

**Denmark-Glostrup: Construction works for power plants and heating plants**

OJ S 63/2023 29/03/2023

Contract notice – utilities

Works

**Legal Basis:**

Directive 2014/25/EU

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: I/S Vestforbrænding  
National registration number: 10866111  
Town: Glostrup  
NUTS code: DK012 Københavns omegn  
Postal code: 2600  
Country: Denmark  
Contact person: Troels Kjær Aaskilde  
E-mail: [TAAS@vestfor.dk](mailto:TAAS@vestfor.dk)  
**Internet address(es):**  
Main address: [www.vestfor.dk](http://www.vestfor.dk)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/932d91d9-2770-4946-aa98-de9acb8ab25c/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/932d91d9-2770-4946-aa98-de9acb8ab25c/homepage>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/932d91d9-2770-4946-aa98-de9acb8ab25c/homepage>

**I.6. Main activity**

Production, transport and distribution of gas and heat

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Lot 6a HEAT PUMPS for FLUE GAS CONDENSATION

**II.1.2. Main CPV code**

45251000 Construction works for power plants and heating plants

**II.1.3. Type of contract**

Works

#### **II.1.4. Short description**

I/S Vestforbrænding (hereinafter 'VF') hereby calls for tenders for to build new compression heat pumps located at Vestforbrænding, Ejby Mosevej 219, 2600 Glostrup, Denmark, as a part of a carbon capture project divided into several lots. The heat pumps are specified as Lot 6A. VF wishes to engage a contractor for the engineering, installation, and commissioning of the heat pump system.

The heat pumps will be implemented as part of the second stage of flue gas condensation to guarantee that the flue gas is at 35 °C at the flue gas condensation outlet before entering an up-and-coming carbon capture plant. The first stage of the flue gas condensation, i.e., Lot 6B, is necessary to be implemented before Lot 6A, because existing absorption heat pumps must be decommissioned.

On the cold side, the heat pumps will be cooling an intermediate circuit, while on the hot side, will be preheating district heating water before entering the turbine condensers.

#### **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)**

42511110 Heat pumps, 45350000 Mechanical installations, 45310000 Electrical installation work, 44160000 Pipeline, piping, pipes, casing, tubing and related items, 71320000 Engineering design services

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

NUTS code: DK012 Københavns omegn

Main site or place of performance: Glostrup

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

The scope of work comprises detailed design, delivery, installation, testing, and commissioning of two (2) complete heat pump systems. Each heat pump system may consist of several heat pumps. The two heat pump systems shall cool the respective processes:

- Boiler line 5: 2nd stage flue gas condensation
- Boiler line 6: 2nd stage flue gas condensation

The contract will be concluded based on the terms and conditions of the draft Design and Build Contract and the General Conditions (ABT/SB) incl. appendices, which are included in the procurement documents.

The design and build contract up for procurement is part of a larger project including the following preliminary lots:

- Lot 1: Carbon Capture
- Lot 2: Dry Cooler
- Lot 3: BOP Mechanical
- Lot 4: Electrical and SCADA/DCS
- Lot 5: Civil (Site preparation geotechnics, ground works, foundation, building)
- Lot 6: Lot 6b) Flue Gas Cleaning Line 5+6 Lot 6a) Heat Pumps (lot 6a this procurement)

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VF asks that interested economic operators are aware that:

- The value of the contract, cf. sections II.1.5) and II.2.6), is based on an estimate and in its nature uncertain to some extent

- The tender validity period, cf. section IV.2.6), is subject to negotiation and may be altered by VF depending on the feedback from the tenderers
- The start and end dates of the duration of the contract, cf. section II.2.7) concern the period until project handover.

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Access to the procurement procedure requires online registration. Guidance (in Danish and English) on the use of the tendering system can be found at: <https://mercell.atlassian.net/servicedesk/customer/portal/3/article/177996038?src=1869524006>.

Local time in section IV is according to Central European Time (CET) in Denmark. Economic operators may only submit one application or tender.

