

Denmark-Fredericia: Heat-exchange units
OJ S 101/2017 27/05/2017
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DONG Energy Thermal Power A/S
National registration number: DK
Postal address: Kraftværksvej 53
Town: Fredericia
NUTS code: DK042 Østjylland
Postal code: 7000
Country: Denmark
Contact person: DONG Energy Thermal Power A/S
E-mail: xatld@dongenergy.dk
Telephone: +45 28880105
Internet address(es):
Main address: <http://www.dongenergy.com>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=211052&ccsum=9d6eb9e700074a076c8b95a8d9106cf9>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=211052&ccsum=9d6eb9e700074a076c8b95a8d9106cf9>
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://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=211052&ccsum=9d6eb9e700074a076c8b95a8d9106cf9>

I.6. Main activity

Production, transport and distribution of gas and heat

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

MO3a District Heat Exchanger.

II.1.2. Main CPV code

42511100 Heat-exchange units

II.1.3. Type of contract

Supplies

II.1.4. Short description

Design, manufacture, installation and testing of a CE-marked 150 MJ/s horizontal U-tube type district heater on a 1:1 replacement basis.

II.1.5. Estimated total value

Value excluding VAT: 2 000 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: DK011 Byen København

Main site or place of performance: DONG Energy Thermal Power A/S, Avedøreværket, Hammerholmen 50, 2650 Hvidovre, Denmark.

II.2.4. Description of the procurement

Design, manufacture, installation and testing of a CE-marked 150 MJ/s horizontal U-tube type district heater on a 1:1 replacement basis. '1:1 replacement' means that the new heater must comply with the physical and thermodynamic restrictions given by the original design and physical location of the heater:

Design pressures: 4/-1 bar (steam side) and 29 bar (water side).

Design temperatures: 100°C (steam side) and 100°C (water side).

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

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

Start: 01/09/2017 End: 01/11/2018

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3 Maximum number: 5 Objective criteria for choosing the limited number of candidates:

Dong Energy Thermal Power A/S intends to prequalify three (3) to five (5) applicants to the tender process. If the number of applicants applying for prequalification exceeds five (5), the Contracting Entity will perform the prequalification based on an evaluation of each applicant's respective economic and financial standing as well as technical ability. The five (5) best applicants will be prequalified. The criteria for selection of the five (5) best applicants will be on the following criteria:

- 1) The Applicant's Reference List;
- 2) The Applicant's Economic and Financial Standing;
- 3) Description of the Applicant's QHSE Management System.

Ad 1) References:

The assessment regarding the Applicant's References will be based upon the information requested in Section III.1.3) last section, submitted by the Applicant in the eESPD.

The evaluation of the references will be based on the received information and will be an overall assessment of the references taking into account similarity to the Works tendered for, number of references, size of the references both in terms of value and duration. The more references and the more recent and relevant the references for the Scope are, the more positive the references will be considered. In addition to this, it will be considered as favorable if references are within the power plant industry.

Ad 2) Financial and economic standing:

The assessment regarding the Applicant's economic and financial standing will be based upon an overall assessment of the below three areas based on the information requested in Section III.1.2) submitted by the Applicant in the eESPD.

Solvency

Liquidity

Profitability.

Ad 3) QHSE Management System:

The assessment regarding the Applicant's Quality and Health Management Systems will be based upon the informations requested in Section III.1.3) first section regarding Quality, Health, Safety and Environmental Management Systems, submitted by the Applicant in the eESPD.

It will be considered positive if the Applicant is certified according to ISO 9001:2008, ISO 14001 and/or OHSAS 18001 or equivalent or have similar comprehensive QHSE management systems.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

- 1) Removal of the existing heater and installation of new heater, including all necessary temporary removal/dismantling and re-establishment of equipment galleries, installations and necessary reinforcements, in the affected transport and working area.
- 2) Take over of the old heater for a scrap value for the old heater.
- 3) Safety valves, steam side and water side.
- 4) Temporary removal and reinstallation of the electrical installations and instrumentation related to the removal of the existing heater and installation of new heater.
- 5) Spare part consumables and strategic spare parts.
- 6) Additional cost for using a more erosion proof materials for the district heater tube bundle, a complete stainless steel tubing.
- 7) Additional cost for using a more erosion proof materials for the district heater upper 5 tubes layer, covering the steam inlet, with stainless steel tubing, and
- 8) Supervisor, cost per day, including travel and accommodation.

