have a validity of a minimum of 90 days from the day of the deadline of the tender.

#### 4.4 Contract

The supplier must base his tender on the enclosed contracts (Appendices D and E).

#### 4.5 Tender for all or part of the delivery

It is not permitted to submit tenders for part of the delivery.

#### 4.6 Alternative tenders

It is not permitted to submit alternative tenders.

#### 4.7 Reservations and amendments

Significant reservations and amendments shall be stated precisely and unambiguously so that the purchaser can evaluate the offer without contacting the supplier. Reservations and amendments shall clearly and unambiguously refer to the relevant appendix and point in the tender documents and shall be annexed to the tender.

The supplier shall clearly specify the consequences that any reservations and amendments have or may have on the performance, price and/or other aspects of the tender.

#### 4.8 Revocation of tender

A tender may be revoked or altered until the deadline of the tender. Revocation shall be done in writing. Change of the tender is considered a new offer.

## 5 Delivery of tender

### 5.1 Deadline of tender

The tender must reach the purchaser no later than the deadline specified in section 2.5. The deadline is absolute. Late submitted tenders will be rejected. The supplier carries the risk of failure or delay in shipment.

### 5.2 Delivery method and delivery address

The tender must be delivered in the format specified in section 4.2.

## 6 Eligibility requirements

### 6.1 About the eligibility requirements

The supplier must meet the requirements listed below in order to be eligible for participation in the competition. The supplier is responsible for providing all documentation requested below as proof of the requirements imposed. Lack of documentation or incomplete information may lead to the rejection of the tender. Only qualified suppliers can be awarded the contract.

*Self-declaration:* Documentation regarding 6.2 – 6.4 can be provided by completing the European Single Procurement Document (ESPD), available as Appendix F. The formal documents will be required at a later stage in the evaluation process, for the selected tender candidate.

### 6.2 Mandatory requirements

Requirements	Documentation requirements
The supplier must have fulfilled their obligation relating to the payment of tax, payroll tax and VAT.	<p>Tax certificates not older end six months calculated from the deadline of the tender. Tax certificates are:</p> <p>For Norwegian suppliers:</p> <ul style="list-style-type: none"><li>Form from the Tax Commission for VAT (RF-1244) issued by the tax office.</li><li>Form from the Tax Commission (RF-1244) for tax issued by the Treasurer.</li></ul> <p>For foreign suppliers:</p> <p>Foreign suppliers must submit corresponding certificates from their country showing that they have complied with tax matters. If the authorities in the country concerned do not issue such certificates, the supplier shall submit a statement confirming that all taxes have been paid. The declaration must</p>

	be approved and signed by the supplier's CFO/finance manager.
For work to be performed in Norway, the supplier must fulfil Norwegian HES requirements.	Only for Norwegian suppliers: Completed and signed HES statement according to the Norwegian Regulation health, environment, and safety at work (FOR-1996-12-06-1127 Forskrift om systematisk helse-, miljø- og sikkerhetsarbeid i virksomheter (Internkontrollforskriften). Please use the attached template, see Appendix A.

### 6.3 Requirements for organizational and legal position

Requirements	Documentation requirements
The supplier shall have a legally established company.	For Norwegian suppliers: Certificate of registration For foreign suppliers: Confirmation that the supplier is registered in a trade or business register acc. the legislation of the country where the supplier is established.

### 6.4 Requirements for economic and financial position

Requirements	Documentation requirements
The supplier shall have sufficient financial strength to perform contract.	Excerpt from the supplier's annual report including notes with the report from the Board and the auditors for the past two financial years.

### 6.5 Requirements for technical and professional qualifications

Requirements	Documentation requirements
The supplier must have good experience from similar deliveries	References from a maximum of 3 relevant deliveries/assignments within the last 4 years (for each supplier involved). References shall at least contain: <ul style="list-style-type: none"> <li>• A short description of the delivery</li> <li>• Implementation date</li> <li>• Scope of delivery and its price</li> <li>• Name and phone number of a contact person responsible for ordering</li> </ul>
The supplier must have appropriate contact information	Name and phone number for reference for the proposed assignment leader.

## 7 Award criteria and evaluation

### 7.1 Award criteria

The contract is awarded to the supplier who financially has the most favourable tender based on the below-mentioned criteria.

Award criteria	Documentation	Weight %
<b>Expected quality</b> Project description in the proposed assignment including relevance, ambition, quality, organization, and structure ref. section 1.2.1 – 1.2.7.	The supplier must supply the following documentation (maximum 5 A4 format pages, Times 12, 1,5 line spacing): <ul style="list-style-type: none"><li>• The supplier must describe their understanding of the assignment and the implementation of it (project and solution description).</li><li>• The supplier must account for the organization and structure of the project in preparing the deliveries/milestones, including planned budget and persons accountable for part deliveries</li><li>• The supplier must describe their approach and choice of methodology</li><li>• The supplier must describe their sources for information</li></ul>	40
<b>Price of the assignment</b> The total price is maximum 550 000 NOK exc. VAT.	Price must be in NOK ex. VAT. This includes all cost required to execute the tender (i.e. salaries, travel cost etc.)	20
<b>Offered expertise</b> Offered expertise means the expertise and experience of the key personnel who is offered to implement this specific contract.	<ul style="list-style-type: none"><li>• The supplier must present his/her CV with an overview of expertise and experience from relevant projects for the named key personnel.</li><li>• The distribution of labour input per key personnel shall be specified and will be considered.</li></ul>	40

### 7.2 Evaluation

All approved offers will be evaluated with scores per award criterion, where 10 is the highest and 0 the lowest. The overall result per criterion will be weighted according to the weighing degree above, ref. section 7.1.

## 8 Termination of competition

### 8.1 Cancellation of competition and total rejection

The purchaser reserves the right to cancel the competition or to reject all offers, if there are reasonable grounds.

### 8.2 Notification of the choice of supplier and waiting period

The purchaser informs all suppliers in writing and simultaneously about whom the purchaser intends to award the contract as soon as the choice of supplier is made. The notification will include an explanation for the choice and specify the waiting period from the time the award is made known until the contract signing is planned (concluding the contract). If the purchaser finds that the award decision is not in accordance with the criteria for the choice of supplier, the decision can be annulled until contract is signed.