

## 352284-2026 - Konkurrencevilkår

**Danmark – Sveller og dele af sveller – Re-tender for fasteners and rail pads for the sleeper types: S99, SB16 & S16 for use in the Danish rail network (1)**

**OJ S 98/2026 22/05/2026**

**Udbuds- eller koncessionsbekendtgørelse – standardordningen**

**Varer**

### 1. Køber

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#### 1.1. Køber

Officielt navn: Banedanmark

E-mail: [OFYG@BANE.dk](mailto:OFYG@BANE.dk)

Køberens retlige status: Central regeringsmyndighed

Den ordregivende myndigheds aktivitet: Generelle offentlige tjenesteydelser

Den ordregivende enheds aktiviteter: Jernbanetjenester

### 2. Procedure

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#### 2.1. Procedure

Titel: Re-tender for fasteners and rail pads for the sleeper types: S99, SB16 & S16 for use in the Danish rail network (1)

Beskrivelse: In accordance with the provisions of Directive 2014/25/EU (the Utilities Directive as implemented by Executive Order no. 1078 of 29 June 2022 on procurement by entities operating in the water, energy, transport and postal services sectors), a framework agreement for Fasteners for Banedanmark's monoblock sleepers is put out to tender. The framework agreement gives Banedanmark a right, but not an obligation, to order the above-mentioned fasteners and rail pads. The Framework Agreement is exclusive regarding supply of fasteners to be used at Banedanmark's Sleeper Factory. Fasteners to be used in connection with maintenance and replacement of existing fasteners in Banedanmark's infrastructure are not covered by this agreement. The execution of the Framework Agreement is divided into three phases: (1) Design, Validation and Product Type Acceptance Phase (2) Retrofitting of Sleeper Factory Phase (3) Manufacturing and Delivery Production Phase For more information reference is made to the tender material.

Identifikator for proceduren: 1b7b6d91-3bc6-46af-ba87-f11e3f3ac0fb

Intern ID: 2024-23087

Udbudsprocedure: Udbud med forhandling/indkaldelse af tilbud med forudgående offentliggørelse

Proceduren er en hasteprocedure: nej

Hovedpunkterne i proceduren: The procurement will be conducted as a negotiated procedure, and the framework agreement will expectedly be awarded to the tenderer submitting the most economically advantageous tender based on the award criterion, see section 7 of the tender specifications. The procurement process is as follows: 1. Request for prequalification: The economic operators submit a request for prequalification. Based on the requests received, Banedanmark will prequalify four (4) economic operators. 2. Invitation to submit an initial tender: Banedanmark invites the prequalified economic operators to submit an initial tender. Accordingly, tenders may only be submitted by economic operators that have been prequalified. 3. Submission of initial tender: The prequalified economic operators submit an initial tender. The initial tenders form the basis of the subsequent negotiation meetings. Please

note: Banedanmark reserves the right to award directly on the basis of initial offers, in which case no negotiation meetings will be held. 4. Negotiation meetings: Tenderers having submitted an initial tender in due time will subsequently be invited to a negotiation meeting. The negotiations will be conducted in accordance with the principle of equal treatment, which means that all tenderers will be allotted the same time for negotiations with Banedanmark. One (1) negotiation meeting will be held with each tenderer. The negotiation meeting is expected to have a maximum duration of four (4) hours, but Banedanmark reserves the right to change the duration should this prove to be required. Before the negotiation meeting, Banedanmark will forward an agenda for the meeting and a specification of the key issues which Banedanmark wishes to discuss with the tenderer. It should be noted that this specification is not exhaustive and that other issues than those specified beforehand may also be discussed at the individual negotiation meetings. The purpose of the negotiations is partly to allow the tenderers to optimise their tenders, partly to ensure that the tenderers submit compliant tenders. Finally, the negotiations may also cause Banedanmark to revise the tender documents. During the negotiations, Banedanmark will provide the individual tenderer with general information about its overall view of the strengths and weaknesses of the initial tender. However, it is the sole responsibility of the tenderer to ensure that it ultimately submits a compliant final tender. Banedanmark wishes as a starting point to negotiate on these points: Type-approval process of the offered fasteners Process for retrofitting of Sleeper Factory (if necessary) Special conditions and elements that affect delivery time and ability Logistics (including warehousing, delivery and transport) Other issues that are relevant to the process will also be subject for the negotiation meetings. The expected time of the negotiation meetings is set out in clause 3. The negotiation meetings will be held at the following address: Banedanmark Carsten Niebuhrs Gade 43 1577 Copenhagen V Denmark As an exception, negotiation meetings can be held via Teams. The tenderer is requested to inform Banedanmark about which persons will represent the tenderer at the negotiation meeting (name, position and company name). The information should be provided via the "Messaging" section in EU-Supply no later than four (4) calendar days before the meeting. Banedanmark will prepare minutes after each negotiation meeting. These minutes will not be made public. The individual minutes will only be sent to the tenderer participating in the meeting. If questions of a general nature were discussed at a negotiation meeting, the answers to such questions in anonymised form will be communicated to all tenderers via EU-Supply, see clause 2.3 of the tender specifications. The tenderer will be given the opportunity to comment on and confirm the information in the minutes. No independent, legal relevance for the submission of a final tender may be assigned to the minutes, as the final tender is to be submitted solely on the basis of the final tender documents. Based on the negotiation meetings, Banedanmark will prepare revised tender documents, which will form the basis of the tenderers' final tenders. As part of the revision, Banedanmark, in full compliance with the principles of equal treatment and transparency, may change the contents of, withdraw or add new "general requirements" or "evaluation requirements". Moreover, Banedanmark may make changes or additions to the information/documents to be attached to the final tender. However, the changes/additions may not cause the characteristics of the services put out to tender to change or cause the services to no longer be within the scope of the description provided in the contract notice. Moreover, fundamental elements may not be changed, including "minimum requirements". However, linguistic clarifications, correction of obvious errors and inexpediciencies, etc. are always allowed, in full compliance with the principles of equal treatment and transparency. 5. Publication of revised tender documents: After completion of the negotiation meetings, Banedanmark will issue revised tender documents, which will form the basis of the tenderers' final tenders. 6. Submission of final tender: The tenderers submit their final tenders, which will be evaluated by Banedanmark. 7. Contract award: Banedanmark will award the framework

