

**Sweden-Hässleholm: Repair, maintenance and associated services related to aircraft, railways, roads and marine equipment**

**OJ S 67/2015 04/04/2015**

**Contract notice – utilities**

**Services**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: Region Skåne genom Skånetrafiken

National registration number: 232100-0255

Postal address: Andra Avenyen 7

Town: Hässleholm

Postal code: SE-281 83

Country: Sweden

For the attention of: Gustav Sande

E-mail: [gustav.sande@oresundstag.se](mailto:gustav.sande@oresundstag.se)

Telephone: +46 766102642

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from:** Official name: Visma Commerce AB

Internet address: <http://www.opic.com/notice.asp?req=diwxnzb1>

**Tenders or requests to participate must be submitted:** Official name: Öresundståg AB

National registration number: 556794-3492

Postal address: Stortorget 29

Town: Malmö

Postal code: SE-211 34

Country: Sweden

For the attention of: Gustav Sande

E-mail: [gustav.sande@oresundstag.se](mailto:gustav.sande@oresundstag.se)

Telephone: +46 766102642

**I.2. Main activity**

Railway services

**I.3. Contract award on behalf of other contracting entities**

The contracting entity is purchasing on behalf of other contracting entities: no

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting entity**

Refurbishment of Oresund trains.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 1: Maintenance and repair services

Main site or place of performance: Malmö.

Place of performance: Collection and return of Vehicles will take place in Malmö or Copenhagen. Besides this, there are no requirements of place of performance of the contract. Warranty work shall however be performed in connection to the train system.

NUTS code SE224 Skåne län

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

The notice involves a public contract

### **II.1.4. Information about framework agreement**

### **II.1.5. Short description of the contract or purchase(s)**

Purchaser and contracting entities are Region Skåne through Skånetrafiken, Hallandstrafiken AB, reg. no. 556225-2998, and AB Transitio, reg. no 556033-1984, Sweden. Purchaser and contracting entity is also DSB SOV, Cvr. No. 25050053, Denmark, however only concerning options.

The contract concerns refurbishment of Öresund trains (X31K/X32K/ET, in the following the Vehicles). The Vehicles are electrical multiple units consisting of 3 cars, motorcars at the ends and a trailer car in the middle, with 226 or 229 seats. The Vehicles run on standard gauge and has the length of 78,9 m with a service load of 157 metric ton (empty). Enclosed drawing 3EST000219-1825 shows the Vehicles configuration and outside measurement.

The drawing may also be ordered from [gustav.sande@oresundstag.se](mailto:gustav.sande@oresundstag.se). The variations of the Vehicle — X31K, X32K, ET — concern minor things in the design of the Vehicles. The variations will be described in the tender material.

The scope of work covers various items. The items concern among other things exterior work such as repainting and/or foiling, repairing damages to car body, hatches, corrosion, stickers and marking. Other items cover interior work such as change of floor carpets, refurbishment and repainting of seats, (cushions, textiles etc.), new seats (first class), repairing tables and drop-leaf tables, installing additional power sockets, modifications on window frames, modifications on trash cans, foiling of inside walls, upgrade on lightning, new luggage racks, several tasks on toilets, repairing and upgrade of train masters compartment and drivers cab. The list of exterior and interior work are only examples and not to be considered as complete. Some items are compulsory (basic work) and other items are subject to a means test. Some items may be ordered by the purchaser later (item options). In addition, some items may be part of a fast track (early remedy).

In total, the contract covers 64 Vehicles as a compulsory part and 47 Vehicles as an option. The Vehicles have varying age and are delivered during the years 2000-2012. They are handed over to the contractor and returned to the purchaser in Malmö or Copenhagen. The contractor himself provides workshop. The contractor is responsible and pays for the transportation to and from the workshop. The contractor may during the contract term at its own choice work with two or three Vehicles at the same time. During certain periods, the contractor may only work with 1 or 2 Vehicles at the same time.

Preliminary starting point of the contract is autumn 2015. The contract is estimated to run for 4 years for the compulsory part and for about 6 years if the Vehicle options are included.

The contract is an overall solution. Besides the refurbishment, items such as authority approval, documentation and education are included in the contract.

Remuneration to the contractor is mainly paid as a lump sum for non-recurring costs (engineering, documentation, authority approval etc.) and as a fixed amount per Vehicle. The contract will contain a payment schedule covering the entire contract term, including payment in advance at the project start.

#### **II.1.6. CPV code(s)**

50200000 Repair, maintenance and associated services related to aircraft, railways, roads and marine equipment, 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

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

#### **II.1.8. Information about lots**

This contract is divided into lots: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

### **II.2. Scope of the procurement**

#### **II.2.1. Total quantity or scope**

The contract covers 64 Vehicles as a compulsory part and 47 Vehicles as an option.

