

**Denmark-Taastrup: Reconditioning services of rolling stock seats**  
**OJ S 75/2022 15/04/2022**  
**Contract notice – utilities**  
**Services**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: DSB Vedligehold A/S

National registration number: 32788742

Postal address: Telegade 2

Town: Taastrup

NUTS code: DK0 Danmark

Postal code: 2630

Country: Denmark

Contact person: Søren Rose

E-mail: [sros@dsb.dk](mailto:sros@dsb.dk)

Telephone: +45 24683350

**Internet address(es):**

Main address: [www.dsb.dk](http://www.dsb.dk)

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/63264>

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: [http://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=329205&B=DSB](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=329205&B=DSB)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: [http://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=329205&B=DSB](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=329205&B=DSB)

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

**I.6. Main activity**

Railway services

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**Section II: Object**

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

**II.1.1. Title**

Supply of Train Driver Seat and (optional) Supply Overhaul and (optional) Maintenance Services and Spare Parts to DSB Train Fleet

Reference number: Train Driver Seats to DSB

**II.1.2. Main CPV code**

50224100 Reconditioning services of rolling stock seats

**II.1.3.**

## **Type of contract**

Services

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

DSB is tendering train driver seats and supply of overhaul and maintenance service and spare parts for DSB's train fleet. Two litra (train type) S-Tog and ER have been specified for new train driver seats and other two litra IC3 and IC4 are specified for overhaul services. Overhaul services, maintenance services and supply of spare parts are all optional within this tender and can upon acceptance and agreement be added to an Agreement.

### **II.1.5. Estimated total value**

Value excluding VAT: 22 000 000,00 DKK

### **II.1.6. Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

Maximum number of lots that may be awarded to one tenderer: 2The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

The main contract will be delivery of new train driver seats and hence optional supply of maintenance services and spare parts. The other contract is optional for overhaul/renovation services of existing train driver seats together with optional supply of maintenance service and spare parts.

## **II.2. Description**

### **II.2.1. Title**

Frame Work Agreement - Supply of Train Driver Seats; and optional supply of maintenance services and spare parts

Lot No: 1

### **II.2.2. Additional CPV code(s)**

39110000 Seats, chairs and related products, and associated parts, 34370000 Seats for motor vehicles, 34631300 Rolling-stock seats, 39111000 Seats, 39113000 Miscellaneous seats and chairs, 50224100 Reconditioning services of rolling stock seats

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

NUTS code: DK0 Danmark

Main site or place of performance: Jylland and Sjælland, Denmark

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

DSB is tendering train driver seats and supply of overhaul and maintenance service and spare parts for DSB's train fleet. Two litra (train type) S-Tog and ER have been specified for new train driver seats and other two litra IC3 and IC4 are specified for overhaul services. Overhaul services, maintenance services and supply of spare parts are all optional within this tender and can upon acceptance and agreement be added to an Agreement.

### **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: 22 000 000,00 DKK

### **II.2.7.**

## **Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 96

This contract is subject to renewal: yes

Description of renewals:

Can be extended by 2 x 2 years

### **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 shortlisting of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant references in form of deliveries, see section III. 1.3), of the similar services and supplies covered by the contract, see the description in sections II.1.4) and II.2.4).

The evaluation of the most relevant deliveries of similar services and supplies, will be made on the basis of the extent, to which the references document experience with delivery of comparable supplies.

In the evaluation of which candidates have documented the most relevant deliveries of similar products, services and supplies, the extent to which the references, in total, document relevant experience in delivering the similar services and supplies.

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

Variants will be accepted: no

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

Options: yes

Description of options:

Extension of contract period, 2 x 2 years after initial term

### **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**

Two inspections meetings are scheduled for reviewing the current driver seats for 1) the S-Tog and ER, and 2) the IC3 and IC4 train fleet. The inspection meetings will be jointly held, together with all 5 prequalified tenderers. The meetings will be held by the contracting entity from:

1) for S-Tog and ER 18.05.2022 between 10:00 - 15:00.

2) for IC3 and IC4 19.05.2022 between 12:30 - 14:30.

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

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### **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:

We refer to the ESPD, section IV.

#### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

The candidate must submit the European Single Procurement Document ("ESPD") with the following information in ESPD part IV.

Financial requested information is to be submitted for the years 2019-2021.

