

Denmark-Rønne: Harbour construction works
OJ S 76/2017 19/04/2017
Contract notice – utilities
Works

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Rønne Havn A/S
National registration number: 27932150
Postal address: Sydhavnsvej 12
Town: Rønne
NUTS code: DK014 Bornholm
Postal code: 3700
Country: Denmark
Contact person: Frederik Knudsen
E-mail: frk@niras.dk
Telephone: +45 60409174
Internet address(es):
Main address: www.roennehavn.dk

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: www.roennehavn.dk
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted to the following address:
Official name: Mazanti-Andersen Korsø Jensen
National registration number: 35892052
Postal address: Amaliegade 10
Town: København K
Postal code: 1256
Country: Denmark
Contact person: Mette Ravn Steenstrup
E-mail: roenne@mazanti.dk
NUTS code: DK011 Byen København
Internet address(es):
Main address: www.roennehavn.dk

I.6. Main activity

Port-related activities

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Expansion of Port of Rønne — Phase 1.

II.1.2. Main CPV code

45241000 Harbour construction works

II.1.3. Type of contract

Works

II.1.4. Short description

The Employer, who operates the Port of Rønne, wishes to undertake an expansion of the port in order to secure that the port's capacity satisfies the anticipated needs of future traffic, commercial and cruise vessels. The expansion will also cover the laying of new and bigger land areas. The expansion is expected to cover the port's needs at least 30 years into the future.

This contract concerns the expansion of the Port of Rønne — Phase 1.

The contract is valued at approx. 500 000 000 DKK.

The procurement material is freely accessible through www.roennehavn.dk (direct link <https://ftp.niras.net> and <ftp://FRK-01:4bn2wkn4@ftp.niras.net>). Applicants must click on the link to the FTP-server and use the following information to be taken to the procurement material:

User: FRK-01

Password: 4bn2wkn4.

II.1.5. Estimated total value

Value excluding VAT: 500 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

45110000 Building demolition and wrecking work and earthmoving work, 45112600 Cut and fill , 45221111 Road bridge construction work, 45240000 Construction work for water projects, 45241000 Harbour construction works, 45241100 Quay construction work, 45241600 Installation of port lighting equipment, 45244000 Marine construction works, 45244200 Jetties, 45310000 Electrical installation work

II.2.3. Place of performance

NUTS code: DK014 Bornholm

Main site or place of performance: DK 3700 Rønne, Port of Rønne.

II.2.4. Description of the procurement

The tender is carried out as a negotiated procedure.

The Employer expects to pre-qualify 5 tenderers but reserves the right to pre-qualify fewer.

After receiving initial tenders, with the deadline for submission being 7 August 2017, the Employer can choose to proceed in 2 ways:

1. The Employer evaluates the compliant tenders based on the award criteria (section 9) to identify the most economically advantageous tender.

or

2. The Employer will invite tenderers (that have submitted a compliant tender) to a negotiation round, cf. below.

To the extent that the Employer chooses to conduct negotiations, the Employer expects the negotiation procedure to be conducted as follows:

1. Submission of initial/negotiation tender by the tenderers;

2. Individual meetings with the tenderers;
3. Submission of:
 - a. BAFO, or, if necessary,
 - b. A revised tender.
4. Evaluation and contract award.

The Employer reserves the right to award the contract to a tenderer based solely on the first tender and any subsequent tenders without conducting (further) negotiations.

All tenders are binding.

Reference is made to the procurement material, including the Tender Conditions.

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: 500 000 000,00 DKK

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

Duration in days: 430

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: 5
Objective criteria for choosing the limited number of candidates:

The selection of applicants who will be asked to submit a tender will be made on the basis of a reasoned assessment of the following criteria:

- 1) Economical and financial standing.
- 2) Technical and professional ability.

Re. 1)

The assessment of the economical and financial standing of the applicants is based on the following key figures provided by the applicant:

- Total and average turnover for the last 3 financial years available.
- Solvency ration for the last 3 financial years available.
- Equity for the last 3 financial years available.

Re. 2)

The assessment of the technical and professional ability of the applicants is based on references and previous experience with port expansion projects. Particular emphasis will be paid to references and experience that document the ability to carry out construction work that is specifically needed for this project. Particular emphasis will also be paid to references documenting a history of effective and timely performance, especially in relation to port expansion projects of similar size and complexity.

When evaluating an applicant's technical and professional ability, attention will also be paid to the subcontracting proportion.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Reference is made to FB section 2 and Totalentrepriseaftale section 7.

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

The tenderer who is awarded the contract will have to comply with social responsibility clauses (social klausul and arbejds klausul). The clauses are contained in the draft contract (Totalentrepriseaftale) contained in the procurement material to which reference is made.

Section III: Legal, economic, financial and technical information

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:

To participate in the pre-qualification, all applicants must submit a European Single Procurement Document ('ESPD'). The ESPD must contain declarations on the following:

That the applicant is not subject to grounds for exclusion as stipulated in the Danish Procurement Act, section 135.