agreement to the tenderer which has submitted the most economically advantageous tender based on the award criterion. The economic operators participating in the tender process will not be paid for participating in the process. For a detailed review of the above process, see the description provided in the tender material.

#### **2.1.1. Formål**

Kontraktens hovedformål: Varer

Primær klassifikation (cpv): 34947000 Sveller og dele af sveller

Supplerende klassifikation (cpv): 34941000 Skinner og tilbehør, 34946000 Materialer og forsyninger til anlæg af jernbanespor, 34946100 Byggematerialer til jernbanespor, 34946230 Klemplader, underlag og sveller

#### **2.1.2. Udførelsessted**

Postadresse: Banedanmark Sleeper Factory, Vejlbysvej 1

By: Fredericia

Postnummer: 7000

Landsdel (NUTS): Østjylland (DK042)

Land: Danmark

#### **2.1.2. Udførelsessted**

Postadresse: Banedanmark Warehouse Vest, Bygholm Parkvej 4

By: Horsens

Postnummer: 8700

Landsdel (NUTS): Østjylland (DK042)

Land: Danmark

#### **2.1.2. Udførelsessted**

Postadresse: Banedanmark Warehouse Halø, Kærup Industrivej 5

By: Ringsted

Postnummer: 4100

Landsdel (NUTS): Vest- og Sydsjælland (DK022)

Land: Danmark

#### **2.1.3. Værdi**

Anslået værdi eksklusiv moms: 430 000 000,00 DKK

Rammeaftalens maksimumværdi: 600 000 000,00 DKK

#### **2.1.4. Generelle oplysninger**

Yderligere oplysninger: 1) In the event of changes to selected applicants or tenderers, the rules in Section 147 of the Danish Public Procurement Act shall apply in full. 2) It is noted that each applicant may only submit one application for prequalification. 3) The contracting authority may request applicants to supplement, clarify or complete the application pursuant to Article 76(4) of the Utilities Directive, if the applications or tenders do not meet the formal requirements of the tender documents. 4) The EU's fifth package of sanctions (Regulation (EU) 2022/576): As a result of the EU's fifth package of sanctions, see Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) no. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine), contracting authorities or entities in the EU may not award public contracts or concessions to the following types of tenderers: Russian nationals, undertakings or other legal entities established in Russia; non-Russian undertakings which are (directly or indirectly) owned for more than 50% by a Russian national or undertaking; non-Russian undertakings acting on behalf of a Russian national or undertaking. Russian sub suppliers and supporting entities are also covered by the sanctions if

their contribution accounts for 10% or more of the contract value. Before making the award decision, Banedanmark will request to receive documentation that the tenderer is not comprised by the prohibition, see clause 8. For this purpose, the tenderer may use Appendix C "Solemn declaration re. fifth package of sanctions". 5) The Danish Investment Screening Act : In section 1.1.5 of the Tender Specifications, Banedanmark has requested the tenderers to state whether their conclusion of the framework agreement is subject to the requirement for authorisation under the Danish Investment Screening Act. Further guidance on the Act and its scope of application is available here (in Danish): <https://erhvervsstyrelsen.dk/vejledning-aktiviteter-omfattet-af-investeringscreeningsloven>. The tenderer is responsible for applying for and obtaining authorisation if the tenderer's conclusion of the framework agreement is subject to the Act. Banedanmark's award decision is made subject to the successful tenderer submitting documentation. Banedanmark reserves the right during the procurement process to request candidates and tenderers to provide information about whether their contract conclusion is covered by the Act and to provide a status on any application for authorisation. 6) Participation in the tender can only be done electronically via the contracting authority's electronic tendering system. In order to access the tender documents and participate in the process, interested companies must register online. As part of their tender, the tenderer must complete and submit an ESPD as preliminary evidence of the conditions mentioned in Section 148 of the Public Procurement Act, cf. Section 12 of the Implementing Order. In the case of a group of undertakings (e.g. a consortium), a separate ESPD must be submitted for each of the participating economic operators. If the tenderer relies on the capabilities of other entities, an ESPD must be submitted for each of the entities on which the tenderer relies. If the contract is awarded to a group of economic operators (e.g. a consortium), the participants in the group must assume joint and several liability and appoint a joint authorized representative. Before the award decision, the tenderer to whom the contracting authority intends to award the contract must provide documentation for the information provided in the ESPD in accordance with sections 151 and 152 of the Public Procurement Act, cf. section 12 of the Implementation Order. Banedanmark may require the submission of documentation at any time during the tender process if deemed necessary. 7) Banedanmark will accept the documentation for grounds for exclusion that appears from e-Certis, cf. section 152(3) of the Danish Public Procurement Act, cf. § 12 of the Implementation Order. Documentation may include the following forms of evidence: - An extract from the relevant register or equivalent document issued by a competent judicial or administrative authority, showing that the applicant is not covered by the grounds for exclusion, or A certificate issued by the competent authority in the country concerned as proof that the applicant is not covered by the grounds for exclusion. If the country concerned does not issue the abovementioned documents or certificates, or these do not cover all the grounds for exclusion, they may be replaced by a declaration under oath. If the tenderer is found to be covered by a ground for exclusion, the tenderer has the option of initiating a self-cleaning procedure, cf. § 138 of the Danish Public Procurement Act, cf. § 11(1)(2) of the Implementation Order. 8) The candidate may rely on the capacities of other entities (e.g. a parent or a fellow subsidiary or a sub-supplier) regardless of the nature of the legal relationship between the candidate and such other entities. The supporting entities may not be affected by any of the exclusion grounds. The other entity(ies) on which the candidate relies must therefore also submit a completed ESPD with the information requested by Banedanmark. In the suitability assessment, in case a candidate relies on a supporting entity, Banedanmark will perform an overall assessment of the information provided by the candidate and the supporting entity. Together, they must meet the defined minimum requirements for suitability. In connection with obtaining documentation, a candidate/tenderer relying on the capacities of other entities must submit a letter of support proving that the relevant supporting