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VF will invite the tenderers who submitted initial tenders to participate in the negotiation procedure. VF expects to have one round of negotiations, before inviting the tenderers to submit their final tender (Best And Final Offer). However, VF reserves the right to conduct one or more additional rounds of negotiations, if necessary. VF does not reserve the option to award the contract based on the initial tender, and will not reduce the number of tenderers during the procurement procedure. Each tenderer will be invited to an individual meeting to negotiate the terms and conditions in the procurement documents and in the initial tender. All requirements/terms and conditions of the contract and appendices may be subject to negotiation except for requirements/terms and conditions which are explicitly categorized as minimum requirements.

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When an economic operator is participating in the procurement procedure together with others, the economic operator must present a joint statement from all the participating economic operators which identifies the member of the group who can act as an agent on behalf of the group with mandate to establish a legal obligation on behalf of the group in relation to the contracting authority.

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Economic operators will not receive remuneration for their participation in the procedure.

#### **II.2.5. Award criteria**

Criteria below

Cost criterion - Name: Price / Weighting: 60

Cost criterion - Name: Quality / 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**

Start: 09/08/2023 End: 01/08/2025

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:

VF intends to select four candidates who will be invited to participate in the tender and negotiation phase and submit an initial tender.

If four candidates or less apply for prequalification VF intends to select all candidates, provided that each candidate fulfils the requirements for suitability and is not subject to grounds for exclusion. However, VF may choose to annul the procurement procedure if the number of candidates that fulfils the requirements for suitability and is not subject to grounds for

exclusion is deemed too low to ensure an adequate competition. If more than four candidates fulfil the requirements for suitability and are not subject to grounds for exclusion, VF will select the candidates to receive an invitation to submit an initial tender among these candidates.

This selection will be based on the following criterion:

- The most relevant experience

VF will evaluate the references provided by the candidate on the basis on the criterion 'the most relevant experience'. The more the references provided by the candidate correspond to the subject of this procurement procedure the more positively VF will assess this candidate's prequalification application.

In the comparison between the references and the subject of this procurement procedure, VF will, among other things, attach importance to the extent to which the references document experience with:

- Design, manufacturing, construction, electrical installation, control and commissioning of compression heat pumps with a cooling capacity of 4 MW or more
- Design, manufacturing, construction, electrical installation, control and commissioning of compression heat pumps configuration in series

The candidate is encouraged to describe its references in detail and to point out any factors that make the individual references particularly comparable to the contract up for tender.

The selection will be based solely on the references specified in the ESPD and a maximum of 5 references. If the candidate has provided more than 5 references, only the 5 most recent references will be considered in the selection decision.

The maximum number of references to be considered also applies if the candidate is a group of economic operators and/or if the candidate is based on one or more entities.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: yes

Description of options:

The contract includes an option for a two-year service contract.

#### **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**

Lot 6a regarding heat pumps is not divided into lots as VF considers the content of lot 6a the optimal solution for VF's needs, i.e., regarding synergies, interfaces to other contractors and contractor liability.

### **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 candidate is asked to fill in the following information in its ESPD:

- Its turnover in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- Its equity in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification

- Its equity ratio (equity-to-assets ratio) in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification

The candidate must fill in the required information in the following fields in the ESPD, Part IV B: 'General yearly turnover' (regarding turnover) and 'Other economic or financial requirements' (regarding equity and equity ratio (equity-to-assets ratio)).

If the candidate is a group of economic operators, each of the economic operators are asked to also fill in the value of the total assets in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification in 'Other economic or financial requirements', making it possible for VF to calculate the equity ratio (equity-to-assets ratio) for the complete group of economic operators.

Likewise, if the candidate is based on the economic and financial standing of other entities both the candidate and the supporting entities are asked to also fill in the value of the total assets in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification in 'Other economic or financial requirements', making it possible for VF to calculate the equity ratio (equity-to-assets ratio) for the candidate and the supporting entities collectively.

