

# Contract notice/Invitation to Participate – Utilities

Directive 2014/25/EU

## Section I: Contracting Authority

### I.1) Name and addresses *(please identify all contracting authorities responsible for the procedure)*

<b>BT-500</b> Official name: <a href="#">Magyar Földgáztároló Zártkörűen Működő Részvénytársaság (Hungarian Gas Storage Limited Company)</a>		<b>BT-501</b> National registration number: <sup>2</sup> <a href="#">ERKSZ_55522591</a>	
<b>BT-510</b> Postal address: <a href="#">Váci út 144 - 150.</a>			
<b>BT-513</b> City: <a href="#">Budapest</a>	<b>BT-507</b> NUTS-code: <a href="#">HU110</a>	<b>BT-512</b> Postal code: <a href="#">1138</a>	<b>BT-514</b> Country: <a href="#">Hungary</a>
<b>BT-502</b> Contact Person: <a href="#">dr. László Gábor Nagy</a>		<b>BT-503</b> Telephone: <a href="#">+36 307794151</a>	
<b>BT-506</b> E-mail: <a href="mailto:kozbeszerzes@mfgt.hu">kozbeszerzes@mfgt.hu</a>		<b>BT-739</b> Fax: <a href="#">+36 13547045</a>	
<b>Internet address(es)</b>			
<b>BT-505</b> Main address: (URL) <a href="https://mfgt.mvm.hu/">https://mfgt.mvm.hu/</a>			
<b>BT-508</b> Address of the buyer profile: (URL) <a href="https://mfgt.mvm.hu/">https://mfgt.mvm.hu/</a>			
<b>BT-10</b> Type of Contracting Authority <a href="#">Public undertaking</a>			
<b>BT-11</b> Activity of Contracting Authority <a href="#">Economic affairs</a>			
<b>BT-610</b> Activity of Contracting Entity <a href="#">Production, transport or distribution of gas or heat</a>			
<b>BT-08</b> Organisation role <a href="#">Contracting Authority</a>			
<b>BT-770</b> Organisation subrole <a href="#">Additional information can be obtained from, The tender must be submitted</a>			

### I.2) Joint procurement

**BT-09** In the case of joint procurement involving different countries, state applicable national procurement law:

### I.3) Communication

<b>BT-14</b> Access to the procurement documents is restricted. <a href="#">No</a>
<b>BT-15</b> Procurement documents' URL <a href="https://ekr.gov.hu/portal/kozbeszerzes/eljarasok/EKR...">https://ekr.gov.hu/portal/kozbeszerzes/eljarasok/EKR...</a>
<b>OPT-050</b> Document status <a href="#">Official language version</a>
<b>BT-708</b> Language in which public procurement documents are officially available <a href="#">Hungarian/English</a>
<b>BT-744</b> Submission by electronic signature <a href="#">No</a>
Tenders or requests to participate must be submitted
<b>BT-17</b> electronically: <a href="#">yes</a> - (URL) <a href="https://ekr.gov.hu/portal/kozbeszerzes/eljarasok/EKR...">https://ekr.gov.hu/portal/kozbeszerzes/eljarasok/EKR...</a>
<b>BT-19</b> Non-electronic submission justification:

BT-745 Non-electronic submission description:

BT-724 Electronic communication requires the use of tools and devices that are not generally available **No**

## Section II: Object

### II.1) Scope of the procurement

<b>BT-21 II.1.1.) Title:</b> <b>EUH2 -7" packer and TRSSV procurement</b>	<b>BT-22</b> Reference number: EKR...2024
<b>BT-26 II.1.2) BT-262</b> Main CPV code: 42130000 Taps, cocks, valves and similar appliances	
<b>BT-23 II.1.3) Type of contract</b> <input type="checkbox"/> Works <input checked="" type="checkbox"/> <b>Supplies</b> <input type="checkbox"/> Services	
<b>BT-24 II.1.4.) Short description:</b> <b>Purchasing 7" packer and TRSSV with related services for well operations during EUH2STARS Project for Hungarian Gas Storage Ltd</b>	
<b>BT-27 II.1.5) Estimated total value</b> Value excluding VAT: 70,000,000 Currency: HUF <i>(For framework agreements or dynamic purchasing systems – estimated total value or volume of contracts for the entire duration of the framework agreement or dynamic purchasing system)</i>	
<b>II.1.6) Information about lots</b> This contract is divided into lots <input type="checkbox"/> yes <input checked="" type="checkbox"/> no Tenders may be submitted for <input type="checkbox"/> all lots <input type="checkbox"/> maximum number of lots: [ ] <input type="checkbox"/> one lot only <input type="checkbox"/> Maximum number of lots that may be awarded to one tenderer: <input type="checkbox"/> The contracting authority reserves the right to award contracts combining the following lots or groups of lots:	