entity has a legal obligation towards the candidate/tenderer. The candidate/tenderer may use Appendix B "Template for declaration of support". 9) Tenders can only be submitted for the entire scope of the contract. 10) The contracting authority does not provide participation fees. 11) Mandatory exclusion grounds: Banedanmark must exclude a candidate from participating in the procurement procedure if the candidate is subject to the mandatory exclusion grounds mentioned in sections 134a, 135 and 136 of the Danish Public Procurement Act. Information on the mandatory exclusion grounds set out in sections 135 and 136 must be provided in the following sections of Part III "Exclusion grounds" of the ESPD: Section III.A: "Grounds relating to criminal convictions" Section III.B: "Grounds relating to the payment of taxes or social security contributions" Section III.C: "Grounds relating to insolvency, conflicts of interests or professional misconduct". 12) Discretionary exclusion grounds In addition, Banedanmark will exclude a candidate to whom one or more of the circumstances specified in section 137(1)(i)-(iii) and (v) of the Danish Public Procurement Act applies in the event of: the candidate's non-compliance with environmental, social and labour regulations; the candidate's (i) bankruptcy, (ii) insolvency, (iii) composition with creditors under which all creditors will be bound, (iv) a situation analogous to bankruptcy under national law, (v) assets being administered by a liquidator, and (vi) suspension of the business activities; the candidate's agreements with other economic operators with a view to distortion of competition; the candidate's attempt to influence the decision-making process of the contracting authority. Information on the discretionary exclusion grounds must be provided in the following sections of Part III "Exclusion grounds" of the ESPD: Section III.C: "Grounds relating to insolvency, conflicts of interests or professional misconduct". 13) The estimated contract amount is calculated on basis of available pricing information and the estimated future demand for fasteners in the contract period. The maximum contract value is based on the calculated estimated value to which is added 40% to cover fluctuations in the contract period

#### **Retsgrundlag:**

Direktiv 2014/25/EU

#### **2.1.6. Udelukkelsesgrunde**

Kilder til grundlag for udelukkelse: Bekendtgørelse

Korruption: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for corruption, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator. See section 135(1), para (2) of the Danish Public Procurement Act.

Svig: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48). See section 135(1), para (3) of the Danish Public Procurement Act.

Hvidvaskning af penge eller finansiering af terrorisme: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers

of representation, decision or control therein been the subject of a conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15). See section 135(1), para (5) of the Danish Public Procurement Act.

Deltagelse i en kriminel organisation: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42). See section 135(1), para (1) of the Danish Public Procurement Act.

Terrorhandling eller strafbare handlinger med forbindelse til terroraktivitet: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision. See section 135(1), para (4) of the Danish Public Procurement Act.

Børnearbejde og andre former for menneskehandel: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1). See section 135(1), para (6) of the Danish Public Procurement Act.

Tilsidesættelse af forpligtelser på miljølovgivningsområdet: Has the economic operator, to its knowledge, breached its obligations in the field of environmental law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU. See section 137(1), para (1) of the Danish Public Procurement Act.

Tilsidesættelse af forpligtelser på det arbejdsretlige område: Has the economic operator, to its knowledge, breached its obligations in the field of labour law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Tilsidesættelse af forpligtelser på sociallovgivningsområdet: Has the economic operator, to its knowledge, breached its obligations in the field of social law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU. See section 137(1), para (1) of the Danish Public Procurement Act.

Aftaler med andre økonomiske aktører med henblik på konkurrencefordrejning: Has the economic operator entered into agreements with other economic operators aimed at distorting competition? See section 137(1), para (3) of the Danish Public Procurement Act.