#### **II.2.2. Information about options**

Options: yes

Description of options: One option comprise refurbishment of 47 vehicles. In addition, there are several specific refurbishment items that are options for the purchaser.

#### **II.2.3. Information about renewals**

This contract is subject to renewal: no

### **II.3. Duration of the contract or time limit for completion**

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

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

1. The winning contractor shall during the contract term submit on demand guarantees issued by a credit worthy bank. The guarantee amounts shall amount to the advance payments that the contractor receives during the contract term. Advance payment will amount to at maximum 30 % of the contract value. The tenderers will have some possibility to influence the size of the advance payments. The warranties shall also concern a general warranty for the performance of the obligations of the contract to an amount specified in the tender material. Detailed terms for the guarantees will be stated in the tender material. The requirement of bank guarantees applies regardless if the contractor, in order to be qualified as tenderer, has submitted a parent company warranty according to above. The tender material will also request other warranties related to the quality of performance.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

## **III.2. Conditions for participation**

### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: For participation in the tender, the contractor must comply with the following requirements:

1. The contractor or representatives of the contractor may not have been subject of a conviction by final judgement for participation in a criminal organisation, corruption, fraud or money laundering according to chap 10 § 1 of LUF/article 54.4 of the Utilities directive and article 45.1 of the Classic directive.
2. The contractor may not be bankrupt or in the process of winding up, subject to administration by the court or subject to arrangement with creditors, have suspended business activities or be subject to trade prohibition. The contractor may neither be subject to application of bankruptcy, mandatory winding up, court administration, arrangement with creditors or similar proceedings.
3. The contractor or representatives of the contractor may not be convicted by judgement of any offence concerning his professional conduct or be guilty of grave professional misconduct.
4. The contractor may not in a substantial way have failed his obligation to pay social security charges and/or taxes in its own country or Sweden or Denmark. The contractor may not in this way have debts concerning charges and taxes amounting to 100 000 DKK (≈ 125 000 SEK).
5. The contractor may not in his application for participation in this tender be guilty of serious misrepresentation in supplying the information required or of having not supplied such information.

The contractor shall submit:

1. Copy of certificate of registration or similar from Swedish Companies Registration Office / Erhvervsstyrelsen in Denmark, not older than four months counted from the last day of application.
2. Attestation on his honour that the contractor or representatives of the contractor (board and managing director) is not subject to conviction of crime according to chap 10 § 1 of LUF/article 54.4 of the Utilities directive and article 45.1 of the Classic directive or convicted by judgement of any offence concerning his professional conduct.
3. A brief general company description of the contractor.
4. Certificate from an authority or attestation on his honour by the contractor that the contractor has paid all social insurance charges and/or taxes in its own country. The contractor may use the enclosed form for the attestation. The form may be ordered from [gustav.sande@oresundstag.se](mailto:gustav.sande@oresundstag.se).

Contractors registered in another country than Sweden or Denmark shall instead submit equivalent documents from company register, authority, institute or similar in the country of registration. The documents shall be in Swedish, Danish or English.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: For participation in the tender, the contractor must comply with the following requirements:

1. The contractor shall have sufficient financial conditions in order to complete the contract. This requirement includes:  
Turnover requirements:  
— The contractor shall, according to the last adopted annual reports covering the two last financial years, have a minimum annual turnover amounting to 140 MSEK.  
Credit rating:

— The contractor shall have a credit rating amounting to at least 40 according to Creditsafes scale 1 - 100, or corresponding credit rating according to an equivalent credit rating company. Concerning credit rating from Creditsafe, see [www.creditsafe.se](http://www.creditsafe.se)

Key ratio requirements:

— The contractor shall, according to the two last adopted annual reports, have an Operated margin (Sales revenue — Total costs) (Sales revenue) with an average of at least 0, i.e. not negative. The contractor shall, according to the two last adopted annual reports, have an equity ratio (Total shareholders equity/total assets\*100) with an average of at least 10.

If the contractor lacks turnover according to specified amount, or alternatively is not able to obtain a credit rating, or alternatively does not fulfil the key ratio requirements, the contractor shall instead provide a warranty addressed to the purchaser from its parent company or group company that comply with these requirements. In this situation the purchaser will evaluate whether this will replace the requirements for the contractor. However, available requested information concerning the contractor must be provided. Regardless of warranty from parent company or group company, the requirements to bank guarantees are maintained.

Equity capital requirements:

— The contractor shall have a wholly intact equity capital.

Reconstruction requirements:

— The contractor may not be subject to reconstruction or similar proceedings. Neither may the contractor be in the process of implementing a reconstruction plan as a result of such proceedings.

The purchaser assess if the requirements in section III.2.2 is complied with.

