

Denmark-Taastrup: Reconditioning services of rolling stock seats
OJ S 15/2022 21/01/2022
Contract notice – utilities
Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DSB Vedligehold

National registration number: 32788742

Postal address: Telegade 2

Town: Taastrup

NUTS code: DK Danmark

Postal code: 2630

Country: Denmark

Contact person: Lotte Ebbeskov

E-mail: loea@dsb.dk

Telephone: +45 24683110

Internet address(es):

Main address: www.dsb.dk

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/63264>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=321192&B=DSB

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=321192&B=DSB

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

I.6. Main activity

Railway services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Upholstery Services

Reference number: LoEb jan 2022

II.1.2. Main CPV code

50224100 Reconditioning services of rolling stock seats

II.1.3. Type of contract

Services

II.1.4. Short description

DSB has a fleet that consists of several different train types. The interior design differs from train type to train type. Some trains still have the original interior while other has gone through an interior update and now has a more modern look and feel.

During the coming years DSB plans to change the upholstery on seats on several train types. The scope of this tender includes both upholstery services (including foam, fabrics and leather) as well as demounting the old and the mounting new seat cushion, backrest and headrest.

II.1.5. Estimated total value

Value excluding VAT: 100 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

50220000 Repair, maintenance and associated services related to railways and other equipment, 50222000 Repair and maintenance services of rolling stock, 50224000 Reconditioning services of rolling stock, 50224200 Reconditioning services of passenger coaches

II.2.3. Place of performance

NUTS code: DK Danmark

II.2.4. Description of the procurement

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During the coming years DSB plans to change the upholstery on seats on several train types.

The scope of this tender includes both upholstery services (including foam, fabrics and leather) as well as demounting old and mounting new seat cushion, backrest and headrest.

DSB will award a contract to the three (3) financially most advantageous tenders.

The tenderer that offers the financially most advantageous tender will be awarded the contract concerning Double Decker coaches ("Supplier 1").

"Supplier 1" should furthermore deliver ongoing repair (change of upholstery) for the various train types on demand until the specific train type is due for a cosmetic upgrade.

The contracts for the following projects will be awarded based on a tender among the three suppliers that was awarded a contract. These contracts include subsequent repairs on seats in train types in question in the Term.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 60%

Price - Weighting: 40%

II.2.6. Estimated value

Value excluding VAT: 100 000 000,00 DKK

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

Duration in months: 72

This contract is subject to renewal: yes

Description of renewals:

DSB is, with 2 months' written notice to Supplier before expiry of the Term entitled to extend the Term with additional 24 months.

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

Envisaged number of candidates: 4
Objective criteria for choosing the limited number of candidates:

The shortlisting of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant deliveries, see section III.1.3), of the supplies covered by the contract, see the description in sections II.1.4) and II.2.4).

The evaluation will be made on the basis of the references. The evaluation of the most relevant deliveries will be made on the basis of the documented experience with delivery of comparable supplies.

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II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

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

Participation in the tendering procedure may only take place by electronic means via the electronic tendering

All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system.

Tenderes are invited to a site visit on Thursday March 3rd. Please see Tender Specifications for additional information.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The candidate must submit the European Single Procurement Document ("ESPD") with the following information:

The candidate's average annual turnover in the three (3) latest financial year available.

The candidates average solvency ratio for the three (3) latest financial years available

If the candidate relies on the economic and financial capacity of other entities, the contracting entity re-quires that the candidate and the entities in question undertake joint and several liability for the perfor-mance of the contract.

The ESPD serves as provisional documentation that the candidate fulfils the minimum suitability require-ments in respect of economic and financial capacity.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

Upon the contracting entity's request, the following documentation of economic and financial capacity must be submitted:

A statement regarding the operator's total turnover in the three most recent annual reports /financial state-ments available, depending on when the operator was set up or started trading, if the figures for this turno-ver are available. For groups of operators (e.g. a consortium), the information in the most recent annual re-port/financial statement available must be submitted for each participating operator in the group. Where an operator relies on the economic and financial capacity of other entities (e.g. a parent company, a sister com-pany or a subcontractor), information for such other entities must be provided as well.

A statement regarding the operator's solvency ratio calculated as $(\text{total equity}/\text{total assets}) \times 100$ in the three (3) most recent annual reports/financial statements available, depending on when the operator was set up or started trading. For groups of candidates (e.g. a consortium), the information in the most recent annual report/financial statement available must be submitted for each participating candidate in the group. Where a candidate relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), information for such other entities must be provided as well.

Minimum level(s) of standards possibly required:

Minimum level(s) of standards possibly required:

As a minimum requirement, an average annual turnover of at least DKK 25 million calculated over the latest three (3) financial years available. For groups of candidates (e.g. a Consortium) turnover will be calculat-ed as the combined total turnover of the candidates in the group in each of the latest three (3) financial years available. Where a candidate relies on the economic and financial capacity of other entities the turnover is calculated as the total combined turnover of the candidate and the supporting entities in each of the latest three (3) financial years.

As a minimum requirement, an average solvency ratio of at least 20% calculated over the latest three (3) financial years available. For groups of candidates (e.g. a Consortium) solvency ratio will be calculated as the combined equity of the candidates in the group divided by the combined total assets of the candidates in the group, in percent, in each of the latest three (3) financial years available.