### II.2) Description

<b>BT-21 II.2.1.) Title:</b> <b>EUH2 -7" packer and TRSSV procurement</b>	Lot No:
<b>BT-26 II.2.2.) Additional CPV code(s):</b> <b>BT-262</b> Main CPV code: 42130000 Taps, cocks, valves and similar appliances 76000000 Services related to the oil and gas industry <b>BT-263</b> Supplementary CPV code: <sup>1,2</sup> [ ][ ][ ]	
<b>BT-23</b> Lot main nature: <b>Supplies</b> <b>BT-531</b> Lot additional nature: <b>BT-25</b> Quantity: <b>BT-625</b> Unit:	
<b>II.2.3) Place of performance:</b> <b>BT-5141</b> Country: Hungary <b>BT-5071</b> NUTS-code: HU331 <b>BT-5121</b> Post code: 6411	

BT-5131 City: Zsana

BT-5101(a) Street: Zsana

BT-5101(b) Streetline 1:

BT-5101(c) Streetline 2:

BT-5101(c) Topographical lot No.: 086/20

BT-728 Additional information

Area of the **Zsana** Underground Gas Storage Site operated by Hungarian Gas Storage Ltd

BT-5141 Country: Hungary

BT-5071 NUTS-code: HU332

BT-5121 Post code: 5945

BT-5131 City: Kardoskút

BT-5101(a) Street: Kardoskút

BT-5101(b) Streetline 1:

BT-5101(c) Streetline 2:

BT-5101(c) Topographical lot No.: 0100/3

BT-728 Additional information

**The area of the underground natural gas storage sites and their related facilities operated by Hungarian Gas Storage Ltd.**

Area of the Kardoskút Underground Gas Storage Site operated by Hungarian Gas Storage Ltd in **Kardoskút**

**BT-24 II.2.4) Description of the public procurement:**

**Supply Contract on purchasing 7" packer and TRSSV with related services for well operations during EUH2STARS Project for Hungarian Gas Storage Ltd**

Information about the Project:

In the EU-funded reference project "European Underground H2 STorAge Reference System" (hereinafter: EUH2STARS) No. 101137798, the consortium leader RAG Austria AG together with partners, including Magyar Földgáztároló Zrt., will jointly explore and plan measures required to rapidly boost the hydrogen economy along the entire value chain.

Within the EUH2Stars project, hydrogen produced and stored by the existing hydrogen technology will be injected into the Komlós B-2 reservoir via the PSZ-36 gas well (CH well). The objective of the project is to provide the Contracting Authority with practical experience in the process of underground storage and production of hydrogen, the operation of the well structure and the surface technology, throughout two storage cycles by injecting 2 x 100 000 nm<sup>3</sup> of pure hydrogen and then withdrawing 500 000 nm<sup>3</sup> of natural gas-hydrogen gas mixture per cycle.

During the implementation of the project, the well structure of the PSZ-36 gas well (CH well) will be transformed, since preliminary examinations have shown that from a geological, structural and well integrity point of view, this well (CH well) is the most suitable for the procedure in the 30 Mm<sup>3</sup> capacity storage facility. The current well structure will be partially preserved, as the sand filter will not be replaced, since operational experience does not justify this (no sand production).

**Design parameters**

- pressure range 85-120 barg
- design temperature: 0...+88 °C
- gas quantities
  - injection capacity (100 mol% hydrogen) 200-800 nm<sup>3</sup>/h

- withdrawal capacity (expected: 20 mol% hydrogen + 80 mol% natural gas)  
400-1000 nm<sup>3</sup>/h
- reservoir water production  
30-1000 litre/hour

Annex 1 to this technical content is the analysis of the composition of the gas withdrawn through the well and Annex 2 is the laboratory analysis of the produced water.

**The assemblies to be installed shall comply with all the operating conditions specified above, safe operation shall be maintained.**

The technical specifications for well construction materials are as follows:

## **1. 7" packer**

### **A. Hydraulically set, retrievable production packer**

Installation, setting: packer without seal assembly (can be set in one run) connected to the final assembly's tubing (packer setting with final assembly)

Equipped with hydraulic setting mechanism, setting with raising tubing pressure (without turning or moving the tubing)

Retrieval: release by pulling tension (on pulling the tubing in the wellhole, by shearing away the pins, the packer is released, and then can be retrieved.