Minimum level(s) of standards possibly required:

The candidates' economical and financial standing must fulfil the following requirements:

- The candidate must have a turnover of at least DKK 100.000.000 in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- The candidate must have equity of at least DKK 90.000.000 in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- The candidate must have a equity ratio (equity-to-assets ratio) of at least 20 % in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification

### III.1.3. Technical and professional ability

List and brief description of selection criteria:

The candidate is asked to fill in information about its previous experiences in its ESPD.

The candidate must fill in information regarding its references in the ESPD, Part IV C: 'For works contracts: performance of deliveries of the specified type'. Here, the candidate must provide a minimum of two references and a maximum of five references concerning completed projects within the past ten years. VF defines "completed projects" as projects where hand over has been completed before the prequalification application deadline and where the heat pump(s) are in commercial operation in accordance with the contract guaranteed capacity.

For each reference the candidate is requested to describe the following information:

- The scope, including the deliveries under the reference, type of heat pump, the cooling capacity and the cooling media of the heat pump(s), the location of performance and the candidate's role ('Description')
- The candidate's own fee ('Amount')
- The time of performance, i.e., the date of commencement and completion data ('Start date' and 'End date')
- The name of the customer and contact information, i.e., email and telephone number, to a contact person at the customer ('Recipients')

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The candidate must fill in information regarding its service organisation in the ESPD, Part IV C: 'For works contracts: technician or technical bodies to carry out the work'.

The candidate must describe where the service organisation is or will be located and their means of transportation to be used to reach site following a call assistance from VF.

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By submitting the references, the candidate accepts that VF may contact the customers' contact persons regarding the candidate's performance of the contract. If necessary, the candidate must assist VF in contacting the customer. Furthermore, the candidate must be able to document that the customer has acknowledged that the heat pumps have been commissioned for commercial operation in accordance with the contract guaranteed capacity. Submission of more than 5 references does not lead to exclusion of the candidate. However, for the purpose of selecting the candidates for participation in the tender and negotiation phase, VF will only consider the 5 most recent references in the ESPD.

Minimum level(s) of standards possibly required:

The candidate's reference must fulfill the following requirements:

Minimum two of the candidate's references must concern:

- design and manufacturing of compression heat pumps with a minimum cooling capacity of at least 4 MW based on natural cooling media
- construction, electrical installation, control and commissioning of heat pumps with a minimum cooling capacity of at least 4 MW

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Minimum one of the candidate's references must include design and manufacturing of high temperature heat pumps above 80 C.

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The requirements to the references may be fulfilled using only two references if both references meet the combined requirements.

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Service organisation

During the term of the contract the candidate must have a service organisation which can be present on site within 24 hours from any call for assistance from VF.

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

The Contractor (i.e., the tenderer who is awarded the contract) must provide a performance bond of 15 % of the contract sum and an advance payment bond will be required in order to achieve advance payment, cf. payment schedule.

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

A payment schedule is included in the procurement documents (A238811-LOT6A-402 Payment Schedule). As further described in this document payments are made according to the contractors fulfilment of project milestones

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

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

The terms and conditions of the contract is stated in the draft design and build contract included in the procurement documents. Interested economic operators should in particular be aware that the draft design and build contract contains:

- Requirements to the contractor's Company Social Responsibility, including, e.g., a labour clause and a clause regarding apprentices and trainees
- Regulations regarding liquidated damages for certain types of breach of contract, e.g., delay of hand-over and failure to meet guarantee requirements

### **III.2.3. 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

## 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: 24/04/2023 Local time: 23:59

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

Date: 28/04/2023

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

English

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

Duration in months: 4 (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

In this procurement procedure the following exclusion grounds of sections 134 a, 135-136 and section 137(1)(2) of the Danish Public Procurement Act (with subsequent amendments) apply. Economic operators must submit a European Single Procurement Document (ESPD) as preliminary evidence that the economic operator is not subject to exclusion grounds and fulfils the requirements for economic and financial standing and technical and professional ability.

