

Energy Communities – Invitation to tender



**Invitation to tender**

for open competition under the EEA threshold  
when procuring:

**Energy Communities  
(Deadline: 02.9.2022, 13:00 CEST)**

# Energy Communities

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# 1. Introduction

## 1.1 About the contracting authority

On behalf of the Electricity Market Group (EMG), Nordic Energy Research invites you to compete on the tasks described in this document. EMG is a working group under the Nordic Council of Ministers and consists of experts from the Ministries and energy authorities of Denmark, Finland, Norway and Sweden. Nordic Energy Research (NER) is an intergovernmental institution for cooperative energy research and policy development under the auspices of the Nordic Council of Ministers (NCM). NER facilitates and funds research, development and analysis to promote a sustainable future and contribute to Nordic policymaking and cooperation within the field of energy.

The Nordic Council of Ministers is funding this project.

## 1.2 Overview

Looking into the history of the integrated Nordic Electricity System, it actually grew out of local "Energy Communities". Local electricity production and local grids were at a later stage connected together and formed first regional then national grids and later the integrated Nordic synchronous area. Article 16 of the Electricity Market Directive (2019/944) introduces the concept of Energy Communities in an effort to allow local initiatives to reduce CO<sub>2</sub> emissions by producing RES electricity and consuming it locally. The aim of the provision is to lay down an enabling framework for the Energy communities.

The study intends to look into how Energy Communities are currently implemented in the Nordic countries, look into other models implemented in Europe and look into questions linked to market access, grid ownership and operation, and tariffication.

### 1.2.1 Objective

The objective of the study is to support the Nordic authorities in their implementation of the requirements of Article 16 of the Directive (EU) 2019/944. It should support the exchange of views on lessons learned and profit from the common experiences in the Nordic and European countries. The project builds on AGFE's 2019 study on distributed electricity production and self-consumption in the Nordics, concepts used in the RED II and other relevant studies carried out during the implementation of the directive<sup>1</sup>.

In the end the Nordic countries look for an efficient way to enable Energy Communities, harness their potential to support the Nordic countries in their Green Transition, while arriving at a fair division of the costs. Local Energy Communities may also contribute to increased security of supply and climate change resilience.

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<sup>1</sup> For example:

[https://ens.dk/sites/ens.dk/files/EI/analyse\\_af\\_geografisk\\_differentierede\\_forbrugstariffer\\_og\\_direkte\\_linjer.pdf](https://ens.dk/sites/ens.dk/files/EI/analyse_af_geografisk_differentierede_forbrugstariffer_og_direkte_linjer.pdf)

### 1.2.2 Content

The study should as a minimum requirement discuss the following aspects/questions:

- Implementation of Citizen Energy Communities in the Nordics and in Europe.
  - The study should cover Denmark, Finland, Norway and Sweden and at least three other EU countries (Germany, Austria and the Netherlands)
  - Describe the national legal framework for energy communities
  - Give examples of the real-life communities based on the legislative framework and analyse the drivers for the communities (financial benefits, costs, environmental, security of supply, etc.)
  
- Identification of other models for energy communities
  - Describe how energy communities can participate in and potentially benefit the electricity market
  - Identify socio-economic benefits from energy communities
  - Identify legal and practical barriers for energy communities
  - Identify different models for electricity sharing, that may overcome the practical barriers, e.g., different tariff models, distribution of computed share of electricity to consumers by the DSO using datahub or ownership/leasing models that provide CEC with the possibility to operate their own grids (manage distribution networks in accordance with article 16.4 or direct lines (article 7)
  - Identify the implications of the different models to the communities and other network users
  
- Identify whether certain conditions in an energy system might imply that energy communities will be less likely to contribute to additional benefits due to e.g., a high level of security of supply in the system, a well-established public grid with low costs of entry, a high population density.

The consultant is responsible for four deliverables:

- All figures, statistics and tables (including all underlying data) in appropriate databases and spreadsheets in a common, editable format
- Power point presentations
- Final report
- Webinar to present the findings of the study to the wider public

All deliverables shall be in English.

The study should be delivered as a final report. It should be written in English with an executive summary. Even though the delivery of the report needs deep knowledge on the subject, attention should be paid to present the study in a comprehensible way.

The consultant is invited to prepare a tentative list of what are the key components of the subsequent analysis. This will be discussed with EMG before closing the consultancy contract.

### *1.2.3 Method*

The study will be made in collaboration with the EMG where necessary. How the consultant plans to include EMG in content creation and presentation of the results should be outlined in the tender. The assessment should be based on the most recent and up to date information and data. Any figures, tables, illustrations and photos should be visually pleasing and easy to understand and all legal permissions to publish and distribute should be in place.