- Casing size: 7" 32#
- Packer size: max. OD: 5.93"(150.62 mm) , min. ID: 2.897" (73.58 mm)
- Packer bottom thread type: 3 ½" 9.2# VAM21 pin
- Packer top thread type: 3 ½" 9.2# VAM21 box
- Material: 41XX LOW ALLOY STEEL
- Seal surface material: HYDROGENATED NITRILE RUBBER
- O-RING material: FLUORCARBON
- Pressure rating: 7500 psi
- Temperature class: 40-325 F (4-163 degC)
- Service: H2S / CO2 / CH4 / H2
- API11D1/ISO14310 V0 rating

### **B. 7" packer setting service**

Under the contract, the packer shall be set under the supervision of a service specialist.

The tender shall contain the following:

- a, Personnel mobilisation-demobilisation
- b, Professional daily fee
- c, Supplies for one person

## **2. TRSSV**

### **A. TRSSV as per the following specification:**

The TRSSV is planned to be installed at a depth 50m below the surface, therefore a sufficient length of control line is required to reach and cross the adapter flange on the surface to the control panel (around 60m ¼" - 0.049" wall 316 stainless metal control line on drum).

8 pcs of metal control line cable protector will be needed to properly fix the ¼" control line to the tubing at each tool joint (below and above: 1 each), and 13 pcs of steel wrap to properly fix the control line at every 3-4m to the tubing. Sufficient number of fittings are required to connect the control line.

- Hydraulically controlled safety valve
- Installation: run in together with completion assembly (tubing), with parallel control line fixing and installation
- Control: with battery type control panel for actuation, located in the vicinity of the well head
- In case of control panel malfunction or pressure loss, in the control line, the valve closes
- Nominal size: 3 ½"
- Type: flapper

- Lock profile: X
- Minimum ID: 2.813 inches
- Maximum OD: 5.86 inches (casing parameters at valve position: 7" 32 ppf API BTC, wall thickness: 0.453"/11.51 mm, Model size: 5.96 " = 151.6 mm)
- Top thread: 3 ½" 9.2 ppf VAM21
- Bottom thread: 3 ½" 9.2 ppf VAM21
- Connection type: Box – Pin
- Pressure rating: 10 000 psi
- Temperature rating: -7 to 149 deg C
- Material: 13 Cr-80MY and Incoloy 925/718
- Service: H2S / CO2 / CH4 / H2
- pressure equalizing features not required
- protective sleeve is required for the safe installation of the CT/ slickline through the TRSSV (the TRSSV can be kept constantly open) Minimum ID after sleeve installation: 2 ¼"
- Metal sealing surface on the actuator, both open and closed, to ensure that hydrogen does not migrate through the control line

#### **B. TRSSV service**

Under the contract, the TRSSV shall be installed under the supervision of a service specialist.

The tender shall contain the following:

- a, Personnel mobilisation-demobilisation
- b, Professional daily fee
- c, Supplies for one person
- d, hydraulic safety valve

**Each element's engineering (technical) data sheet shall also be submitted together with the tender.**

For each well construction material, a detailed technical drawing shall be submitted **together with the tender**, containing the diameters, height, width, length, internal diameter and weight specific to the relevant well construction material.

**Manufacturer shall** hand over to the contracting party a complete documentation **on the materials to be supplied**, including:

- the above-mentioned elements
- manufacturing certificates, statements
- operating, maintenance and installation manuals, instructions
- any and all related test protocols, reports generated during manufacturing.

Delivery deadline: In case of goods: 28 weeks from the date of the conclusion of the contract, with the possibility of early delivery for the goods.

Service delivery date: Between 31 July 2025 and 31 December 2025, at the date agreed.

Contracting Authority shall accept as equivalent all hydrogen gas tight well construction materials which comply with the technical specifications for the relevant product and which are equipped with the required documents.

**The detailed technical content shall be specified in the technical annex to the public procurement document.**

*(nature and quantity of works, supplies, or services or indication of needs and requirements, for supplies only – state whether tenders are requested for purchase, lease, rental, hire purchase or any combination of those)*

**II.2.5) Evaluation criteria**

Criteria below

BT-539 Quality criterion **NO** – BT-540 Name/description: BT-541 Value: / BT-5422 Value type:

BT-539 Cost criterion **NO** BT-540 Name/description: BT-541 Value: / BT-5422 Value type:

BT-539 Price criterion **YES** BT-540 Name/description: **Net Tender Price (HUF)** BT-541 Value: **100** / BT-5422 Value type: **Lowest price**

