

**Denmark-Fredericia: Site preparation work**  
**OJ S 77/2016 20/04/2016**  
**Contract notice – utilities**  
**Works**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: DONG Energy Thermal Power A/S

Postal address: Kraftværkvej 53

Town: Fredericia

Postal code: 7000

Country: Denmark

Contact person: DONG Energy Thermal Power A/S

For the attention of: Martin Herskind Grotrian

E-mail: [mahgo@dongenergy.dk](mailto:mahgo@dongenergy.dk)

Telephone: +45 99555941

**Internet address(es):**

General address of the contracting entity: <http://www.dongenergy.com>

Electronic access to information: <https://goo.gl/IIZfsY>

Electronic submission of tenders and requests to participate: <https://goo.gl/IIZfsY>

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from:** the abovementioned address

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

**I.2. Main activity**

Production, transport and distribution of gas and heat

Electricity

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

The contracting entity is purchasing on behalf of other contracting entities: yes

Official name: Cure DONG Energy REnescience B.V.

Postal address: Koninginnegracht 19

Town: The Hague

Postal code: 2514 AB

Country: Netherlands

**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**

RSC Cure NL LOT 1 — Civil Works.

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

Works

Realisation, by whatever means of work, corresponding to the requirements specified by the contracting entities

Main site or place of performance: Bedrijventerrein GDC Eindhoven- Acht  
Achtseweg Noord (Woensel A4462 en A4465)  
5651 GG Eindhoven  
Holland.  
NUTS code NL414 Zuidoost-Noord-Brabant

### **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)**

Cure DONG Energy REnescience B.V. has decided to establish a plant for a complete handling of unsorted household waste (Municipal Solid Waste — MSW). DONG Energy Thermal Power A/S will be responsible for the execution of the project on behalf of Cure DONG Energy REnescience B.V.

The project, RSC Cure NL will be based on DONG Energy's REnescience Technology, which is a technology for treatment of unsorted household waste. The purpose of the process is sorting and refining the waste for utilization in the production of bioliquid for biogas production, 2D material such as folios of e.g. plastics for the making of RDF and 3D materials such as bottles and cans for the purpose of re-cycling.

The plant will be established in Eindhoven, Holland, and will be designed with a capacity of 120,000 ton of household waste per year, or 15 t/h.

This pre-qualification is specific to the REnescience Plant Buildings and Civil Works internal referred to as LOT 1, which consists of following main deliverables:

- 1.1 The building containing the REnescience core process equipment.
- 1.2 The building containing digestate dewatering equipment and evaporator process equipment.
- 1.3 The enclosure/building containing the straw fired boiler/workshop facilities incl. wood chip storage facilities.
- 1.4 All concrete/foundation work for support of building, biogas tanks and tank farms in general.
- 1.5 All roads and areas, fencing, gates and other external areas.

In general:

Foundation and floors (Substructure):

Floors and foundations are supported by prefabricated concrete piles. Floors are casted on site using reinforced concrete. Foundation are casted on site using reinforced concrete. A layer of capillary break using gravel are placed beneath the floor. No insulation in floors are expected

Structure above ground (Superstructure)

Load bearing structure made primarily of prefabricated concrete units and/or prefabricated steel frames.

Prefabricated concrete columns and beams

Slabs are made of prefabricated hollow core units and/or reinforced concrete casted on site

Walls are made of reinforced concrete covered with insulation and lightweight plating materials.

Regarding 1.1) The REnescience Core Equipment Building

The delivery will consist of all building structures enclosing the Core REnescience electro-mechanical equipment and support structures. The building is approximately 60 meters wide, 100 meters in length with an internal height of maximum 20 meters. The building is to be

shaped as a cubicle construction.

Load bearing structure is made of steel frames and is fire insulated if required. The facade primarily made of pre-fabricated lightweight steel sandwich panels (No extra cladding is expected).

From 0 — 3m height, the facade is made of prefabricated concrete walls for robustness. Roof construction made of trapezoidal sheets, vapour barrier, insulation and asphalt roofing felt.

The civil contractor's scope will be including foundations, drainage/sump facilities and all supporting building steel/concrete structures. Within the building, an above ground level concrete waste pit is also included in the civil contractor's scope of work. The waste pit is constructed by reinforced concrete which primarily shall be casted on site. The civil contractor's scope will furthermore include building heating system excl. heating source (boiler), water and sanitation installations, building and room HVAC, buildings electrical systems incl. light- and (service)outlet installations, complete earthing and lightning protection system.