II.2.13. Information about European Union funds

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

II.2.14. Additional information

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

Conditions to be fulfilled by applicants in view of their qualification must include:

- 1) The Applicant shall submit a description of ownership and corporate structure.
 - 1.1) 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. The information should be provided in the eESPD Part IV, Section B ‘Other economic or financial requirements’.
 - 1.2) If, for technical reasons, the Applicant finds that it is impossible to insert a full description of ownership and corporate structure in the eESPD, the Applicant can upload a separate file with the description and refer to such file in the eESPD, Part V.
- 2) The Applicant shall provide the following figures based on the latest 2 signed and approved annual reports. The Applicant shall submit the information in the eESPD Part IV.B (either under Financial Ratio or Other economic or financial requirements, by Applicant's choosing). The Applicant shall clearly state, which financial year the information relates to (e.g. financial year 2016 and 2015).
 - a) Turnover (revenue),
 - b) Net result before tax,
 - c) Current asset,
 - d) Total Assets (sum of all assets)
 - e) Total shareholder's equity (equity incl. minority shares)
 - f) Current liabilities
 - g) Intangible assets
 - h) Inventories
 - i) Trade receivables
 - j) Cash and cash equivalents
 - k) Trade payables
- 3) If the Applicant is a newly established entity and cannot provide two years of Annual Accounts, the Applicant will have to submit its latest Annual Account or opening Balance Account.
- 4) If the Applicant wishes to improve its economic and financial assessment by relying financially on another legal entity, this should be indicated by ticking ‘yes’ in the eESPD Part II, C. Further, the Supporting Legal Entity shall fill in a separate eESPD. If the other supporting entity is a parent company to the Applicant and the companies have consolidated accounts, it is possible to submit financial information for the parent company only, but it shall be made clear from Part II C of the eESPD that the Applicant relies on the economic and financial information of the parent company or any other supporting entity by ticking ‘yes’ in Section II C of the eESPD: ‘Does the economic operator rely on the capacities of other entities.’. The Applicant will also have to document this support of the Supporting Legal Entity by forwarding a signed Declaration of Support to the Contracting Entity. It is recommended that the file ‘Declaration of Support’ provided as part of the documents in Scanmarket — is used.
- 5) If a letter of support is submitted the assessment of the economic and financial standing of the Applicant will be based on the information about both entities (i.e. the applicant and the relevant parent company). In such case, the annual accounts of the parent company 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.
- 6) If the Applicant is part of a profit sharing agreement with another legal entity, the Applicant should declare in the ESPD Part II C that it relies on another entity. Further the supporting entity shall fill out a separate ESPD. The Applicant or the supporting entity should explicitly

mention the profit sharing agreement in the eESPD part V. In case of a profit sharing agreement the evaluation will be based on the figures for the financial strongest entity participating in the arrangement. Only this company has to insert financial figures in the eESPD Part IV. In case of support from a parent company the information will be based on financial figures from both entities which accordingly both have to insert financial figures in the eESPD Part IV, unless the Applicant and the companies have consolidated accounts, cf. above.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The Applicant shall clearly state:

A.1 Company name, address, e-mail, name and web-page;

A.2 Contact person, e-mail and phone-number;

A.3 Registration (Company Registration No. or equivalent and VAT No. or equivalent).

The information should be provided in the eESPD Part II, Section A.

B. The Applicant shall have the necessary technical capacity for the design, fabrication, testing and delivery of one (1) pcs. 150 MJ/s horizontal U-tube type district heater as specified in Section II.2.4 above.

B.1 The Applicant shall include a list of references from the last 5 (five) years for similar contracts with respect to type and size of heater, and preferably projects comprising replacement of an existing heater.

The list of references should preferably include the following relevant information:

a) Name of the project,

b) Location,

c) Heater type and heater duty,

d) Customer,

e) Year of execution, and

f) (Contract sum).

Additionally information regarding the scope of supply and the Applicants and/or sub-contractors role in the projects should be described in detail. The reference list should not include more than nine (9) references. If more than nine (9) references are submitted, only the first nine (9) listed references will be included in the evaluation. It will be considered positive if the references include deliveries of similar scope as specified in Section II.2.4) above.

B.2 If the applicant relies on the technical capacity of another economic operator, the applicant must submit documentation and information of the other entity. Furthermore, the Applicant must formally prove that the Applicant has at its disposal the necessary resources, by providing documentation that the Applicant relies on the capacities of the other entity in this respect. It is recommended that the file 'Declaration of Support' provided as part of the tender documents in Scanmarket is used.

C. The Applicant shall include a complete description of the Applicants Quality, Health, Safety and Environmental management systems, including whether the Quality, Health, Safety and Environmental management systems are certified according to e.g. ISO 9001:2008, OHSAS 18001 or ISO 140001 or equivalent.

C.1) If the Applicant is certified according to ISO 9001:2008, OHSAS 18001 or ISO 14001 or equivalent, a copy of a valid certificate issued to the applicant will be considered a complete description. If the Applicant is not certified, the Contracting Entity encourages the Applicant to submit a complete version of its QHSE Management Systems. This should be included in the eESPD Part V. If the Applicant chooses to include a copy of it's complete QHSE Management Systems in the application as final documentation, the Applicant should refer to these in eESPD Part V.

