

**Norway-Bergen: Transport services (excl. Waste transport)**

**OJ S 10/2018 16/01/2018**

**Contract notice – utilities**

**Services**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Bybanen AS

National registration number: 977 511 402

Postal address: Agnes Mowinckels gate 6

Town: Bergen

NUTS code: NO051 Hordaland

Postal code: 5008

Country: Norway

Contact person: Tia Caroline Aksnes

E-mail: [tia.aksnes@inventura.no](mailto:tia.aksnes@inventura.no)

Telephone: +47 46413304

**Internet address(es):**

Main address: <http://www.bybanen.no>

Address of the buyer profile: <https://kgv.doffin.no/ctm/Company/CompanyInformation/Index/3615>

**I.3. Communication**

Access to the procurement documents is restricted. Further information can be obtained at:

<https://anskaffingar.hfk.no/Avantra/Customer/Hordaland/Modules/Purchase/Published/>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://anskaffingar.hfk.no/Avantra/Customer/Hordaland/Modules/Purchase/Published/>

Tenders or requests to participate must be submitted to the abovementioned address

**I.6. Main activity**

Recreation, culture and religion

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

Operation of passenger transport, etc. on the Light Rail

Reference number: 2018-01

**II.1.2. Main CPV code**

60000000 Transport services (excl. Waste transport)

**II.1.3. Type of contract**

Services

#### **II.1.4. Short description**

The Light Rail in Bergen is a railroad public transport offer that is included in the total public transport offer from Hordaland County. The Light Rail opened in 2010 and the contract with the current operator expires in summer 2019. The Light Rail in Bergen currently consists of 20 km infrastructure from the centre of Bergen to Bergen Airport Flesland. The Light Rail in Bergen runs for a total of approx. 2 000 000 km and transports more than 12 000 000 passengers per annum.

28 coaches of type Variobahn have been procured, which will be available for the Tenderer. A new construction stage is expected to open, from the centre of Bergen to Spelhaugen, Fyllingsdalen (approx. 10 km) during the contract period. In addition, it is possible that a construction stage from the centre of Bergen to Vågsbotn, Åsane (approx. 13 km) will be opened. More coaches will be procured during the contract period.

#### **II.1.5. Estimated total value**

Value excluding VAT: 2 500 000 000,00 NOK

#### **II.1.6. Information about lots**

This contract is divided into lots: no

### **II.2. Description**

#### **II.2.2. Additional CPV code(s)**

60200000 Railway transport services, 60210000 Public transport services by railways, 50222000 Repair and maintenance services of rolling stock, 50220000 Repair, maintenance and associated services related to railways and other equipment, 63711100 Train monitoring services, 63712710 Traffic monitoring services

#### **II.2.3. Place of performance**

NUTS code: NO051 Hordaland

Main site or place of performance: Bergen.

#### **II.2.4. Description of the procurement**

The Light Rail in Bergen would like to enter into a contract (gross contract) with an operator who shall operate passenger transport with coaches on the Light Rail for a given period. The operation phase will be 8 years, with an option for a 2 year extension (8 + 2). In addition there will be a preparation phase (start-up phase) before the start of operations. The start-up phase will commence straight after the contract has been signed.

The operator will also be responsible for maintaining the coaches. The maintenance shall be based on a continuation of the contractual relationship with the current maintenance provider. The plan is to sign the contract in summer 2018.

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: The start-up project / Weighting: 25 %

Price - Weighting: 75 %

#### **II.2.6. Estimated value**

Value excluding VAT: 2 500 000 000,00 NOK

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

Start: 15/07/2018 End: 30/06/2027

This contract is subject to renewal: no

### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: yes

Description of options:

Option 1: Construction Stage 4 (Line 2): The Light Rail is extended with a new line from the centre of Bergen to Fyllingsdalen.

Option 2: Construction Stage 5 (expansion of Line 1): The Light Rail's current line is extended from the centre of Bergen to Åsane.

Option 3: The Contracting Authority extends the contract for 2 years, from the period 1.7.2027 — 30.6.2029.

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

The procurement is related to a project and/or programme financed by European Union funds:  
no

### **II.2.14. Additional information**

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

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### **III.1. Conditions for participation**

#### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Requirement: The bidder shall be a legally established enterprise.

Documentation requirement:

Norwegian tenderers:

— Company Registration Certificate.

Foreign tenderers:

— Confirmation that the supplier is registered in a trade register or Register of Business Enterprises in accordance with the laws of the country where the tenderer is established.

Non-established applicants:

— If an applicant is not established, the owner(s) who is behind the application must submit a company registration certificate.

#### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

Requirement: Tenderers must have their tax, payroll tax and VAT payments in order.

The tax certificate must not be older than six months calculated from the deadline for submitting a request for participation. A Tax Certificate is defined as:

For Norwegian tenderers:

— Tax and VAT certificate issued by the tax office via Altinn.

For foreign tenderers:

— Foreign tenderers must submit equivalent certificates from their own country that show that they have an arrangement for the payment of taxes and duties. If the authorities in the relevant

country do not issue these certificates, the tenderer should submit a statement which states that all taxes and duties have been paid. The statement shall be approved and signed by the tenderer's Financial Director/person responsible for finance.

Requirement: The tenderer shall have sufficient financial strength to be able to fulfil the contract.

Requirement: Tenderers shall have sufficient financial strength to be able to fulfil the contract.

Annual accounts:

The tenderer's annual accounts, including notes with board and auditor's reports from 2015, 2016 and 2017 (provisional figures).