Requirements from special regulations fire, energy and noise can require a change of the above described construction principals.

Regarding 1.2) The digestate dewatering and evaporator building.

The delivery will consist of all building structures enclosing the process digestate and evaporator equipment electro-mechanical equipment and support structures. The building is approximately 15 meters wide, 40 meters in length with a maximum height of 11 meters. The building is to be shaped as a cubicle construction and will also contain a designated confined areas for electrical switch boards.

The civil contractor's scope will be including foundations, drainage/sump facilities and all supporting building steel/concrete structures. The civil contractor's scope will furthermore include building heating system excl. heating source (boiler), water and sanitation installations, building and room HVAC, buildings electrical systems incl. light- and (service)outlet installations, complete earthing and lightning protection system.

Requirements from special regulations fire, energy and noise can require a change of the above described construction principals.

Regarding 1.3) The building for the straw fired boiler/workshop facilities incl. wood chip silo facilities

The delivery will consist of all building structures enclosing the straw fired boiler (incl. walking floor wood chip silo) the workshop and the support structures. The building is approximately 15 meters wide, 40 meters in length with a maximum height of 11 meters. The building is to be shaped as a cubicle construction.

The civil contractor's scope will be including foundations, drainage/sump facilities and all supporting building steel/concrete structures. The civil contractor's scope will furthermore include building heating system excl. heating source (boiler), water and sanitation installations, building and room HVAC, buildings electrical systems incl. light- and (service)outlet installations, complete earthing and lightning protection system.

Requirements from special regulations fire, energy and noise can require a change of the above described construction principals.

Regarding 2.4) All concrete/foundation work for support of building, access roads, biogas tanks and tank farms in general.

The delivery will consist of all concrete work required to support buildings, fencing of the plot, access gates, access roads, large biogas tanks, fire water tank and tanks in general.

The total paved area is approximately 11 000 m<sup>2</sup>. The work will likewise include the making of drains required to de-water the site in case of spilling as well as drains for surface water

and ascending gas from the underground. The Employer will specify the requirement depending on the specific requirements related to the relevant equipment and piping installations.

Options.

Following items are expected to be tendered as an option:

1. A complete bio-filter and odour-control system incl. necessary civil structures
2. An internal and external water fire protection system incl. fire water tank and pump/pressure system
3. Waste crane and other cranes in buildings
4. A personnel lift in the REnescience Core Equipment Building
5. Pipe- and cable bridge steel structures between the buildings
6. Weighing bridges for trucks incl. necessary civil structures
7. An access control system incl. necessary civil structures.

Justification for tendering the contract as a single contract, can be substantiated by addressing the three criteria that should be taken into account when contracts are tendered as one tender in Netherlands (LOT 1 is only a part of the RSC Cure NL project, which is being tendered in several lots):

A) The composition of the relevant market and the influence of the combination of the contacts on the access to the contract for a sufficient number of (smaller and mid-sized) companies in that market:

— DONG Energy sets out no specific requirements to the financial capabilities of the applicant, whereas DONG Energy also urge SME's to apply for Pre-Qualification. It is allowed for smaller and mid-sized companies to form consortia, which will help them comply with the requirements to provide guarantees and bonds, as will be prescribed in the commercial conditions of the contract.

B) The organisational consequences and risks of the combination of the contracts for the contracting entity and the tenderers:

— Each of the mentioned main deliverables and options, represent multiple cross-process related interfaces.

Managing and controlling these with different contractors — if tendered as separate contracts — would be possible,

however the technical risk profile for the project execution would increase significantly, and the only way to

mitigate this risk, is to set out high requirements to resource allocation within the DONG Energy organization.

— In the project execution phase, due to the many deliverables with highly integrated systems and the technical complexity, it would be extremely challenging coordinating the construction-, and commissioning phase. Some systems are physically located on top of each other, and some are statically, and system wise dependent, whereas the time schedule would be affected, due to a significantly extended time for completion.

C) The extent of connectedness of the contracts

— The main deliverables and options represent interconnected integrated civil structures and systems for a complete waste handling system, comprising various complex civil-, mechanical- and electrical interfaces, whereas the respective civil structures and systems cannot be seen as separate single standing contracts.