BT-543 Complex evaluation criterion

BT-733 Evaluation criteria – order justification

**BT-27 II.2.6) Estimated total value**

Value excluding VAT: **70000000** Currency: **HUF**

*(for framework agreements or dynamic purchasing systems – estimated total maximum value for the entire duration of this lot)*

**II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

BT-36 Duration in months: or Duration in Working Days:

or BT-536 Start date: 31/01/2025 BT-537 End date: (dd/mm/yyyy) **31/12/2025**

BT-538 Other duration

BT-58 Maximum number of contract renewals

BT-57 Description of renewal options:

**II.2.9) Information about the limits on the number of candidates to be invited to tender or to participate (except in open procedures)**

Envisaged number of candidates: [ ]

or BT-50 Envisaged minimum: / BT-51 BT-661 Maximum:

Objective criteria for choosing the limited number of candidates:

**II.2.10) Information about variants**

BT-63 Variants will be accepted  yes  no

**II.2.11) Information about options**

BT-53 Options  yes  no Description of options:

**II.2.12) Information about electronic catalogues**

BT-764 Tenders must be presented in the form of electronic catalogues or include an electronic catalogue **No**

**II.2.13) Information about European Union funds**

BT-60 The procurement is related to a project and/or programme financed by European Union funds  yes  no

Identification of the project:

Name of the EU-funded programme:

Multiannual Financial Framework (MFF) 2021-2027 / multiannual financial framework for the period 2021-2027

Horizon Europe Framework Programme (HORIZON) - European horizon research and innovation framework programme

Name of the EU-funded **tender**: HORIZON-JTI-CLEANH2-2023-1

Name of the EU-funded **project**: „European Underground H2 STorAge Reference System”

Project number:101137798

#### II.2.14) Additional information:

**BT-300**

Evaluation of Tenders:

**Tenders shall be evaluated using the evaluation method of the lowest tender price as per Section 76 (2) a ) of the PPA.** Goods conforming to the quality and technical requirements specifically defined as the subject of the procurement will meet the requirements of the Contracting Authority and, in addition, the selection of the economically most advantageous tender will be based only on the evaluation of the lowest price, since it corresponds to goods that meet well-defined and specific quality and technical requirements and cannot be differentiated in terms of quality.

**BT-726** The public procurement is also suitable for small and medium-sized enterprises (SMEs) **YES**

## II.4) Strategic procurement

### II.4.1. Strategic procurement

Defining the strategic objective of public procurement:: **NO**

### II.4.2) Green procurement criteria

**BT-805** Objective of green procurement

**BT-774** A method to reduce environmental impacts

### II.4.3) Social procurement

**BT-775** Social objective pursued:

### II.4.4. Procurement of innovation

**BT-776** Innovation objective

### II.4.5) Accessibility

**BT-754** Application of accessibility criteria for people with disabilities in technical specifications

### II.4.6) Clean Vehicles Directive

**BT-717** Application of the Clean Vehicles Directive **NO**

## Section III: Legal, economic, financial and technical information

### III.3) Grounds for exclusion

**BT-67(a)** Type of grounds for exclusion

- **Bankruptcy,**
- **Analogous situation like bankruptcy under national law;**
- **Corruption;**
- **Arrangement with creditors;**
- **Participation in a criminal organisation;**
- **Agreements with other economic operators aimed at distorting competition;**
- **Breaching of obligations in the field of environmental law;**
- **Money laundering or terrorist financing;**
- **Fraud;**
- **Child labour and other forms of trafficking in human beings;**
- **Insolvency;**
- **Breaching of obligations in the fields of labour law;**
- **Assets being administered by liquidator;**
- **Purely national exclusion grounds;**

- *Conflict of interest due to its participation in the procurement procedure;*
- *Direct or indirect involvement in the preparation of this procurement procedure;*
- *Guilty of grave professional misconduct;*
- *Early termination, damages or other comparable sanctions;*
- *Breaching of obligations in the field of social law;*
- *Default on payment of social security;*
- *Suspension of business activities;*
- *Default on payment of taxes;*
- *Terrorist offences or offences linked to terrorist activities;*
- *Deception, withholding information, inability to provide required documents and obtaining confidential information*

**BT-67(b)** Short description of grounds for exclusion

Economic operators are excluded from participating in the procedure as a tenderer or a subcontractor, and may not contribute to the certification of suitability if the grounds for exclusion as per **Section 62, Subsection (1) and (2), and Section 63, Subsection (1) of the PPA** exist.