The finalized report will be published in English and made publicly available on Norden Publications portal (NordPub, <https://norden.diva-portal.org/smash/search.jsf?dswid=-7222>). Applicants are requested to make themselves familiar with the Norden design manual (<http://designen.norden.org/>) when preparing the final report.

EMG might also consider a common seminar for those interested and working on the issue in the Nordic countries, based on this study.

### *1.2.4 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.

| <b>Action</b>                                | <b>Deliverable</b>                 | <b>Date</b>          | <b>Responsible</b> |
|--|------------------------------------|----------------------|--------------------|
| Contract signed                              | Contract                           | 23.09.2022           | NER                |
| Kick-off meeting                             | Minutes from meeting               | 23.09.2022           | Consultant         |
| Present draft report to Steering group       | Oral presentation, meeting minutes | Week 41, 2022        | Consultant         |
| Deliver draft report                         | Draft report                       | Week 43, 2022        | Consultant         |
| Comments to draft report from Steering group | Comments to draft report           | Week 44, 2022        | Steering group/NER |
| Final draft                                  | Final draft                        | Week 47, 2022        | Consultant         |
| Comments to final report from Steering group | Comments to final report           | Week 48-49, 2022     | Steering group/NER |
| <b>Deliver final report</b>                  | <b>Final report manuscript</b>     | <b>Week 50, 2022</b> | <b>Consultant</b>  |

|   |  |               |                        |
|---|--|---------------|------------------------|
| Layout/design meeting                   | Agree on report layout/design                | Week 50, 2022 | Consultant/NER/Nordpub |
| Language check of input paper           | Comments to editor                           | Week 2, 2023  | Consultant/NER         |
| Begin layout/design work                | Layout/design of final report                | Week 2, 2023  | Nordpub                |
| Implementation of language check        | Final proof-read report                      | Week 3, 2023  | Consultant             |
| Proof-read final report/manuscript      | Deliver proof-read text to NordPub           | Week 4, 2023  | Consultant             |
| Final design/layout of report           | Final report                                 | Week 6, 2023  | NordPub                |
| Public presentation of the Final Report | Oral presentation, Nordic 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.

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

The final report 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.

#### *1.2.6 Value of the assignment*

The total cost for the tender may not exceed NOK 567 000 VAT excluded. All expenses should be included.

#### *1.2.7 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)

### 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 Andrea Stengel, Senior Adviser at Nordic Energy Research, [andrea.stengel@nordicenergy.org](mailto:andrea.stengel@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                            | 01.07.2022             |
| Deadline for questions concerning the invitation to tender | 22.08.2022             |
| Answers to questions concerning the invitation to tender   | 30.08.2022             |
| Deadline for tender submission                             | 02.09.2022, 13:00 CEST |
| Opening of tender  | 02.09.2022, 14:00 CEST |
| Evaluation of tender                                       | 05.09-12.09.2022       |
| Contract award intention announced                         | 12.09.2022             |
| Deadline for submitting objections to award                | 22.09.2022             |
| Contract award and signing                                 | 23.09.2022             |
| Kick-off meeting   | 23.09.2022             |

## 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:<br>1.1 Reference to the name of the competition<br>1.2 The address, phone number and e-mail address of the supplier<br>1.3 The contact person of the supplier and his phone number and e-mail address<br>1.4 Confirmation of the validity of the tender, cf. section 4.3.<br>1.5 Binding signature from a person with authority to sign on behalf of the supplier |
| 2.          | Documentation of eligibility:<br>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<br>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: **Energy Communities**

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:<br/>           Form from the Tax Commission for VAT (RF-1244) issued by the tax office.<br/>           Form from the Tax Commission (RF-1244) for tax issued by the Treasurer.</p> <p>For foreign suppliers:<br/>           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 be approved and signed by the supplier's CFO/finance manager.</p> |
| For work to be performed in Norway, the supplier must fulfil Norwegian HES requirements.               | <p>Only for Norwegian suppliers:<br/>           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.</p>   |

## 6.3 Requirements for organizational and legal position

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

## 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><br>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> | 45       |

|   |  |    |
|---|--|----|
| <b>Price of the assignment</b><br>The total price is maximum NOK 567 000  | Price must be in NOK ex. VAT. This includes all cost required to execute the tender (i.e. salaries, travel cost etc.)  | 10 |
| <b>Offered expertise</b><br>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> | 45 |

## 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.