Promise of a demand guarantee:

A promise shall be enclosed from a bank, insurance company or financial institution that states that a bank guarantee for correct fulfilment of 04 Procedure Rules Annex C1 and 06 Procedure Rules Annex D.

The operations contract will be put into place if the tenderer is awarded the contract. The promise shall apply for a guarantee of the same nature and extent as what the tenderer would be obliged to provide when the contract is signed, see Document 05 Procedure Rules Annex C2.

The promise shall be formulated so that there is no doubt as to what the guarantee covers and that the guarantee covers the stated amount. The declaration on a future guarantee must be binding for the guarantor for the entire period from the application deadline to be qualified until the abidance deadline for the tender in the competition has expired.

The template for a promise for a demand guarantee 04 Procedure Rules Annex C1 ought to be used.

The final demand guarantee shall be presented when the contract is signed.

Key information:

The company's own figures:

Tenderers shall fill in and enclose the form with key information, cf. 06 Procedure Rules Annex D.

The contracting authority reserves the right to carry out its own credit rating via an independent credit rating company.

Financial strength will be assessed in relation to turnover, operating margin, equity ratio and liquidity in order to have the best possible basis for assessing liquidity, a plan shall be submitted for maintaining or possibly improving liquidity, cf. 06 Procedure Rules Annex D.

Guarantee from a parent company, etc.:

If a tenderer intends to use a parent company or another company's capacity, the company the tenderer cooperates with must submit the same documentation as the tenderer, in accordance with this point, see Point 8 on commitment statements.

Non-established applicants:

If an applicant is not founded on the application date, or is newly established, the owner(s) who is behind the application shall present equivalent documentation for the owners, as well as a general financing plan, in order to show that the applicant has a satisfactory financial ability. The plan shall also show how the company plans to have sufficient finances to take on the role of operator.

A promise shall be enclosed from a bank, insurance company or financial institution that states that a bank guarantee for correct fulfilment of the operations contract will be provided if the tenderer is awarded the contract, see 04 Procedure Rules Annex C1. The promise shall be for a guarantee of the same nature and extent as what the tenderer would be obliged to provide when the contract is signed, see 05 Procedure Rules Annex C2. The promise can be built on the prerequisites in the presented financing plan being fulfilled.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

Requirement: Tenderers shall have good competence the capacity to deliver operator services for the light rail.

Documentation requirement:

Applicants shall present a short description of the following points:

- type of activity that the applicant currently carries out,
- describe the type of transport assignments the applicant has experience with,
- owner composition,
- the number of employees and the turnover in total and within railway activities for the year before the application deadline and on the application date. It must be clear how much of this turnover was from operational and operator contracts,
- an organisation chart that shows how the applicant company is built up and where activities connected to operational and operator contracts for railway appear,
- applicants shall describe at least 2 and a maximum of 5 operator contracts for light rail and /or trams, which are either ongoing or completed in the last 3 years (2015, 2016 and 2017). The information is to be added to a separate form, see Document 07 Procedure Rules Annex E Template for Executed Assignments.

If a Tenderer will use other companies' capacity and competence, the Utilities Regulations § 12-5 apply.

Non-established applicants:

If an applicant is not established or is newly established, the requirement shall be answered by the owner(s).

Companies that plan to be established as the actual applicant are asked to answer the questions in the form of a description of a proposed, future organisation.

The owner(s) is to answer the points on turnover, employees and experience.

Requirement: Tenderers shall fulfil statutory wage and working conditions requirements.

Documentation requirement: A signed self-declaration, cf. 08 Procedure Rules Annex F.

Non-established applicants:

If an applicant is not established or is newly established, the requirement shall be answered by the owner(s).

Requirement: The owner(s) who is behind the applicant must declare his intention of support if the applicant is a planned or newly formed company.

Documentation requirement: If an applicant is not established on the application deadline, the owner(s) who is behind the application shall present a declaration stating that he will make available or enable a procurement of the resources that the applicant pleads in the application for pre-qualification.

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## **Section IV: Procedure**

### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Negotiated procedure with prior call for competition

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

#### **IV.1.4. Information about 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.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **IV.2. Administrative information**

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

Notice number in the OJ S: [2017/S 213-444032](#)

##### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 19/02/2018 Local time: 12:00

##### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 05/03/2018

##### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English, Norwegian

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

Tender must be valid until: 01/10/2018

#### **Section VI: Complementary information**

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##### **VI.1. Information about recurrence**

This is a recurrent procurement: no

##### **VI.3. Additional information**

2 tender conferences will be held for this competition. Tender Conference 1 will be held on 1.2.2018 and it will be open to all potential tenderers. Registration shall be sent to [Tia.Aksnes@inventura.no](mailto:Tia.Aksnes@inventura.no) with a copy to [wsa@thommessen.no](mailto:wsa@thommessen.no) by 29.1.2018. The registration shall include the name of the company who would like to participate, as well as the name and job title of the participants.

Tender conference 2 will be held on 20.3.2018 and 21.3.2018. Only Tenderers who are selected to submit a tender will be able to be participate. The programme will be identical on both days with a joint programme and individual programme. The selected Tenderers will be notified of which day they shall attend.

See the tender documentation, Point 2.6 for the programme for both conferences.

##### **VI.4. Procedures for review**

###### **VI.4.1. Review body**

Official name: Bybanen AS

Town: Bergen

Country: Norway

##### **VI.5. Date of dispatch of this notice**

12/01/2018