Pursuant to Section 64 (1) of the PPA, despite the existence of any ground for exclusion other than those referred to in Section 62(1)(b) and (f) of the PPA, a tenderer, candidate, subcontractor, or an organization contributing to the certification of suitability shall not be excluded from the procurement procedure, if the Public Procurement Authority's final decision specified in Section 188(4) or, in the case of an administrative review thereof, the court's final decision as per Section 188(5), or in the case of a judicial revision, the court's final judicial decision as per Section 188(5) established that measures taken, prior to the submission of the tender, by the economic operator concerned are sufficient to demonstrate its reliability despite the existence of the ground for exclusion. The economic operator shall submit a copy of the final decision together with the ESPD.

The non-existence of the grounds for exclusion shall be verified pursuant to Sections 1-16 of Government Decree No. 321/2015 (X.30.) (hereinafter: Government Decree), **subject to Section 1 (7) of the Government Decree.**

Tenderer shall provide preliminary evidence for the non-existence of the grounds for exclusion as per Section 62 (1) and (2) and Section 63 (1) of the PPA with regard to the tenderer and the entity providing resources by submitting a European Single Procurement Document (hereinafter: ESPD).

Tenderer shall make a statement to the effect that:

- for the purposes of performing the contract they shall not employ any subcontractor subject to the grounds for exclusion as specified in Section 62 (1) and (2), and Section 63 (1) of the PPA. **[Pursuant to Section 67 (4) of the PPA]** This statement shall be submitted even if Contracting Authority did not require in the procedure the identification of known subcontractors.
- whether they are in the **process of any registry modification** at the Court of Registration. In case of an ongoing registry modification procedure, the modification request submitted to and the acknowledgement of receipt issued by the Court of Registration shall also be attached to the request to participate. [Pursuant to Section 13 of Gov. Decree No. 321/2015. (X. 30.)]

### **III.4) Participation, contract-related and other tender criteria**

#### **III.4.1. Suitability criterion (criteria):**

**BT-747** Type of suitability criterion: ***Economic and financial standing***

**BT-748** Application of the suitability criterion **Used**

**BT-749** Name of suitability criterion **Total net turnover**

**BT-750** Description of suitability criterion:

**P1)** Tenderer shall qualify as unsuitable unless ***in the business years ending on the three preceding balance sheet dates*** Tenderer has generated ***at least HUF 30 000 000 total net turnover.***



Where Tenderer does not have the turnover as per this clause because it started its operation after the start of the period specified by the Contracting Authority, it shall qualify as unsuitable unless it has at least HUF 30 000 000 total net turnover in the period of its operation.

Method of verification:

Tenderer shall provide preliminary evidence for their compliance with the suitability criteria by submitting an ESPD. The relevant economic operator's ordinary statement will be accepted by the Contracting Authority in the ESPD as a preliminary evidence for the suitability criteria.

**P1)** Upon the Contracting Authority's invitation as per Section 69 (4) of the PPA, invited tenderers shall attach their statements ***on the total net turnover they generated in the business years ending on the three preceding balance sheet dates***, depending on the tenderers' date of establishment, their start of activities, provided such data are available.

[Section 19 (1) c) and (3) of Government Decree No. 321/2015. (X. 30.)]

The statement shall be detailed enough to clearly establish compliance with the suitability criterion.

In case of a joint tender, suitability shall be certified pursuant to Section 65 (6) of the PPA. Tenderers may rely on other entities' resources and provide certification thereof according to Section 65 (7)-(12) of the PPA.

An ordinary copy of the documents may be submitted.

**BT 40** The suitability criterion for the selection of candidates to be invited for the second stage of the procedure will be applied  
**NO**

### **III.4) Participation, contract-related and other tender criteria**

#### **III.4.1. Suitability criterion (criteria):**

**BT-747** Type of suitability criterion: ***Technical and professional ability***

**BT-748** Application of the suitability criterion **Used**

**BT-749** Name of suitability criterion **Reference**

**BT-750** Description of suitability criterion:

**M1.)** Tenderer shall qualify as unsuitable unless Tenderer has at least **a reference on contractual performance that started within nine years and completed in the six years prior to the date of the invitation in supplying, selling at least 1 TRSSV and in supplying, selling at least 1 7" PACKER required for CH well operations, corresponding to the design parameters (temperature, pressure, CH gas medium and quantity) set out in Section BT.24 Description of the Public Procurement.**

M1) may be fulfilled with one or several references.

Method of verification:

Tenderer shall provide preliminary evidence for their compliance with the suitability criteria by submitting an ESPD. The relevant economic operator's ordinary statement will be accepted by the Contracting Authority in the ESPD as a preliminary evidence for the suitability criteria.