Alvorlige forsømmelser i forbindelse med udøvelsen af erhvervet: Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents. See section 136, para (4) of the Danish Public Procurement Act.

Afgivelse af urigtige oplysninger, tilbageholdelse af oplysninger, ude af stand til at fremlægge de dokumenter, der anmodes om, eller indhentede fortrolige oplysninger i forbindelse med denne procedure: Can the economic operator confirm that: a) It has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, b) It has withheld such information, c) It has not been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and d) It has undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. See section 136, § (3) of the Danish Public Procurement Act, and the candidate or tenderer has undertaken to unduly influence the decision-making process of the contracting entity, where the candidate or tenderer has obtained confidential information that may confer upon it undue advantages in the procurement procedure, or where the candidate or tenderer has grossly negligently provided misleading information that may have a material influence on decisions concerning exclusion, assessment of the minimum requirements for suitability, selection or award of contract, see section 137(1), § (5).

Interessekonflikt som følge af deltagelse i udbudsproceduren: Is the economic operator aware of any conflict of interest, as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure? See section 136, para (1) of the Danish Public Procurement Act.

Direkte eller indirekte involvering i forberedelsen af denne udbudsprocedure: Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure? See section 136, para (2) of the Danish Public Procurement Act.

Tilsidesættelse af forpligtelser vedrørende betaling af bidrag til sociale sikringsordninger: Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? See section 135(3) of the Danish Public Procurement Act.

Tilsidesættelse af forpligtelser vedrørende betaling af skatter og afgifter: Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? See section 135(3) of the Danish Public Procurement Act.

Erhvervsvirksomheden er indstillet: Are the business activities of the economic operator suspended? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

Konkurs: Is the economic operator bankrupt? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

Tvangsakkord uden for konkurs: Is the economic operator in arrangement with creditors? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

Insolvens: Is the economic operator the subject of insolvency or winding-up? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

Aktiver, der administreres af en kurator: Are the assets of the economic operator being administered by a liquidator or by the court? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

En situation, der svarer til konkurs i henhold til national ret: Is the economic operator in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. See section 137(1), para (2) of the Danish Public Procurement Act.

## 5. Delkontrakt

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### 5.1. Delkontrakt: LOT-0000

Titel: Re-tender for fasteners and rail pads for the sleeper types: S99, SB16 & S16 for use in the Danish rail network (1)

Beskrivelse: In accordance with the provisions of Directive 2014/25/EU (the Utilities Directive as implemented by Executive Order no. 1078 of 29 June 2022 on procurement by entities operating in the water, energy, transport and postal services sectors), a framework agreement for Fasteners for Banedanmark's monoblock sleepers is put out to tender. The framework agreement gives Banedanmark a right, but not an obligation, to order the above-mentioned fasteners and rail pads. The Framework Agreement is exclusive regarding supply of fasteners to be used at Banedanmark's Sleeper Factory. Fasteners to be used in connection with maintenance and replacement of existing fasteners in Banedanmark's infrastructure are not covered by this agreement. The execution of the Framework Agreement is divided into three phases: (1) Design, Validation and Product Type Acceptance Phase (2) Retrofitting of Sleeper Factory Phase (3) Manufacturing and Delivery Production Phase For more information reference is made to the tender material.

Intern ID: 2024-23087

#### 5.1.1. Formål

Kontraktens hovedformål: Varer

Primær klassifikation (cpv): 34947000 Sveller og dele af sveller



Supplerende klassifikation (cpv): 34941000 Skinner og tilbehør, 34946000 Materialer og forsyninger til anlæg af jernbanespor, 34946100 Byggematerialer til jernbanespor, 34946230 Klemplader, underlag og sveller

**5.1.2. Udførelsessted**

Postadresse: Banedanmark Sleeper Factory, Vejlbysvej 1

By: Fredericia

Postnummer: 7000

Landsdel (NUTS): Østjylland (DK042)

Land: Danmark

**5.1.2. Udførelsessted**

Postadresse: Banedanmark Warehouse Vest, Bygholm Parkvej 4

By: Horsens

Postnummer: 8700

Landsdel (NUTS): Østjylland (DK042)

Land: Danmark

**5.1.2. Udførelsessted**

Postadresse: Banedanmark Warehouse Halø, Kærup Industrivej 5

By: Ringsted

Postnummer: 4100

Landsdel (NUTS): Vest- og Sydsjælland (DK022)

Land: Danmark

**5.1.3. Anslået varighed**

Varighed: 8 År

**5.1.4. Fornyelse**

Højeste antal fornyelser: 2

Yderligere oplysninger om fornyelser: This Framework Agreement will expire without further notice four (4) years after signature. Subject to a written notice of at least three (3) months to the date of expiry of the Framework Agreement, Banedanmark may extend the Framework Agreement by two (2) years. Banedanmark may effect such extension two (2) times and thus extend the Framework Agreement by up to in total eight (8) years.

**5.1.5. Værdi**

Anslået værdi eksklusiv moms: 430 000 000,00 DKK

Rammeaftalens maksimumværdi: 600 000 000,00 DKK

**5.1.6. Generelle oplysninger**

**Reserveret deltagelse:**

Deltagelse uden forbehold.