Where a candidate relies on the economic and financial capacity of other entities solvency ratio will be calculated as the combined equity of the candidate and supporting entities divided by the combined total assets of the candidate and supporting entities, in percent, in each of the latest three (3) financial years available.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

List and brief description of selection criteria:

The candidate must submit the ESPD with the following information:

A list of the 5 most significant comparable supplies/see sections II.1.4) and II.2.4), that the candidate has carried out in the last 3 years

Only references relating to supplies carried out at the time of application will be given importance in the evaluation of which candidates have documented the most relevant deliveries, see section II.2.9). Hence, in the case of an ongoing task, only the part of the supplies already performed at the time of application will be included in the evaluation of the reference.

Each reference is requested to include a brief description of the deliveries made. The description of the de-livery should include a clear description of the supplies set out in sections II.1.4) and II.2.4) to which the de-livery related and the candidate's role(s) in the performance of the delivery. The reference is furthermore requested to include the financial value of the delivery (amount), the date of delivery and the name of the customer (recipient).

When indicating the date of the delivery, the candidate is requested to indicate the date of commencement and finalisation of the delivery. If this is not possible, for example if the tasks were performed on a continuous basis under a framework agreement, the candidate is asked to indicate the specification of the date.

No more than 5 references may be stated, irrespective of whether the candidate is a single operator, whether the candidate relies on the technical capacity of other entities, or whether the candidate is a group of operators (e.g. a consortium).

No additional documentation of technical and professional capacity will be required from the candidate. However, the contracting entity reserves the right to contact the candidate or the customer stated in the reference for confirmation of the information stated in the reference, including the dates of the reference indicated

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Financing conditions and payment arrangements will be stated in the procurement documents. Reference is furthermore made to the electronic invoicing required and the option of ordering electronically pursuant to (Consolidated) Act no. 798 of 28 June 2007 about payment to public authorities, etc., as amended. The consolidated act is available (in Danish) at www.retsinformation.dk

III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

No specific legal form is required.

If the order is awarded to a group of economic operators (e.g. a consortium), each participant of the group must assume joint and several liability and appoint a joint representative.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The contract has incorporated the corporate social responsibility considerations, as appropriate, as laid down in the conventions on the basis of which the principles of the UN Global Compact are worded and as laid down in the OECD Guidelines for Multinational Enterprises. The contract furthermore lays down requirements pursuant to ILO Convention no. 94 on labour clauses in public contracts and Circular no. 9471 of 30 June 2014.

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators
Envisaged maximum number of participants to the framework agreement: 3

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.2.2.

Time limit for receipt of tenders or requests to participate

Date: 22/02/2022 Local time: 08:00

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

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

Danish, English

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

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

VI.3. Additional information

The contracting entity would prefer that questions regarding prequalification are submitted within February 4th.

The candidate must as its application submit an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras (1)-(3) of the Danish Public Procurement Act, cf. s.11 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors. It is not necessary for the candidate to sign the ESPD document. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating economic operator. Where the candidate is a group of operators, the ESPD document of each participant in the group must be signed by the participant in question. The candidate heading the group and submitting the application is not required to sign its ESPD document. If the candidate/ relies on the capacity of other entities, an ESPD must be submitted for and signed by each of the entities on which the candidate relies.

The candidate must also submit a letter of commitment in which the entity/entities on which the candidate relies has/have undertaken joint and several liability with the candidate if the candidate is awarded the contract. The form is enclosed as an attachment to the tender specifications.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to sections 151 and 152(3), cf. section 11 of the Danish Order on Implementation (implementeringsbekendtgørelsen).

In the event of change of the tenderer, the provisions of s.147 of the Danish Public Procurement Act will apply in their entirety.

As regards sections II.1.5): The framework agreement's estimated value of the deliverables under the framework agreement is depending on how many cosmetic upgrades DSB decides to carry out in the Term. It is expected that the value will be in the range between 30- 100 million DKK. The estimates are based on previous upholstery projects.

The total maximum value of the deliverables to be delivered under the framework agreement is DKK 150 million DKK.

The difference between the estimated value and the maximum value is due to the uncertainty of the final value of the framework agreement. The estimated value thus reflects the contracting entity's estimate of the expected purchase under the framework agreement, whereas the maximum value reflects the highest value of all contracts to be performed within the term of the framework agreement. This takes into account, partly, the contracting entity's expectations based on the most likely purchase under the framework agreement, partly, the expected uncertainty of such estimate. In relation to the estimated value, particular attention is drawn to the fact that the tenderers are not guaranteed any minimum purchase under the framework agreement, and the estimate is therefore no undertaking on the part of the contracting entity to make a minimum purchase under the framework agreement. It is specifically pointed out to the tenderer that the tenderer is bound by the prices offered, irrespective of the turnover specifically achieved under the framework agreement. This means that the tenderer is also bound by the prices offered if the specific turnover deviates from the estimated value, both upwards and downwards.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kifu@naevneneshus.dk

Telephone: +45 72405708

Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Ud-bud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published.

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision.

3) 6 months after the contracting entity entered into a framework agreement calculated from the day after the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of the Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has

been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see clause 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1).

The Complaints Board's own complaints procedure is available at <https://klfu.naevneneshus.dk/>

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

17/01/2022