**M1.)** Upon the Contracting Authority's invitation as per Section 69 (4) of the PPA, invited tenderers shall attach ***a review of their major references that started within nine years and completed in the six years prior to the date of the invitation with regard to supplying, selling TRSSV and 7"PACKER required for CH well operations, corresponding to the design parameters (temperature, pressure, CH gas medium and quantity) set out in Section BT.24 Description of the Public Procurement.***

Certificates and statements shall include at least the following data: date of performance (start and end dates), name of the other contracting party, object of the supply and a statement as to whether performance was in line with the requirements and the contract.

[As per Section 21(3)a), 21(1a) and b) and 22 (1)-(2) of Government Decree No. 321/2015. (X. 30.)]

Contracting Authority shall consider supplies completed during the evaluation period but started within a maximum of nine years.

The statement shall be detailed enough to clearly establish compliance with the suitability criterion.

In case of a joint tender, suitability shall be certified pursuant to Section 65 (6) of the PPA. Tenderers may rely on other entities' resources and provide certification thereof according to Section 65 (7)-(12) of the PPA.

An ordinary copy of the documents may be submitted.

**BT 40** The suitability criterion for the selection of candidates to be invited for the second stage of the procedure will be applied  
**NO**

#### **III.4.2) Information about staff responsible for the performance of the contract**

**BT-79** Obligation to indicate the names and professional qualifications of the staff assigned to perform the contract **NO**

#### **III.4.3) Information about reserved contracts**

**BT-71** The contract is reserved to sheltered workshops and economic operators aiming at the social and professional integration of disabled or disadvantaged persons **NO**

**BT-736** The execution of the contract is restricted to the framework of sheltered employment programmes **NO**

**BT-751 BT-75** **III.4.4) Tender guarantee requirement: NONE**

Contracting Authorities do not require a tender guarantee to be provided.

#### **BT-77** **III.4.5) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:**

The amount of the invoice in conformity with the contract and the legislation shall be settled by the contracting authority by transfer having regard to Section 6:130 (1)-(2) of the Civil Code.

Conditions set out in Section 135 (1), (4), (5) and (6) of the PPA shall be part of the contract even if not regulated or otherwise agreed by the parties. The document certifying delivery shall be annexed to the invoice. The currency of the tender, contract and payments shall be EUR.

Contracting Authority shall not make any advance payment.

Detailed payment conditions shall be contained in the contract terms and conditions contained in the public procurement document.

The procurement is partly financed by EU funding. The EU project is called: Horizon Europe Framework Programme (HORIZON) - „European Underground H2 STorage Reference System” (EUH2STARS) No.101137798.

#### **BT-761 BT-76** **III.4.6.) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**

Contracting Authority does not allow the setting up of a project company (business organisation) for the performance of the contract.

#### **BT-70** **III.4.7) Contract performance conditions:**

Late delivery penalty: If due to reasons attributable to the Supplier, Supplier defaults on supplying the product or performing the service in time. Amount: 1% of the net contract price of the contract quantity affected by the delay for each calendar day, **maximum 10%**.

Cancellation penalty: If performance is cancelled due to reasons attributable to the Supplier. Amount: **15 %** of the net contract price for the products and services affected by cancellation.

**Guarantee: 18 months from the day of Final Handover/Takeover of the products and service or 12 months after installation whatever occurs sooner.**

Contract deposits and guarantees are specified in the public procurement document.

#### III.4.8) Confidentiality agreement

BT-801 Confidentiality agreement **NO**

BT-802 Description of confidentiality agreement :

## Section IV: Procedure

### IV.1) Description

BT-105 IV.1.1) Type of procedure: **Open procedure**

BT-106 Accelerated procedure **NO**

BT-1351 Justification for accelerated procedure

#### IV.1.3) Information about a framework agreement or a dynamic purchasing system

BT-765 The notice involves the establishment of a framework agreement **NO**

- Framework agreement with a single operator
- Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement:-

BT-766 The notice involves the setting up of a dynamic purchasing system **NO**

- The dynamic purchasing system might be used by additional purchasers

In the case of framework agreements, provide justification for any duration exceeding 8 years:

BT-52 IV.1.4) Information about the reduction of the number of solutions or tenders during negotiation or dialogue

- Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

#### IV.1.6) Information about electronic auction

BT-767 An electronic auction will be used **NO**

Additional information about electronic auction:

#### IV.1.8) Information about Government Procurement Agreement (GPA)

BT-115 The contract is covered by the Government Procurement Agreement (GPA):**YES**

BT-88 IV.1.11) Main features of the award procedure:

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Prior information notice

BT-125 Identifier of prior information notice in the OJ S: [ ] [ ] [ ] [ ] /S [ ] [ ] [ ]-[ ] [ ] [ ] [ ] [ ]

BT-1251 Identifier of a part of prior information notice

(One of the following: Periodic indicative notice- Utilities, Notice on a buyer profile)

#### IV.2.2.1) Time limit for requesting additional information about the procurement procedure

BT-13 03.12.2024 Local time: 10:00

**IV.2.2.2) Time limit for receipt of tenders or requests to participate**

(BT-1311) - Time limit for receipt of requests to participate

BT-131 Date: 09.12.2024 Local time: 10:00

**BT-130 IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: --

**BT-97 IV.2.4) Languages in which tenders or requests to participate may be submitted: HU, EN**

**IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Tender must be valid until: (dd/mm/yyyy)

BT-98 Tender Validity deadline:30 days

**IV.2.7) Conditions for opening tenders**

BT-132 Date: 09.12.2024 Local time: 12:00

BT-133 Place: <https://ekr.gov.hu>, only electronically, via the EPPS system (ekr.gov.hu), using the dedicated interface of the procedure.

BT-134 Information about authorised persons and opening procedure:

Place: <https://ekr.gov.hu>, only electronically, via the EPPS system (ekr.gov.hu), using the dedicated interface of the procedure. Information: Section 15 of Government Decree No. 424/2017 (XII.19.) and Section 68 (1b) and (1c) of the PPA.

### **IV.3) Prizes and evaluation committee (in case of competitive dialogues and innovation partnerships)**

#### **IV.3.1) Information about prize(s)**

Prizes to be awarded: NO

## **Section VI: Complementary Information**

### **VI.1) Information about recurrence of the public procurement**

BT-94 This is a recurrent procurement  yes  no

BT-95 Estimated timing for further notices to be published: -

### **VI.2) Information about electronic workflows**

BT-92  Electronic ordering will be used

BT-743  Electronic invoices will be accepted

BT-93  Electronic payment will be used

### **BT-300 VI.3) Additional information:**

Contracting Authority set **stricter suitability criteria** and verification methodology **than those set out in the list of qualified tenderers**.

**2) Contracting Authority does not allow the submission of tenders for lots**, as the well construction materials to be purchased are required for the construction of a complete gas well, which means that

fitting and using different well construction materials on a high-risk facility would significantly increase the technical risk associated with operation.

**3) In case of a joint tender**, Section 35 of the PPA shall apply. A copy of the agreement on the assumption of joint and several liability shall be attached to the tender, specifying the competences of the tenderers in relation to the public procurement procedure and identifying the tenderer who exclusively represents the joint tenderers in the public procurement procedure and is entitled to make binding legal statements on the joint tenderers' behalf. The agreement shall also specify that in case of a contract award, joint tenderers shall accept joint and several liability for the performance of any and all the obligations assumed in the contract, together with other minimum content requirements as per the document.

**4)** In the tender, tenderer shall make a duly signed statement as per **Section 66 (2)**, **Section 65 (7)** and **Section 66 (6)** of the PPA by completing the template included in the document. (EPPS form)

**5) Complementary Information as per Section 56 of the PPA.** Contracting Authority shall make available the public procurement document and all the complementary information to the economic operators in the EPPS, at <https://ekr.gov.hu> . **Contracting Authority will not hold on-site inspection and consultation.**

**6) Supply of missing information, provision of information as per Section 71 of the PPA**, in case of including a new economic operator, there is no new supply of missing information.

**7)** Place of submitting and opening the tender: At the address specified in Section I.3, only electronically, via the EPPS system ([ekr.gov.hu](https://ekr.gov.hu)), using the dedicated interface of the procedure. Information: Section 15 of Government Decree No. 424/2017 (XII.19.) and Section 68 (1b) and (1c) of the PPA.

**8)** A copy of the **specimen signature** or a **sample signature** countersigned by the legal representative of the person signing the tender shall also be attached to the tender. In the event that the tender is signed by a person other than the authorized representative, the **authorisation** to sign the tender by the authorized representative shall also be attached to the request.

**9)** Contracting Authority **will not apply** the option to declare the procedure unsuccessful as per Section 75 (2) of the PPA. Contracting Authority carried out a Preliminary Market Consultation No. **EKR001764912024** with regard to the subject of this procedure to enhance competition, as set out in its applicable Action Plan.