Indkøbsprojekt, der ikke finansieres med EU-midler

Udbuddet er omfattet af aftalen om offentlige udbud (GPA): ja

Dette udbud er også egnet for små og mellemstore virksomheder (SMV'er): nej

Yderligere oplysninger: 1) In the event of changes to selected applicants or tenderers, the rules in Section 147 of the Danish Public Procurement Act shall apply in full. 2) It is noted that each applicant may only submit one application for prequalification. 3) The contracting authority may request applicants to supplement, clarify or complete the application pursuant to Article 76(4) of the Utilities Directive, if the applications or tenders do not meet the formal requirements of the tender documents. 4) The EU's fifth package of sanctions (Regulation

(EU) 2022/576): As a result of the EU's fifth package of sanctions, see Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) no. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine), contracting authorities or entities in the EU may not award public contracts or concessions to the following types of tenderers: Russian nationals, undertakings or other legal entities established in Russia; non-Russian undertakings which are (directly or indirectly) owned for more than 50% by a Russian national or undertaking; non-Russian undertakings acting on behalf of a Russian national or undertaking. Russian sub suppliers and supporting entities are also covered by the sanctions if their contribution accounts for 10% or more of the contract value. Before making the award decision, Banedanmark will request to receive documentation that the tenderer is not comprised by the prohibition, see clause 8. For this purpose, the tenderer may use Appendix C "Solemn declaration re. fifth package of sanctions". 5) The Danish Investment Screening Act : In section 1.1.5 of the Tender Specifications, Banedanmark has requested the tenderers to state whether their conclusion of the framework agreement is subject to the requirement for authorisation under the Danish Investment Screening Act. Further guidance on the Act and its scope of application is available here (in Danish): <https://erhvervsstyrelsen.dk/vejledning-aktiviteter-omfattet-af-investeringscreeningsloven>. The tenderer is responsible for applying for and obtaining authorisation if the tenderer's conclusion of the framework agreement is subject to the Act. Banedanmark's award decision is made subject to the successful tenderer submitting documentation. Banedanmark reserves the right during the procurement process to request candidates and tenderers to provide information about whether their contract conclusion is covered by the Act and to provide a status on any application for authorisation. 6) Participation in the tender can only be done electronically via the contracting authority's electronic tendering system. In order to access the tender documents and participate in the process, interested companies must register online. As part of their tender, the tenderer must complete and submit an ESPD as preliminary evidence of the conditions mentioned in Section 148 of the Public Procurement Act, cf. Section 12 of the Implementing Order. In the case of a group of undertakings (e.g. a consortium), a separate ESPD must be submitted for each of the participating economic operators. If the tenderer relies on the capabilities of other entities, an ESPD must be submitted for each of the entities on which the tenderer relies. If the contract is awarded to a group of economic operators (e.g. a consortium), the participants in the group must assume joint and several liability and appoint a joint authorized representative. Before the award decision, the tenderer to whom the contracting authority intends to award the contract must provide documentation for the information provided in the ESPD in accordance with sections 151 and 152 of the Public Procurement Act, cf. section 12 of the Implementation Order. Banedanmark may require the submission of documentation at any time during the tender process if deemed necessary. 7) Banedanmark will accept the documentation for grounds for exclusion that appears from e-Certis, cf. section 152(3) of the Danish Public Procurement Act, cf. § 12 of the Implementation Order. Documentation may include the following forms of evidence: - An extract from the relevant register or equivalent document issued by a competent judicial or administrative authority, showing that the applicant is not covered by the grounds for exclusion, or A certificate issued by the competent authority in the country concerned as proof that the applicant is not covered by the grounds for exclusion. If the country concerned does not issue the abovementioned documents or certificates, or these do not cover all the grounds for exclusion, they may be replaced by a declaration under oath. If the tenderer is found to be covered by a ground for exclusion, the tenderer has the option of initiating a self-cleaning procedure, cf. § 138 of the Danish Public Procurement Act, cf. § 11(1)(2) of the Implementation Order. 8) The candidate may rely on the capacities of other entities (e.g. a parent or a fellow subsidiary or a sub-supplier) regardless of the nature of the legal

relationship between the candidate and such other entities. The supporting entities may not be affected by any of the exclusion grounds. The other entity(ies) on which the candidate relies must therefore also submit a completed ESPD with the information requested by Banedanmark. In the suitability assessment, in case a candidate relies on a supporting entity, Banedanmark will perform an overall assessment of the information provided by the candidate and the supporting entity. Together, they must meet the defined minimum requirements for suitability. In connection with obtaining documentation, a candidate/tenderer relying on the capacities of other entities must submit a letter of support proving that the relevant supporting entity has a legal obligation towards the candidate/tenderer. The candidate/tenderer may use Appendix B "Template for declaration of support". 9) Tenders can only be submitted for the entire scope of the contract. 10) The contracting authority does not provide participation fees. 11) Mandatory exclusion grounds: Banedanmark must exclude a candidate from participating in the procurement procedure if the candidate is subject to the mandatory exclusion grounds mentioned in sections 134a, 135 and 136 of the Danish Public Procurement Act. Information on the mandatory exclusion grounds set out in sections 135 and 136 must be provided in the following sections of Part III "Exclusion grounds" of the ESPD: Section III.A: "Grounds relating to criminal convictions" Section III.B: "Grounds relating to the payment of taxes or social security contributions" Section III.C: "Grounds relating to insolvency, conflicts of interests or professional misconduct". 12) Discretionary exclusion grounds In addition, Banedanmark will exclude a candidate to whom one or more of the circumstances specified in section 137(1)(i)-(iii) and (v) of the Danish Public Procurement Act applies in the event of: the candidate's non-compliance with environmental, social and labour regulations; the candidate's (i) bankruptcy, (ii) insolvency, (iii) composition with creditors under which all creditors will be bound, (iv) a situation analogous to bankruptcy under national law, (v) assets being administered by a liquidator, and (vi) suspension of the business activities; the candidate's agreements with other economic operators with a view to distortion of competition; the candidate's attempt to influence the decision-making process of the contracting authority. Information on the discretionary exclusion grounds must be provided in the following sections of Part III "Exclusion grounds" of the ESPD: Section III.C: "Grounds relating to insolvency, conflicts of interests or professional misconduct". 13) The estimated contract amount is calculated on basis of available pricing information and the estimated future demand for fasteners in the contract period. The maximum contract value is based on the calculated estimated value to which is added 40% to cover fluctuations in the contract period