When the economic operator is participating together with others or relies on the capacity of other entities, each participating economic operator must provide a separate ESPD.

VF intends to request documentation regarding the information provided in ESPD from the economic operators in connection with the invitation to submit initial tenders.

To document that the economic operator is not subject to grounds for exclusion VF expects to ask the economic operator to submit:

- An extract from the relevant register or similar documents issued by a competent judicial or administrative authority or certificates issued by the competent authority in the country referred to as documentation that the tenderer is not subject to the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2);

If the country in question does not issue the documents or certificates, or if such documents or certificates do not cover all the cases mentioned, those documents or certificates may be replaced by a declaration on oath. If declarations on oath are not provided for in the relevant country, a solemn declaration made before a competent judicial or administrative authority, a notary, or a competent professional organisation in the country in which the economic operators is established may be provided instead.

For economic operators established in Denmark this documentation may be submitted in the form of an official certificate ('serviceattest') issued by the Danish Business Authority.

Economic operators can identify the relevant documentation using the online platform e-Certis: <https://ec.europa.eu/tools/ecertis>.

VF will accept sufficient documentation from national authorities in the national language.

However, VF requests that an unofficial translation into English is submitted as well.

To document that the economic operator fulfils the requirements for suitability for participation in this procurement procedure VF expects to ask the economic operator to submit:

- An audited annual report or equivalent documentation stating the economic operator's turnover, equity, and equity ratio (equity-to-assets ratio) in most recently concluded and audited financial year at the deadline for submission of the application for prequalification. If an annual report is not required under the law of the country in which the economic operator is established or if the annual report doesn't contain the required information VF will accept a declaration from the economic operator's external accountant.
- Contact information to contact persons at the customers mentioned as references in ESPD
- Documentation that the customer has acknowledged that the heat pumps have been commissioned for commercial operation in accordance with the contract guaranteed capacity.

If the information above is available to VF via access to a national database, the tenderer is not obliged to submit the documentation in question to VF. However, in that case VF asks that the tenderer informs VF where to find the information and supplies VF with any necessary passwords, etc.

Groups of economic operators will be asked to submit documentation regarding exclusion grounds and requirements for suitability for each of the economic operators in the group. If the tenderer is based on one or more supporting entities the tenderer will be asked to submit documentation regarding exclusion grounds and documentation for the relevant capacities of the supporting entity regarding fulfilling the requirements for suitability.

#### **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](mailto:kifu@naevneneshus.dk)

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

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

Precise information on deadline(s) for review procedures:

The Danish Complaints Board for Public Procurement Act (Act no. 593 of 02.06.2016 which is available at [www.retsinformation.dk](http://www.retsinformation.dk).) contain the regulation governing deadlines for review procedures regarding public procurement under Danish law.

Complaints concerning a candidate not being prequalified must be lodged with the Danish Complaints Board for Public Procurement ("the Complaints Board") within a 20 calendar day deadline starting the day after the day that VF has sent notification to the candidates involved regarding VF's selection decision, cf. section 7(1) of the Danish Complaints Board for Public Procurement Act.

Other complaints must be lodged with the Complaints Board within a 45 calendar day deadline initiated by VF's publication of a contract award notice in the Official Journal of the European Union. The first day of the deadline is the day following the publication date, cf. section 7(2)(i) of the Danish Complaints Board for Public Procurement Act.

The complainant must notify VF of the complaint in writing at the latest at the same time as the complainant lodges the complaint with the Complaints Board. Furthermore, the complainant must inform VF as to whether or not the complaint has been lodged in the standstill-period and whether the complainant has requested the complaint to be given suspensory effect, cf. section 6(4) of the Danish Complaints Board for Public Procurement Act.

To lodge a complaint with the Danish Complaints Board for Public Procurement the complainant must pay a fee of DKK 20,000.

#### **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**

24/03/2023