The contractor shall submit:

1. The latest adopted annual reports for the latest two financial years.
2. The purchaser will obtain credit rating from Creditsafe or an equivalent credit rating company for all contractors that apply for participation.

If adopted annual reports is lacking or the contractor know he is not able to obtain a credit rating according to above, or the key ratio requirements are not fulfilled, the contractor shall instead provide a warranty addressed to the purchaser from its parent company or group company that comply with these requirements.

Contractors registered in other countries than Sweden or Denmark shall instead submit equivalent documents from company register, authority, institute or similar in the country of registration. The documents shall be in Swedish, Danish or English.

### **III.2.3. Technical and professional ability**

List and brief description of conditions: For participation in the tender, the contractor must comply with the following requirements:

1. The contractor shall have capacity in workshop/workshops being able to work with at least two Vehicles at the same time. (The contractor may during the contract term at its own choice work with two or three Vehicles at the same time. During certain periods, the contractor may only work with 1 or 2 Vehicles at the same time.) The requirement includes necessary equipment in the workshop such as roof access (for at least one Vehicle) etc. If this requirement is not complied with at the point of application for participation, the contractor shall instead show how he will have access to this capacity at the starting point of the contract by means of an establishment plan.
2. The contractors personnel shall have the technical and professional competence that is required for execution of refurbishment and upgrade of rail vehicles for passenger transport.
3. The contractor shall have experience of similar projects in form of two refurbishment /upgrade projects concerning rail vehicles for passenger transport. Each project shall have comprised at least five vehicles and completely or partly been performed during the last five

years. The projects shall have resulted in functioning refurbished and commissioned vehicles.  
4. The contractor shall have a quality management system and an environmental management system. The systems shall be ISO 9001 respectively ISO 14001 or equivalent systems within EEA or in any other way equivalent systems for quality management measures and environmental management measures.

The purchaser assess if the requirements in section III.2.3 is complied with.

The contractor shall submit:

1. A description of the workshop/workshops that the contractor intends to use for the contract. If the contractor has not yet secured access to workshop/workshops, a plan (establishment plan) for obtaining the necessary workshop capacity at the time when the contract starts, shall instead be submitted.

2. A description of the contractors staff competence for this type of contract (refurbishment and upgrade of rail vehicles for passenger transport) that the tender concerns.

3. A description of the contractors experience of similar contracts (refurbishment/upgrade of rail vehicles for passenger transport) concerning two refurbishment/upgrade projects. The projects shall each have comprised at least five vehicles and completely or partly been performed during the last five years. The description shall include references and contact persons to the customers of the contractor. The purchaser may itself search for references concerning the contractor and use these in its assessment.

4. Certificate/evidence of ISO 9001 respectively ISO 14001 or equivalent systems within the EEA or in any other way equivalent systems with quality management measures and environmental management measures.

The documents shall be in Swedish, Danish or English.

#### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

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

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures): no

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

##### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting entity**

OTUFF-024

#### **IV.3.2. Previous publication concerning this procedure**

no

#### **IV.3.3. Conditions for obtaining specifications and additional documents**

(except for a DPS)

Payable documents: no

#### **IV.3.4. Time limit for receipt of tenders or requests to participate**

4.5.2015 - 16:00

#### **IV.3.5. Languages in which tenders or requests to participate may be submitted**

Danish. English. Swedish.

Other: See instructions in section III.2.1, III.2.2 and III.2.3 above.

#### **IV.3.6. Minimum time frame during which the tenderer must maintain the tender**

#### **IV.3.7. Conditions for opening of tenders**

Persons authorised to be present at the opening of tenders: no

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

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

This is a recurrent procurement: no

#### **VI.2. Information about European Union funds**

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

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

1. If several contractors are cooperating in a consortium that submits a joint application, each consortia member shall submit the documents specified in this notice and be regarded as a consolidated whole in the assessment of the requirements above, however with the exception of two requirements. Each consortia member shall fulfil the general requirements in section III. 2.1. Each consortia member shall also fulfil the requirements of credit rating, key ratio, equity capital and reconstruction. Qualified contractors may also during the bidding phase join into a consortium, which submits a joint bid.

2. If the contractor wants to rely on capacity, ability or know-how of an independent partner, the contractor must prove that these resources will be available to the contractor for example by delivering an undertaking by that entity to that effect.

3. This notice is published in one Swedish and one English text version. If the content or the versions are contradictory, the Swedish text version takes precedence.

Visma Commerce notice: <http://www.opic.com/notice.asp?req=diwxnzb1>

The contracting authority pay for the order of printed contract documents.

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

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

##### **VI.4.2. Review procedure**

**VI.4.3. Service from which information about the review procedure may be obtained**

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

31.3.2015