— If — hypothetically — the above mentioned main deliverables were tendered as separate contracts, the requirements for the process, specification of scope and handling of access to site, who has caused possible delays at the many interfaces would be unrealistically high. This would cause an immediate impact on the civil project complexity and CAPEX, as the potential contractors either would decline applying for the PQ, or alternatively increase the price

capitalized by the risk, which potentially could compromise the project business case. Basically, tendering LOT 1 as one integrated contract, is based on the fact that the scope is considered the buildings and civil works for the entire plant facility, where interfaces between structures and systems are crucial. It is important for the Contracting Entity to have clear structure and system responsibility both in terms of responsibility of functionality during the preparation and engineering and in terms of time during the construction phase. This can be ensured with a single contractor. The Contracting entity consider the scope of the contract as being a single contract from a deliverables, cost, market and risk perspective.

General info:

Specific demands for guarantees, bonds and warrantees will be specified in the Call for Tender Material.

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

45100000 Site preparation work, 45200000 Works for complete or part construction and civil engineering work, 45111230 Ground-stabilisation work, 45111240 Ground-drainage work, 45113000 Siteworks, 45310000 Electrical installation work, 45311100 Electrical wiring work, 45311000 Electrical wiring and fitting work, 45313100 Lift installation work, 45315300 Electricity supply installations, 45315600 Low-voltage installation work, 45315500 Medium-voltage installation work, 45315700 Switching station installation work, 45321000 Thermal insulation work, 45323000 Sound insulation work, 45324000 Plasterboard works, 45341000 Erection of railings, 45343000 Fire-prevention installation works, 45351000 Mechanical engineering installation works, 44114250 Concrete slabs, 44114000 Concrete, 45250000 Construction works for plants, mining and manufacturing and for buildings relating to the oil and gas industry, 45251240 Landfill-gas electricity generating plant construction work, 45252000 Construction works for sewage treatment plants, purification plants and refuse incineration plants, 45252120 Water-treatment plant construction work, 45252130 Sewage plant equipment, 45253000 Construction work for chemical-processing plant, 45254200 Construction work for manufacturing plant, 45210000 Building construction work, 45233120 Road construction works, 45233226 Access road construction work, 45223210 Structural steelworks

#### **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**

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

Options: yes

Description of options: The following are expected to be tendered as an option.

1. A complete bio-filter and odour-control system incl. necessary civil structures.
2. A internal and external water fire protection system incl. fire water tank and pump/pressure system.
3. Waste crane and other cranes in buildings.
4. A personnel lift in the REnescience Core Equipment Building.

5. Pipe- and cable bridge steel structures between the buildings.
6. Weighing bridges for trucks incl. necessary civil structures.
7. An access control system incl. necessary civil structures.

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

This contract is subject to renewal: no

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

Duration in months: 18 (from the award of the contract)

## **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**

Conditions relating to the Contract will be stated in the Tender Documents, however, please note that the

Contracting Entity reserves the right to demand one or more of the following securities:

- a) An on demand performance bond which value is a percentage of the total contract price issued by an acceptable entity by the Contracting Entity (e.g. bank or insurance company)
  - b) An on demand advanced payment bond. The advance payment bond shall cover the actual advance payment (if any) to be made by the Contracting Entity to the supplier. The advance payment bond must be issued by a bank or insurance company with a minimum rating of BBB+ / Baa1 (S&P / Moody's). If split-rating the lowest shall apply. In case of a provider of the on demand advance payment bond is downgraded below the minimum rating, the Contracting Entity reserves the right to have the provider of such bond replaced by a bank or insurance provider fulfilling the above rating.
  - c) A performance guarantee provided by a parent within the group ('Parent Company Guarantee').
- Pls. note that the specific terms and conditions of the Parent Company Guarantee, will be discussed during the tender procedure; however, the choice of law will be the same as the contract and is not negotiable.

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

Will follow in Tender Conditions.

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

If several companies submit an offer in a consortium the tender must be submitted jointly by the companies who must assume joint and several liability for the tender submission and during the performance of the contracts.

One of the consortium members must have full procuration to the contracting entity.

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

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The Contract is conditioned upon obtaining a positive FID in December 2016.

### **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: The Candidate shall submit the following information:

A.0) Company name, Address, mail, name and web-page

A.1) Contact persons name, mail and phonenumber

A.2) Registration (CVR no. or VAT no.)

