

**Denmark-Odense: Construction work**  
**OJ S 36/2017 21/02/2017**  
**Contract notice – utilities**  
**Works**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Odense Havn  
National registration number: 36675853  
Postal address: Noatunvej 2  
Town: Odense  
NUTS code: DK031 Fyn  
Postal code: 5000  
Country: Denmark  
Contact person: Niels Kiersgaard  
E-mail: [eu-tender@lpo.dk](mailto:eu-tender@lpo.dk)  
Telephone: +45 23720627  
**Internet address(es):**  
Main address: [www.odensehavn.dk](http://www.odensehavn.dk)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.lpo.dk/om-os-2/udbud/>  
Additional information can be obtained from the abovementioned address  
Tenders or requests to participate must be submitted to the abovementioned address

**I.6. Main activity**

Port-related activities

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**Section II: Object**

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

**II.1.1. Title**

Expansion of the port of Odense.

**II.1.2. Main CPV code**

45000000 Construction work

**II.1.3. Type of contract**

Works

**II.1.4. Short description**

The contract put out for tender is a turnkey contract for the expansion of the port of Odense comprising extending quays, dredging of the new harbour bassin, the fairways and and the new quay and dredging and removal of any soft deposits locally behind the new quay including disposal of dredged but non-reusable materials, reclamation behind the quay and in

hinterlands and establishment of revetment at the northern boundary of the reclaimed area. Pavement work on quay aprons and hinterlands with bound pavements, designing future pavement on hinterlands and establishment of drainage systems for quay aprons and hinterlands with bound pavements. All planning, design and authorities processing is also included in the contract.

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

Value excluding VAT: 320 000 000,00 DKK

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

This contract is divided into lots: no

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

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

45210000 Building construction work, 45241000 Harbour construction works, 45241100 Quay construction work, 45243600 Quay wall construction work, 71320000 Engineering design services, 71322000 Engineering design services for the construction of civil engineering works , 71323200 Plant engineering design services, 71332000 Geotechnical engineering services, 45112600 Cut and fill, 45221111 Road bridge construction work

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

NUTS code: DK031 Fyn

Main site or place of performance: Odense.

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

The tender is a negotiated procedure and the procedure is further described in the General Terms of the tender documents.

The contract put out for tender is a turnkey contract for the expansion of the port of Odense, comprising all planning, design, authorities processing and execution work for the project.

The scope of the work divided into professional disciplines is as follows:

Port structures: Establishing a 125 meter extension of Quay 76 with a water depth of 11.0 meters, prepared for a minimum water depth of 12.5 meters. Establishing 250 meter section-quay with a water depth of 11.0 meters, prepared for a minimum water depth of 12.5 meters. Establishing 660 meter main quay with a water depth of 11.0 meters, prepared for a minimum water depth of 12.5 meters. Establishing a wing wall at the northern end of the main quay of approximately 40 meters. All with associated quay equipment (bollards, quaya ladders, fenders etc.).

Dredging and reclamation: Dredging of the new harbour bassin and the fairways including reclamation and re-use or disposal of dredged material and re-use of cohesive material.

Dredging of new basin between the fairways and the new quay including disposal of dredged but non-reusable materials and re-use of cohesive material. Dredging and removal of any soft deposits locally behind the new quay including disposal of dredged but non-reusable materials. Reclamation behind the quay at a width corresponding to the quay aprons, using clean friction materials up to the underside of the bearing layer for surfacing. Reclamation in hinterland. Removal of existing revetment at the northern end of Quay 76. Establishment of revetment at the northern boundary of the reclaimed area.

Roads and pavements: Pavement work on the quay aprons and hinterlands with bound pavements. Design of future pavements on hinterlands. Work for the crane site.

Installations: Establishment of drainage systems for the quay aprons and hinterlands with bound pavements.

All candidates are invited to an information meeting which will be held in the prequalification period on 2 March 2017 at 10 am at The Port of Odense, Noatunvej 2, 5000 Odense. The tenderes will not receive remuneration for submitting the tenders.

**II.2.5. Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

**II.2.6. Estimated value**

Value excluding VAT: 320 000 000,00 DKK

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

Start: 01/09/2017 End: 30/06/2020

This contract is subject to renewal: no

**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 contracting authority will invite four candidates to participate in the tender process. If there are more than four suitable candidates which meet the minimum requirements, the selection of the four to be invited will be done by evaluating which candidates have the best and most relevant references based on an assessment of the relevance of the reference projects in the candidates list of works concerning projects of port expansions. When evaluating the candidates emphasis will be on the following criteria not mentioned in order of priority:

- 1) The contract value of the references in relation to the contract concerned.
- 2) Whether the references are of the same complexity as the contract that is out for tender, i.e. includes port expansion with quay structures as well as dredging, reclamation and establishment of quay apron.
- 3) The contemporaneity of the references, i.e. the year/date when the contracts for which the references relate have been initiated or completed. References concerning projects initiated or completed within the last 2 years (i.e. February 2015 until February 2017) will be evaluated higher than earlier references.

**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**

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

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**III.1. Conditions for participation**

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

List and brief description of selection criteria:

The candidates shall deliver a 'European Single Procurement Document' (also referred to as the ESPD) in which the candidates must provide declarations on the candidates sufficient economic and financial ability to complete the contract.