#### **5.1.9. Udvalgelseskriterier**

Kilder til udvalgelseskriterier: Bekendtgørelse

Kriterium: Andre økonomiske eller finansielle krav

Beskrivelse af udvalgelseskriterium: The candidate must submit the following information as preliminary proof that the candidate meets the minimum requirements for suitability in relation to economic and financial standing: - Shareholders' equity for the last financial year available. The minimum requirement is that the candidate's shareholders' equity for the last financial year available must be at least 100 million DKK. If the candidate relies on the economic and financial capacity of other entities, shareholders' equity will be calculated as a total amount for the undertaking and such other entities for the last financial year available. For a group of economic operators (e.g. a consortium), shareholders' equity will be calculated as the undertakings' overall shareholders' equity for the last financial year available. This information is to be provided in section IV.B of the ESPD. Banedanmark will accept the following documentation of compliance with minimum requirements: Shareholders' equity for the last financial year available: The undertaking's balance sheet or extracts thereof for the last financial year available, if publication of the balance sheet is compulsory in the country where

the undertaking is established, or other documentation of the amount of the undertaking's shareholders' equity. For a group of economic operators (e.g. a consortium), the information must be provided for each undertaking participating in the group. If the undertaking relies on the economic and financial capacity of other entities (e.g. a parent company, a fellow subsidiary or a sub-supplier), the information must also be provided for these entities.

Kriterium: Andre økonomiske eller finansielle krav

Beskrivelse af udvælgelseskriterium: The candidate must submit the following information as preliminary proof that the candidate meets the minimum requirements for suitability in relation to economic and financial standing: - Solvency Ratio for the last financial year available. The minimum requirement is that the candidate's solvency ratio for the last financial year available must be at least 20%. The solvency ratio is calculated on the basis of this formula:  $\text{Solvency ratio} = (\text{equity} / \text{total assets ultimo}) * 100$  If the tenderer relies on the economic and financial capacity of other entities, the sum of the equity of the business participants and the sum of their total assets is first calculated. The ratio between these two figures is then calculated. In the case of an association of businesses (e.g. a consortium), the sum of the equity of the business participants and the sum of their total assets is first calculated. The information must be provided in ESPD section IV.B. Solvency ratio for the last financial year available

Presentation of annual accounts or extracts thereof, or a statement of the solvency ratio for the latest available financial year, depending on when the company was established or started its business, if the figures for this solvency ratio are available. In the case of an association of companies (e.g. a consortium), the information must be provided for each of the participating companies in the association. If the company relies on the economic and financial capacity of other entities (e.g. a parent company, sister company or subcontractor), the information must also be provided for these entities.

Kriterium: Referencer på specificerede tjenester

Beskrivelse af udvælgelseskriterium: A list of the candidate's most significant, comparable references for fasteners for monoblock sleepers within the last 3 years, see sections 5.1.9 of the contract notice. One reference is defined as a contract covering deliveries to one customer. The list of references cannot contain more than three (3) references, regardless of whether the candidate is an individual undertaking, whether the candidate relies on the technical and professional ability of other entities, or whether the candidate is a group of economic operators (e.g. a consortium). If more than three (3) references are listed, only the first three (3) references listed in the ESPD will be considered. Any additional references will be disregarded. Each reference must include the following information : • A description of the relevant supply. The description of the supply should also contain a description of the scope of the supply. The description must include confirmation that the fastener holds either an EC-declaration or EC-verification according to TSI on UIC60 rails • The economic value of the supply (amount) • The date of the supply (start and end dates). Only references relating to deliveries performed at the time of submission of the request for prequalification will be considered. This means, for ongoing references, only the deliveries performed up until the time of submission of the request for prequalification will be included in the assessment of the reference • The name of the customer (recipient). It is a minimum requirement that the candidate specifies minimum one (1) and no more than three (3) references within the last 3 years covering delivery of fastening systems, that hold an EC-verification or EC-declaration according to TSI on UIC60 rails. This information is to be provided in section IV.C of the ESPD. If the candidate provides the information in an appendix to the ESPD, Banedanmark will only consider text and not images, illustrations, etc. Banedanmark will accept the following documentation of compliance with minimum requirements: The list of references specified by

the candidate in the ESPD will serve as final documentation of the information provided as regards the candidate's technical and professional ability. However, Banedanmark reserves the right to contact the candidate or the customer named in the reference with a view to verifying the information provided about the reference, including the dates specified for the reference.