A: The candidates total annual turnover in the three (3) latest financial years available sum is to be summarized in DKK

B: The candidates EBIT in the three (3) latest financial years available

C: The candidates solvency ratio in the three (3) latest financial years available

If the candidate relies on the economic and/or financial capacity of other entities, the contracting entity

requires that the candidate and the entities in question must undertake joint and several liability for the performance of the contract.

The ESPD serves as provisional documentation that the candidate fulfils the minimum suitability

requirements in respect of economic and financial capacity.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to

award the contract to, must submit documentation that the information stated in the ESPD is accurate.

Upon the contracting entity's request, the following documentation of economic and financial capacity

must be submitted:

A: A statement regarding the candidates total turnover in the three most recent annual reports /financial

statements available, depending on when the candidate was set up or started trading, if the figures for

this turnover are available.

For groups of candidates (e.g. a consortium), the information in the most recent annual report /financial

statement available must be submitted for each participating operator in the group. Where a candidate

relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company

or a subcontractor), information must be submitted for all both the candidate and all Supporting entities.

B: A statement regarding the candidates EBIT in the three most recent annual reports/financial statements available, depending on when the operator was set up or started trading, if the figures for this

turnover are available. For groups of candidates' (e.g. a consortium), the information in the most recent

annual report/ financial statement available must be submitted for each participating candidate in the

group. Where a candidate relies on the economic and financial capacity of other entities (e.g. a parent

company, a sister company or a subcontractor), information for such other entities must be provided as

well.

C: A statement regarding the operator's solvency ratio calculated as (total equity/total assets) \*100 in the three (3) most recent annual reports/financial statements available, depending on when the operator was set up or started trading.

For groups of candidates (e.g. a consortium), the information in the most recent annual report /financial statement available must be submitted for each participating candidate in the group. Where a candidate relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), information for such other entities must be provided as well.

III.1.3)

D: An insurance-coverage of min DKK 25.000.000 which is effective no later than from the signing of the contract. Please note that the insurance is to be kept in service all throughout the period of agreement.

Minimum level(s) of standards possibly required:

A: As a minimum requirement, an average total annual turnover of at least DKK 25.000.000 calculated over the latest three (3) financial years available.

For groups of candidates (e.g. a Consortium) turnover will be calculated as the combined total turnover of the candidates in the group in each of the latest three (3) financial years available. Where a candidate relies on the economic and financial capacity of other entities the turnover is calculated as the total combined turnover of the candidate and the supporting entities in each of the latest three (3) financial years.

B: As a minimum requirement, an average EBIT of at least DKK 3.5% calculated over the latest three (3) financial years available.

III.1.3)

III.1.7)

III.1.8)

III.2)

III.2.2)

IV.1)

For groups of candidates (e.g. a Consortium) EBIT is calculated as the combined EBIT of the candidates in the group in each of the latest three (3) financial years available. Where a candidate relies on the economic and financial capacity of other entities net income is calculated as the total combined EBIT of the candidate and the supporting entities in each of the latest three (3) financial years.

C: As a minimum requirement, an average solvency ratio of at least 20% calculated over the latest three (3) financial years available.

For groups of candidates (e.g. a Consortium) solvency ratio will be calculated as the combined equity of the candidates in the group divided by the combined total assets of the candidates in the group, in percent, in each of the latest three (3) financial years available. Where a candidate relies on the economic and financial capacity of other entities solvency ratio will be calculated as the combined equity of the candidate and supporting entities divided by the combined total assets of the candidate and supporting entities, in percent, in each of the latest three (3) financial years available

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

The candidate must submit the ESPD with the following information:

A list of up to the 5 most significant references with similar services and supply to this tender, see

sections II.1.4) and II.2.4), that the candidate has carried out in the last 3 years (2019-2021).

Only references relating to similar services and supplies carried out at the time of application will be given

importance in the evaluation of which candidates have documented the most relevant deliveries, see

section II.2.9).

Hence, in the case of an ongoing task, only the part of the similar services and supplies already performed at the time of application will be included in the evaluation of the reference. Each reference is

requested to include a brief description of the deliveries made.

No more than 5 references may be stated, irrespective of whether the candidate is a single operator,

whether the candidate relies on the technical capacity of other entities, or whether the candidate is a

group of operators (e.g. a consortium).

The ESPD serves as provisional documentation that the candidate the candidate's compliance with the

selection criterion, see section II.2.9).

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to

award the contract must submit documentation that the information stated in the ESPD is accurate. No

additional documentation of technical and professional capacity will be required from the candidate.