That the applicant is not subject to grounds for exclusion as stipulated in the Danish Procurement Act, section 136.

That the applicant is not subject to grounds for exclusion as stipulated in the Danish Procurement act, section 137(1)(1) — (4) and section 137(1)(6).

Declarations cannot be provided in any other manner than through the ESPD:

Where a group of applicants (consortium) applies for pre-qualification, each individual participant in the group must provide an ESPD containing the declaration above.

If an applicant relies on the economic and financial standing of other entities (e.g. entities within the same group, including parent companies, affiliates, subsidiaries etc.) each entity must provide an ESPD containing the declarations above.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

To participate in the pre-qualification, all applicants must submit a European Single Procurement Document ('ESPD'). The ESPD must contain declarations on the following:

— The applicant's total turnover during the last 3 financial years available.

— The applicant's average turnover during the last 3 financial years available.

— The applicant's solvency ratio during the last 3 financial years available.

— The applicant's equity for the last three financial years available.

An application for pre-qualification will only be taken into consideration if the above declarations have been provided in the ESPD. Declarations cannot be provided in any other manner than through the ESPD:

Where a group of applicants (consortium) applies for pre-qualification, each individual participant in the group must provide an ESPD containing the declaration above.

If an applicant relies on the economic and financial standing of other entities (e.g. entities within the same group, including parent companies, affiliates, subsidiaries etc.) each entity must provide an ESPD containing the declarations above.

The assessment of a group of applicants' (consortium) economic and financial standing will be based partly on an assessment of the individual entities' economic and financial standing, partly on the group's overall economic and financial standing.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

To participate in the pre-qualification, all applicants must submit a European Single Procurement Document ('ESPD'). The ESPD must contain declarations on the following:

— References and presentation regarding previous port (expansion) construction projects in the last five years that are similar in size, complexity and nature. Testimonials regarding the most important parts of the projects should be included.

— A statement regarding to what extent the applicant wishes to sub-contract.

Where a group of applicants (consortium) applies for pre-qualification, each individual participant in the group must provide an ESPD containing the declaration above.

If an applicant relies on the economic and financial standing of other entities (e.g. entities within the same group, including parent companies, affiliates, subsidiaries etc.) each entity must provide an ESPD containing the declarations above.

Minimum level(s) of standards possibly required:

The applicant (including sub-contractors) must have completed at least 1 port (expansion) construction project within the last 5 years with a contract sum equal to or above 175 000 000 DKK.

III.1.6. Deposits and guarantees required

Reference is made to the procurement material.

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

Reference is made to the procurement material.

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 entities (consortium), the entities will have to assume joint and several liability for the performance of the contract. The entities must, within themselves, appoint an entity to act on behalf of the group of entities in relation to the performance of the contract.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Reference is made to the procurement material.

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

Date: 22/05/2017 Local time: 12:00

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

Date: 29/05/2017

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

Danish

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

Tender must be valid until: 31/12/2017

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

The contract is offered as a negotiated procedure with prior call for competition. Applicants that wish to participate in the procedure must apply for pre-qualification.

Applications for pre-qualification must be submitted under the conditions stated above to roenne@mazanti.dk

The deadline stated in section IV.2.2) is the deadline for receipt of applications for pre-qualification.

The deadline stated in section IV.2.3 is the expected date when the Employer will call for initial tenders to be submitted.

The deadline for submission of tenders is stated in the procurement materials.

Each applicant can only submit one application for pre-qualification.

Questions can be asked. Reference is made to the Tender Conditions.

An applicant will be excluded from the procurement process if it violates the grounds for exclusion stated above.

The Employer can at any time request documentation for the declarations made in the ESPD.

To the extent that clarification or supplementation is needed, the Employer can request that such is provided within a short time-frame. Failure to provide adequate and final documentation can result in exclusion from the procurement procedure.

The tender language is Danish. The ESPD, contract notice and Tender Conditions are provided in English on an *anex gratia* basis. All communications with the Employer must be in Danish. Tenders must be submitted in Danish. Appendixes to the tender can, however, be submitted in English. The spoken language at meetings with the Employer as well as minutes of the same meetings are in 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

Telephone: +45 72405708

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

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

A complaint by an applicant for regarding not having been pre-qualified must be filed within 20 calendar days from the day after the day that the Employer sent notice to the applicant of who had been pre-qualified. The complaint must be filed with Klagenævnet for Udbud.

Other complaints must be filed with Klagenævnet for Udbud within 45 calendar days from the day after the Employer has published a notice in the Official Journal of the European Union stating that the employer has concluded a contract.

On the same date as a complaint is filed with Klagenævnet for Udbud, the complainant must inform the Employer that such a complaint has been filed and whether the complaint has been filed in the standstill period. Where the complaint has not been filed in the standstill period, the complainant must also inform the Employer whether a suspension of the contract has been requested or not.

Reference is made to the guide on complaints in procurement procedures found on <https://erhvervsstyrelsen.dk/klagevejledning-0>

VI.5. Date of dispatch of this notice

18/04/2017