Minimum level(s) of standards possibly required:

- 1) It is a minimum requirement that the candidate has had an equity of minimum 15 000 000 EUR each year for the last three completed financial years before the expiration of the application deadline or in the period since the incorporation of the company.
- 2) It is a minimum requirement that the candidate in the last three calendar years preceding the calendar year in which the application is submitted or in the period since the incorporation of the company, has had an average total annual turnover of min. 20 000 000 EUR each year.
- 3) It is a minimum requirement that the candidate has had a solvency ratio of min. 15 % in each of the last three completed financial years preceding the submission of the application or in the period since the incorporation of the company. The solvency ratio is calculated as the company's equity divided by the company's total assets.
- 4) It is a minimum requirement that the candidate has a sum insured for business and product liability insurance and all-risk insurance for which the Client is co-insured and that also covers third parties, with a minimum coverage per claim per year of 10 000 000 DKK.

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

List and brief description of selection criteria:

The candidates shall deliver a 'European Single Procurement Document' (also referred to as the ESPD) in which the candidates must provide declarations on the candidates sufficient experience and technical capacity to complete the contract.

Minimum level(s) of standards possibly required:

- 1) It is a minimum requirement that the candidate is able to document having initiated or completed a delivery of minimum 1 contract concerning expansion of a port, which is comparable to the contract that is out for tender, i.e. a port extension that contains at least one of the following elements:

- 1) Establishment of quays, including sheet piling, quay capping and quay apron;
- 2) Dredging;
- 3) Reclamation.

The reference project must have been completed or initiated within the last three calendar years before submission of the application.

The reference project must meet one of the following contract values 1) establishment of quays, including sheet pile walls, quay capping and quay aprons has amounted to minimum 6 000 000 EUR of the total reference contract, 2) the execution of reclamation has amounted to minimum EUR 6 million of the total reference contract, or 3) dredging has amounted to minimum 6 000 000 EUR of the total reference contract. If the reference includes all three elements, the minimum requirement will be met, if these three elements combined, have amounted to minimum 10 000 000 EUR of the total contract.

- 2) It is a minimum requirement that the candidate is able to document that the candidate has a quality management system, based on the requirements set out in DS/EN ISO 9001 'Quality Management Systems — Requirements' and DS/EN ISO 9000 'Quality Management Systems — Fundamentals and vocabulary' or equivalent.

### **III.1.6. Deposits and guarantees required**

The winning tenderer must within a period of 10 work days of the conclusion of the contract provide security for the due performance of his obligations towards the employer/contracting authority amounting to 15 % of the contract price not included VAT.

### **III.1.7.**

## **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Further reference is made to the tender documents.

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

If the contract is awarded to a group of candidates (consortium), the participants must assume joint and several liability for the performance of the contract and appoint a candidate among the participants with joint and several liability to act for the consortium/group.

## **III.2. Conditions related to the contract**

### **III.2.2. Contract performance conditions**

The contract is based on ABT 93 with amendments and additions.

The contractor is obliged to observe the working conditions and social clauses stated in the 'Standard conditions for suppliers of construction and civil engineering operations and service provisions to The Port of Odense' which is included in the tender documents.

Further reference is made to the tender documents.

## **Section IV: Procedure**

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### **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.1.8. 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: 20/03/2017

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

Date: 18/04/2017

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

English, Danish

#### **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**

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

This is a recurrent procurement: no

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

Electronic invoicing will be accepted

Electronic payment will be used

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

Odense Havn will exclude candidates who have been declared bankrupt, are undergoing insolvency management or whose circumstances match those listed in Section 137 (1) 2 of the Act on Tenders, cf. Section 10 of statutory instrument No. 1624, or — taking into account the principle of proportionality — candidates for which Odense Havn has sufficient plausible indication to conclude that the candidate or tenderer has entered into an agreement with other economic operators aimed at distorting competition, cf. Section 137 (1) 4 of the Act on Tenders, or Odense Havn is able to demonstrate that the candidate has undertaken to unduly attempted to influence the Client's decision-making process, cf. Section 137 (1) 6 of the Act on Tenders. The Applicant must include such information in ESPD, part III.

The candidates must enclose an ESPD-document with their application. According to the EU directive 2014/24 art. 59, paragraph 4, cf. the EU directive 2014/25 art. 80, paragraph 3, a contracting authority may ask tenderers and candidates at any moment during the procedure to submit all or part of the supporting documents where this is necessary to ensure the proper conduct of the procedure. Before announcing which candidates will be prequalified, the contracting authority will request documentation concerning the information given in the ESPD by the candidates who are to be prequalified based on the assessment mentioned above in section II.2.9. If the information is found to be sufficient the candidate will be prequalified. The tenders inclusive all appendices shall be submitted in Danish or English, and the communication between the contracting authority and the Tenders shall be in English or Danish.

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

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

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405708

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

1) Complaints from an unsuccessful candidate over the contracting authority's rejection of the candidate's application to participate must be submitted within 20 calendar days with effect from the day following the date on which the contracting authority has informed the candidate of its decision, provided that the contracting authority has provided a brief description of the reasons for its decision.

2) Other complaints must be submitted within 45 calendar days with effect from the day following the day upon which the contracting authority announces in the Official Journal of European Union that the contract has been entered into.

#### **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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: [www.kfst.dk](http://www.kfst.dk)

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

17/02/2017