A.3) Ownership — The applicant shall submit a description of ownership and corporate structure. If the applicant

is a subsidiary, the applicant shall submit the name of the highest possible group parent — being an entity

directly or indirectly controlling more than 50 % of the applicant. (Will be used to secure the annual account is from the Candidate)

A.4) Pursuant to Article 54 of Directive 2004/17/EC of the European Parliament and of the Council , subsection 4, the applicant shall prove his eligibility by submitting the self-declaration form, in which the exclusion grounds are stated. The self-declaration form is uploaded in Scanmarket.

The Candidate shall insert the information in the self-declaration form which is available in Scanmarket see section I.1).

Minimum requirements (exclusion grounds):

— No self-declaration form included in the tender.

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

List and brief description of conditions: B.1. The applicant shall submit annual accounts (incl. the accountant's opinion) for the previous 2 (two) years, if possible. The latest annual accounts containing the previous year will also be accepted. If the applicant is a newly established entity and therefore cannot provide 2 years of annual accounts the applicant will have to submit its latest annual accounts or opening balance.

B.2) If the applicant relies on the economic and financial capacity of another economic operator, the applicant must submit documentation and information of the other economic operator and still the applicant must submit the same information as mentioned under B.1 if the applicant relies on the capacity of another economic operator. Furthermore, the applicant

must prove that the applicant has at its disposal the

necessary resources, by providing documentation that the applicant can rely on the capacities of the other economic operators in this respect.

In such case, the annual accounts of the other legal entity for the previous two years should be submitted.

If the other legal entity is a parent company to the applicant it is possible to submit consolidated accounts for the parent company instead of annual accounts for

both entities.

If the applicant is part of a profit sharing agreement with another legal entity, cf. for example the German Ergebnisabführungsvertrag or the Dutch Civil Code article 2:403 (a '403 statement' which is a declaration from a parent company, stating that the parent is liable for the obligations of its subsidiary) or equivalent legal arrangements, the evaluation of the applicants' financial standing will be based on the financial information from the financial strongest entity participating in the arrangement. If the applicant is part of a profit sharing agreement the annual accounts of the other legal entity

for the previous two years should be submitted. The applicant is encouraged to explicitly mention the profit sharing arrangement in its application.

If a consortium applies for prequalification, the information above shall be submitted for each member of the consortium

Minimum requirements (exclusion grounds):

— Turnover must be 10 000 000 Euro in the latest financial year for the applicant or the consortium

Applicants must be aware that DONG Energy has the right to require Tenderer's with a total equity less than the Total Contract Sum to have either a Parent Company or other entity such as a bank or insurance company to issue a bond or guarantee corresponding to the Total Contract Sum.

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

List and brief description of conditions: To document his technical capacity the Candidate shall submit:

C1) The applicant shall describe the applicant's Quality, Health, Safety and Environmental management systems. The applicant is encouraged to write no QHSE system if applicable. The documentation can be send either in English or Danish

D.1). A reference list including specified similar works that the Candidate has executed from 1.1.2011.

— 1.4.2016. The Candidate is encouraged to include the following relevant information about the references:

- Title of the project,
- Customer and contact information
- period of execution.
- contract value,
- description of the project inkl. relevans to this project.

In addition information regarding the scope of supply and contractors or sub-contractors role in the project should be listed. Only the 6 first references will be considered, if more than 6 references is submitted.

Information from all relevant parties (if relevant)

D2 If the applicant relies on the technical/professional capacity of another economic operator, the applicant must submit documentation and information of the other economic operator and still the applicant must submit the same information as mentioned under

D.3. Furthermore, the applicant must prove that the applicant has at its disposal the necessary resources,

by providing documentation that the applicant can rely on the capacities of the other economic

operators in this respect.

If a consortium submits a request for participation, information must be submitted for each member of

the consortium to the extent this is relevant taking into account the consortium members' expected responsibilities in the delivery of the works

Minimum requirements (Exclusion grounds):

— No References send at all.

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

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

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

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

### **Section IV: Procedure**

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

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

Negotiated

#### **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**

RSC Cure NL LOT 1 - Civil Works

##### **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**

1.9.2016 - 10:00

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

Danish. English.

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

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

### **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**

The Contract will be awarded to the Tenderer that has submitted the most economically advantageous tender based on the criteria set out in the Tender Documents. The negotiated procedure will be used according to

Directive 2004/17/EC of the European Parliament and of the Council of 31.3.2004 ('the utility directive').