Kriteriet vil blive anvendt til at udvælge de ansøgere, som skal opfordres til at deltage i anden fase af proceduren

Kriterium: Referencer på specificerede arbejder

Beskrivelse af udvælgelseskriterium: If more than four (4) compliant requests for pre-qualification are submitted, Banedanmark will select the four (4) candidates who are deemed to be the most suitable to supply the goods required under the contract. The selection of candidates will be based on an assessment of which candidates have submitted the most relevant references relative to the goods to be supplied under the framework agreement. In its assessment of the relevance of references, Banedanmark will put most emphasis on references delivered to and put into operation under similar climatical conditions as in Denmark – especially concerning application of fasteners in corrosive environments, and how recent the deliveries have been made.

Kriteriet vil blive anvendt til at udvælge de ansøgere, som skal opfordres til at deltage i anden fase af proceduren

**Oplysninger om den anden fase i en procedure, der afvikles i to faser:**

Mindsteantallet af ansøgere, som skal opfordres til at deltage i anden fase af proceduren: 4

Det højeste antal ansøgere, som skal opfordres til at deltage i anden fase af proceduren: 4

Proceduren afvikles i successive faser. I hver fase kan nogle ansøgere blive udelukket

#### 5.1.10. Tildelingskriterier

**Kriterium:**

Type: Pris

Navn: Price

Beskrivelse: Reference is made to the tender specifications section 7.

Kategori for tildelingskriteriet vægt: Vægtning (procentdel, præcis)

Tildelingskriterium talværdi: 80

**Kriterium:**

Type: Kvalitet

Navn: Process and support

Beskrivelse: Reference is made to the tender specifications section 7.

Kategori for tildelingskriteriet vægt: Vægtning (procentdel, præcis)

Tildelingskriterium talværdi: 20

#### 5.1.11. Tilbudsdokumenter

Sprog, som udbudsdokumenterne er officielt tilgængelige på: engelsk

Frist for anmodning om yderligere oplysninger: 10/06/2026 12:00:00 (UTC+00:00)

vesteuropæisk tid, GMT

Adresse på udbudsdokumenterne: [https://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=454801&TID=200415540&B=](https://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=454801&TID=200415540&B=)

#### 5.1.12. Tilbudsvilkår

**Vilkår for proceduren:**

Den påtænkte dato for afsendelse af opfordringerne til at afgive tilbud: 10/07/2026

**Vilkår for indgivelse:**

Elektronisk indgivelse: Påkrævet

Indgivelsesadresse: [https://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=454801&TID=200415540&B=](https://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=454801&TID=200415540&B=)

Sprog, som tilbud og ansøgninger om deltagelse kan indgives på: engelsk, dansk

Elektronisk katalog: Ikke tilladt

Alternative tilbud: Ikke tilladt

Tilbudsgivere kan indgive mere end ét tilbud: Ikke tilladt

Frist for modtagelse af anmodninger om deltagelse: 23/06/2026 12:00:00 (UTC+00:00)  
vesteuropæisk tid, GMT

**Betingelser for kontraktens udførelse:**

Udførelsen af kontrakten skal ske inden for rammerne af programmer for beskyttet beskæftigelse: Nej

Vilkår relateret til kontraktens udførelse: The contract entails requirements regarding a railway safety management system. Moreover, the contract incorporates the consideration of social responsibility, as formulated in the conventions that form the basis for the principles of the UN Global Compact to the appropriate extent. In addition, contractual requirements are set in accordance with ILO Convention No. 94 on Labour Clauses in public contracts and Circular No. 9471 of 30 June 2014.

Der kræves en fortrolighedsaftale: nej

Elektronisk fakturering: Påkrævet

Der vil blive anvendt elektronisk bestilling: ja

Der vil blive anvendt elektronisk betaling: ja

Oplysninger om finansiering og betaling: Reference is made to Tender Specifications, section 1.1.3 and Draft Framework Contract, § 10.

**5.1.15. Teknikker**

**Rammeaftale:**

Rammeaftale uden fornyet iværksættelse af konkurrence

Det maksimale antal deltagere: 1

**Oplysninger om det dynamiske indkøbssystem:**

Intet dynamisk indkøbssystem

**5.1.16. Yderligere oplysninger, mægling og gennemgang**

Organisation med ansvar for klager: Klagenævnet for Udbud

Oplysninger om klagefrister: In the case of a tender with prequalification pursuant to the Danish Public Procurement Act, the Danish Utilities Directive or the Danish Tenders Act, a complaint about not having been prequalified must be submitted within 20 calendar days. This is calculated from the day after the contracting authority sends the notification of prequalification. Other complaints about tenders or decisions, e.g. award of contracts, covered by Title II or III of the Danish Public Procurement Act or the Danish Utilities Directive, must be submitted 45 calendar days from the day after the contracting authority publishes a notice in the Official Journal of the European Union on the conclusion of the contract. At the latest at the same time as a complaint is submitted to the Complaints Board for Public Procurement, the complainant must inform the Contracting Entity in writing that the complaint is sub-mitted to the Complaints Board for Public Procurement. If the Contracting Entity has held a voluntary standstill period, see section 17(2) of the Act, complaints must also indicate whether the complaint has been lodged during the standstill period, see section 6(4) of the Act, or if the complaint has not been lodged during the standstill period, whether the complainant requests suspensive effect of the complaint, see section 12(1) of the Act. If the complaint concerns violations of the Danish Public Procurement Act or Sections 191 and 192 of the Danish Public Procurement Act, the complaint period is 45 calendar days from the day after the contracting