**10)** In issues not regulated by the notice launching the procedure, stipulations of the PPA shall apply. Sections 41/A - 41/C of the PPA and Sections 11-12 of Government Decree No. 424/2017 (XII.19.) (e-Gov. Decree) shall specify further stipulations on the requirements for documents submitted via the EPPS, statements made electronically in the EPPS and statements made electronically in case of representation. For using the EPPS, registration as per Section 6 of the Government Decree is required. Guidelines of using the EPPS shall be available at: <https://ekr.gov.hu/portal/tamogatas>.

**11)** Accredited public procurement consultant: Dr László Gábor Nagy, Registration No.: 00099

**12)** Further information on the submission of the tender shall be provided in the public procurement document. In the event of any difference between the notice and the public procurement document, the notice shall prevail.

**13)** Tenderer shall not be a person or entity subject to a prohibition pursuant to Article 5k(1) of Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.

**14)** In case of Tenderer's contract award in the public procurement procedure, Tenderer may not employ during the performance of the contract any entity as a subcontractor, supplier or entity providing resources exceeding 10% of the contract value, where any of the conditions provided for in Article 5k(1)(a) to (c) of Council Regulation (EU) No 833/2014 exists.

**15)** In the Tender, Tenderer shall make a statement on compliance with the prohibition set out in Sections 13 and 14 of Additional Information.

**16) Technical tender:** Tenderers shall attach to their tender a completed, priced cost breakdown and documents verifying hydrogen gas tightness of products offered with regard to each item:

- **technical datasheet**

- **detailed technical drawing** containing the diameters, height, width, length, internal diameter and weight specific to the relevant assembly.

**In addition to the above documents, the successful tenderer shall include the following documents with the products to be supplied:**

- **manufacturing certificates, statements**

- **operating, maintenance and installation manuals, instructions**

- any and all related **test protocols, reports** generated during manufacturing.

**17)** Pursuant to the provisions of Section 136 (2) of the PPA, the successful Tenderer with fiscal domicile shall attach to the contract a power of attorney stating that the Hungarian tax authority may obtain data concerning the successful Tenderer directly from the tax authority of its domicile without recourse to legal assistance between the countries. Tenderers with foreign fiscal domicile shall declare their commitment to this obligation in their tender.

**18)** The public procurement procedure aims to procure goods necessary for the Contracting Authority's highly hazardous activities, for which the application of the relevant standards is critical in determining the eligibility criteria, in accordance with the technical specifications as per the **description of the public procurement**.

**19)** Contracting Authority draws attention to the fact that Contracting Authority qualifies as an end-user. It procures the subject of the procurement for its own use and, due to the specific nature of the subject of the procurement, where required for such procurement of goods by the legislation of the Supplier's or Manufacturer's country of establishment, potential sanction or trade restrictions may be applied during tendering and contracting.

#### **VI.4) Review procedures**

<b>VI.4.1) Review body</b>		
Official name: <b>Közbeszerzési Hatóság Közbeszerzési Döntőbizottság (Public Procurement Authority, Public Procurement Arbitration Board)</b>		
Postal address: <b>Riadó utca 5.</b>		
Town: <b>Budapest</b>	Postal code: <b>1026</b>	Country: <b>Hungary</b>
E-mail: <b>dontobizottsag@kt.hu</b>		Telephone: <b>+36 18828594</b>
Internet address: (URL) <b>www.kozbeszerzes.hu</b>		Fax: <b>+36 18828593</b>
<b>VI.4.2) Body responsible for mediation procedures</b>		
Official name:		
Postal address:		
Town:	Postal code:	Country:
E-mail:		Phone:
Internet address: (URL)		Fax:
<b>VI.4.3) Review procedure</b>		

Precise information on the deadline for review procedures: Pursuant to <a href="#">Section 148 of the PPA</a> .		
<b>VI.4.4) Service from which information about the review procedure may be obtained<sup>2</sup></b>		
Official name: <a href="#">Közbeszerzési Hatóság Közbeszerzési Döntőbizottság (Public Procurement Authority, Public Procurement Arbitration Board)</a>		
Postal address: <a href="#">Riadó utca 5.</a>		
Town: <a href="#">Budapest</a>	Postal code: <a href="#">1026</a>	Country: <a href="#">Hungary</a>
E-mail: <a href="mailto:dontobizottsag@kt.hu">dontobizottsag@kt.hu</a>		Telephone: <a href="#">+36 18828594</a>
Internet address: (URL) <a href="http://www.kozbeszerzes.hu">www.kozbeszerzes.hu</a>		Fax: <a href="#">+36 18828593</a>

**VI.5) Date of dispatch of this notice:** \_\_/\_\_/2024

*It is the contracting authority's responsibility to ensure compliance with European Union law and any applicable laws.*