Maximum 5 applicants will be prequalified for the tender procedure.

If the number of applicants applying for prequalification exceeds 5, the Contracting Entity will perform the

prequalification based on an evaluation of each applicant's respective (prioritized order)

1. technical ability — Reference ( 60 %)
2. economic and financial standing (20 %)
3. technical ability — Quality management systems (10 %)
4. technical ability — Health and safety management systems (5 %)
5. technical ability — Environmental management systems (5 %)

The 5 best applicants will be prequalified.

Ad 1) Evaluation of references will be based on experience with delivery similar Civil works. The more relevant the reference to the current project, regarding complexity, size and local conditions, the better evaluation

Ad 2) The assessment regarding the applicant's economic and financial standing will be based on the following criteria:

- Equity (latest financial year)
- Solvency ratio (latest financial year)
- EBIT margin (latest financial year)
- Liquidity ratio (latest financial year)
- Cash flow from operation (latest two financial years).

The assessment will be based on the information entailed in the documentation requested under section III.2.1 — III.2.2

The Contracting Entity draws the applicants' attention to section III.2.1-III.2.2 financial and economic capacity stating the minimum requirements for participation. The better financial and economic standing the better evaluation. Thus, the applicants can improve its economic and financial capacity in order to fulfill the minimum requirements in section III.2.2, and to being better positioned for the shortlisting of applicants.

The assessment regarding the applicant's technical ability will be based on the following criteria ( in prioritized order)

Ad 3)

It will be considered very positive if the applicant is certified according to ISO9001 or equivalent or if the applicant has its own system being compliant with the above standards. If certified a copy of the certificate is considered a complete description. If not certified the Applicant should describe its own system — it will be considered positive the more detailed information and the more relevant procedures.

Ad 4)

It will be considered positive the better the applicant have specific and implemented QHSE management systems regarding the scope of work. If certified a copy of the certificate is considered a complete description. If not certified the Applicant should describe its own system — it will be considered positive the more detailed information and the more relevant procedures

Ad 5)

It will be considered positive the better the applicant have specific and implemented QHSE management systems regarding the scope of work. If certified a copy of the certificate is considered a complete description. If not certified the Applicant should describe its own system — it will be considered positive the more detailed information and the more relevant procedures.

If the applicant relies on the technical capacity or resources of other entities documentation regarding the technical capacity or resources shall be submitted for such entities. The applicant must prove that the applicant has at its disposal the necessary resources, for instance by providing documentation that the Applicant can rely on the capacities of the other economic operators in this respect.

DONG Energy reserves the right — subject to the principles of equal treatment and transparency — to request

an applicant to submit missing or insufficient information according to section III.2.1-III.2.4 or, if applicable, to use information already in the Contracting entity's possession; or obtain such information provided it is publicly available. However, the contracting entity is not obliged to do so. If the Contract is awarded to a consortium, the members of the consortium shall accept joint and several liability

and appoint a common authorised representative.

Please be advised that all communication regarding this tender procedure will be in English.

Expected time for Tenderings phase is mid 2017.

Repetition of similar works

The contracting entity might use the procedure described in the utilities directive article 40 (3), litra g which prescribe that new works consisting in the repetition of similar works assigned to the contractor to which the contracting entities awarded an earlier contract can be awarded without a call for competition. Such procedures might be used up to two times should the contracting entity decide to establish one or two more plants for complete handling of unsorted household waste in EU.

The deadline in IV.3.4 is Copenhagen Time

The contract is expected to contain provisions regarding assignment of the rights and obligations of the contracting entity to entities within the DONG Energy group including a right to assign the contract to DONG Energy Thermal Power A/S.

Important Notice Regarding Scanmarket: All information and uploaded documents will be available to DONG Energy in Scanmarket at the deadline. These documents and informations will therefore be considered as the conclusive/complete application (i.e. application considered complete even without pressing 'Finalize participation'). In order to obtain a receipt for your submission, press 'Finalize participation'.

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

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

Official name: District Court of Amsterdam

Postal address: PO Box 84500

Town: Amsterdam

Postal code: 1080 BN

Country: Netherlands

Telephone: +31 0205412111

Internet address: <https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Rechtbanken/Rechtbank-Amsterdam/Contact/Paginas/default.aspx#5755dfd5-5eb8-4aef-a26e-f366f7072ec10>

**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**

15.4.2016