authority is notified of the award decision. Complaints about the conclusion of a framework agreement pursuant to the Public Procurement Act (Part II, III and Sections 191 and 192), the Utilities Directive or the Tender Act must be submitted to the Complaints Board within 6 months from the day after the contracting authority's notification of the award decision. Complaints about the conclusion of a contract based on a framework agreement with reopening of competition or a dynamic purchasing system covered by Title II or III of the Public Procurement Act or the Utilities Directive must be submitted to the Complaints Board within 30 calendar days from the day after the contracting authority was notified of the award decision. Complaints about a contracting authority's decision to continue a contract (Section 185(2) of the Public Procurement Act) must be submitted to the Complaints Board within 20 calendar days from the day after the contracting authority has published its decision (Section 185(2), 3rd sentence of the Public Procurement Act). If the contracting authority has followed the procedure in Section 4 of the Danish Public Procurement Complaints Board Act, a complaint that the contracting authority, in violation of the Public Procurement Directive or the Utilities Directive, has concluded a contract without prior publication of a contract notice must be submitted to the Complaints Board within 30 calendar days from the day after the contracting authority's publication of a notice in the Official Journal of the European Union regarding the conclusion of a contract.

Organisation, der leverer supplerende oplysninger om udbudsproceduren: Banedanmark

Organisation, der sikrer adgang til udbudsdokumenterne offline: Banedanmark

Organisation, der leverer yderligere oplysninger om klageprocedurerne: Konkurrence- og Forbrugerstyrelsen

Organisation, der modtager ansøgninger om deltagelse: Banedanmark

Organisation, der behandler tilbud: Banedanmark

## 8. Organisationer

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### 8.1. ORG-0001

Officielt navn: Banedanmark

Registreringsnummer: 18632276

Afdeling: Danmark

Postadresse: Carsten Niebuhrs Gade 43

By: København V

Postnummer: 1577

Landsdel (NUTS): Byen København (DK011)

Land: Danmark

Enhed: Ole Flyvbjerg

E-mail: [OFYG@BANE.dk](mailto:OFYG@BANE.dk)

Telefon: +45 82340000

Internetadresse: <https://www.bane.dk/>

Køberprofil: <https://eu.eu-supply.com/ctm/company/companyinformation/index/340853>

#### **Denne organisations roller:**

Køber

Organisation, der leverer supplerende oplysninger om udbudsproceduren

Organisation, der sikrer adgang til udbudsdokumenterne offline

Organisation, der modtager ansøgninger om deltagelse

Organisation, der behandler tilbud

### 8.1. ORG-0002

Officielt navn: Klagenævnet for Udbud

Registreringsnummer: 37795526  
Postadresse: Nævnenes Hus, Toldboden 2  
By: Viborg  
Postnummer: 8800  
Landsdel (NUTS): Østjylland (DK042)  
Land: Danmark  
E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)  
Telefon: +45 72405600  
Internetadresse: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

**Denne organisations roller:**

Organisation med ansvar for klager

**8.1. ORG-0003**

Officielt navn: Konkurrence- og Forbrugerstyrelsen  
Registreringsnummer: 10294819  
Postadresse: Carl Jacobsens Vej 35  
By: Valby  
Postnummer: 2500  
Landsdel (NUTS): Byen København (DK011)  
Land: Danmark  
E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)  
Telefon: +45 41715000  
Internetadresse: <http://www.kfst.dk>

**Denne organisations roller:**

Organisation, der leverer yderligere oplysninger om klageprocedurerne

**8.1. ORG-0004**

Officielt navn: Merzell Holding ASA  
Registreringsnummer: 980921565  
Postadresse: Askekroken 11  
By: Oslo  
Postnummer: 0277  
Landsdel (NUTS): Oslo (NO081)  
Land: Norge  
Enhed: eSender  
E-mail: [publication@mercell.com](mailto:publication@mercell.com)  
Telefon: +47 21018800  
Fax: +47 21018801  
Internetadresse: <http://mercell.com/>

**Denne organisations roller:**

TED eSender

## Oplysninger om bekendtgørelsen

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Bekendtgørelsens ID: 40fbd629-7d63-41a7-a52a-7a525a6613d1 - 01  
Formulartype: Konkurrencevilkår  
Bekendtgørelsestype: Udbuds- eller koncessionsbekendtgørelse – standardordningen  
Bekendtgørelsesundertype: 17  
Afsendelsesdato for bekendtgørelsen: 20/05/2026 12:14:27 (UTC+00:00) vesteuropæisk tid, GMT



Dato for afsendelse af bekendtgørelsen (eSender): 20/05/2026 16:00:40 (UTC+00:00)  
vesteuropæisk tid, GMT  
Bekendtgørelsens officielle sprog: engelsk  
Bekendtgørelsesnummer: 352284-2026  
EUT-S-nummer: 98/2026  
Offentliggørelsesdato: 22/05/2026