However, the contracting entity reserves the right to contact the candidate or the customer stated in the

reference for confirmation of the information stated in the reference, including the dates of the reference

indicated.

Minimum level(s) of standards possibly required:

A list of minimum 3 and maximum 5 most significant references with similar services and supply to this tender.

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

Payment terms can be accepted as being net. 30 days from issuing date of invoice.

Delivery terms INCOTERMS 2022: DDP upon delivery to DSB, to all DSB's workshops in Denmark.

### **III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No specific legal form is required.

If the order is awarded to a group of economic operators (e.g. a consortium), each participant of the group must assume joint and several liability and appoint a joint representative.

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

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

The contract has incorporated the corporate social responsibility considerations, as appropriate, as laid

down in the conventions on the basis of which the principles of the UN Global Compact are worded and

as laid down in the OECD Guidelines for Multinational Enterprises.

The contract furthermore lays down requirements pursuant to ILO Convention no. 94 on labour clauses in

public contracts and Circular no. 9471 of 30 June 2014.

## **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**

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

#### **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.2.1. Previous publication concerning this procedure**

Notice number in the OJ S: [2022/S 051-133964](#)

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

Date: 11/05/2022 Local time: 13:00

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

Date: 17/05/2022

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

Danish, English

#### **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

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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

Participation in the tendering procedure may only take place by electronic means via the electronic

tendering system used by the contracting entity, see the address set out in section I.3).

If the application contains several versions of the same document, the latest uploaded version will apply.

DSB estimates the order to be between DKK 20.000.000 and DKK 30.000.000.

The CPV category for this tender is stated to be 50224100-2 - Repair of seats - rolling stock (as only 1 major category can be defined, however it may also be relevant or relate to the other CPV categories:

39111000-3 Seats

39110000-6 Seats, chairs and more and parts for seats and chairs

39113000-7 Various seats and chairs

34631300-2 Vehicle seats

34370000-1 Seats for vehicles

The contract type can hence be both for seats and services.

All communication in connection with the tender procedure, including questions and answers must take

place through the electronic tendering system.

Interested operators are requested to keep updated via the electronic tendering system. If the candidate

encounters problems with the system, please contact support by e-mail, [dksupport@eu-supply.com](mailto:dksupport@eu-supply.com), or

telephone (+45) 70 20 80 14.

The candidate must also submit a letter of commitment in which the entity/entities on which the candidate

relies has/have undertaken joint and several liability with the candidate if the candidate is awarded the

contract. The form is enclosed as an attachment to the tender specifications.

The candidate will be excluded from participation in the tendering procedure if the candidate is subject to

the compulsory grounds for exclusion set out in ss.135 and 136 of the Danish Public Procurement Act, cf.

s.10, para. (1) of Ministerial Order on procurement by entities operating in the water, energy, transport

and postal services sectors, unless the candidate has submitted sufficient documentation for its reliability

in accordance with s.138 of the Danish Public Procurement Act, cf. s.10(1), para. (2) of the Danish Implementing Order (implementeringsbekendtgørelsen).  
As regards sections II.1.5) and II.2.6), it should be noted that the amount is a qualified estimation of the expected contract price for the entire term of the contract, including the price of all options. The estimate is based on the contracting entity's market and technical knowhow.  
As regards section II.2.9) it should be noted that each candidate may only submit one application for prequalification.  
The contracting entity may ask the applicant to supplement, specify or complete the application pursuant to Article 76, para. (4) of the Utilities Directive if the application/tender does not meet the formal requirements of the procurement documents.  
The contracting entity reserves the right to award the contract on the basis of the initial tender.

#### **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 72405708  
Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

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

Precise information on deadline(s) for review procedures:  
Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at [www.retsinformation.dk](http://www.retsinformation.dk)), the following deadlines apply to the lodging of complaints:  
Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act. In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:  
1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from

the day after the day when the notice was published..

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the

candidates concerned that a contract based on a framework agreement with reopening of competition or

a dynamic purchasing system has been entered into where the notification has included an explanation of

the relevant grounds for the decision.

3) 6 months after the contracting entity entered into a framework agreement calculated from the day after

the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of

the Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been

lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged

during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged

within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the

complaint has been requested, see clause 12(1) of the Act. VI.4.4)

The e-mail address of the Complaints Board for Public Procurement is set out in section VI. 4.1). The

Complaints Board's own complaints procedure is available at <https://klfu.naevneneshus.dk>

#### **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: <http://www.kfst.dk>

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

11/04/2022