D. If the Applicant wishes to improve its technical and professional assessment by relying on the technical capacity of another legal entity, the Applicant should indicate this by ticking 'yes' in the eESPD Part II C and the supporting legal entity shall fill in a separate eESPD with the relevant information.

E. If a consortium submits a request for participation, information and a separate eESPD must be submitted for each member of the consortium. The reference list for the consortium should not include more than nine (9) references in total, cf. B.1 above.

The information must be submitted in the eESPD Part V.

If for technical reasons the Applicant finds that it is impossible to insert a full description in the eESPD, the Applicant can consider to upload a separate file in eSourcing system Scanmarket with the description and refer to such file in the eESPD Part V.

Minimum level(s) of standards possibly required:

To document its technical capacity the Applicant shall submit:

One (1) reference list including specified similar works that the Applicant has executed within the last five (5) years.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:

Applications for prequalification must be submitted in the e-sourcing system Scanmarket.

Please follow the link set out in Section I.3 above.

Applicants are requested to fill out the eESPD document using the XML file provided as part of the tender documents in Scanmarket.

Please note that Part III: Exclusion Grounds A and B in the ESPD do not apply to this contract notice.

III.1.6. Deposits and guarantees required

Performance Bond of 10 % of the total Contract Price will be requested. As well as the Contracting Entity reserves the right to request a Parent Company Guarantee (PCG) if applicable.

Additionally the Contracting Entity will ask for an Advance Payment Bond if this is necessitated by the agreed payment plan.

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

The information is stated in the tender 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 consortium, the members of the consortium shall accept joint and several liability and appoint a common authorised representative.

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.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

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

Date: 09/06/2017 Local time: 14:00

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

Date: 15/06/2017

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

English, Danish

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

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

Please note that only pre-qualified applicants can submit a tender. It is not possible to submit a tender from e.g. a sister company or another company within the pre-qualified Applicant's legal company group.

When groups of entities, including temporary joint ventures, participate in the tender procedure, each of the participating entities must complete a separate European Single Procurement Document (eESPD) with the information required in Section II-IV.

Prior to decision on award of the contract documentation for the information stated in the eESPD must be provided.

The Contracting Entity further reserves the right to at any stage of the tender procedure to request a candidate to submit documentation, if this is required to secure that the procedure is conducted correctly. If that would be the case the Contracting Entity will set an appropriate time limit for submission of the documentation.

The Applicant must submit a completed European Single Procurement Document (eESPD) to apply for prequalification for this tender procedure. The eESPD for this tender can be found in the prequalification material via the eSourcing system: Scanmarket.com. Please see link, cf. Section I.1.

You are welcome to contact Scanmarket for further information about the function of the system: <https://scanmarket.com/contact-us/contact-us/>

To complete the eESPD, please:

1. Save the XML file onto your own computer (download the XML file part of the tender documents in Scanmarket).
2. Open the link <https://ec.europa.eu/growth/tools-databases/espd/welcome>
3. Choose the preferred language.
4. Choose 'I am an economic operator'.
5. Choose 'Import eESPD'.
6. Upload the XML file of the eESPD.
7. Choose the country of your company.
8. Fill out and complete the eESPD with the information required in this Contract Notice.
9. When finished filling out the eESPD, print the version as a pdf-file and save it on your computer.

10. Upload the pdf-version to 'My response' in Scanmarket.

VI.4. Procedures for review

VI.4.1. Review body

Official name: The Complaints Board for Public Procurement

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kflu@naevneneshus.dk

Telephone: +45 72405708

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

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to Danish Act on The Complaints Board for Public Procurement (Act No. 492 of 12.5.2010 with subsequent amendments — available at www.retsinformation.dk), the following time limits for filing a complaint apply:

Complaints regarding a candidate not being prequalified must be filed with The Complaints Board for Public Procurement within 20 calendar days starting the day after the Contracting Entity has sent notification to the candidates involved, cf. § 7(1) of the Danish Act on The Complaints Board for Public Procurement, if the notification includes a short account of the relevant reasons for the decision.

Other complaints must be filed with The Complaints Board for Public Procurement within: 45 calendar days after the Contracting Entity has published a Contract Award Notice in the Official Journal of the European Union (with effect from the day following the publication date).

The complainant must inform the Contracting Entity of the complaint in writing at the latest simultaneously with the lodge of the complaint to The Complaints Board for Public Procurement stating whether the complaint has been lodged in the stand-still period, cf. § 6(4) of the Act on The Complaints Board for Public Procurement. If the complaint has not been lodged in the stand-still period, the complainant must also state whether it is requested that the appeal is granted delaying effect, cf. § 12(1) of the said Act.

The e-mail of The Complaints Board for Public Procurement is stated in Section VI.4.1).

The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the internet address stated in Section VI.4.1).

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Danish Competition and Consumer Authority

Postal address: Carl Jacobsensvej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

24/05/2017