

Norway-Oslo: Architectural, construction, engineering and inspection services

OJ S 108/2017 08/06/2017

Contract notice

Services

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Statsbygg Hovedkontor [The Directorate of Public Construction and Property Head Office]

National registration number: 971278374

Postal address: Postboks 8106 Dep. (Biskop Gunnerusgt. 6)

Town: Oslo

Postal code: 0032

Country: Norway

For the attention of: Morten Danielsen

E-mail: prosjekt1004910@statsbygg.no

Internet address(es):

General address of the contracting authority/entity: <http://www.statsbygg.no/>

Address of the buyer profile: <https://kgv.doffin.no/ctm/Supplier/CompanyInformation/Index/2672>

Electronic access to information: <https://kgv.doffin.no/ctm/Supplier/Documents/Folder/155028>

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

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

I.2. Type of the contracting authority

Body governed by public law

I.3. Main activity

Other: buildings and construction work

I.4. Contract award on behalf of other contracting authorities/entities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

1004910 New Government Quarter H108 Consultant engineer for security.

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

Services

Service category No 17: Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services

Main site or place of performance: Oslo.

NUTS code NO Norge

II.1.3. Information about framework agreement

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

Statsbygg would like, for project 1004910 New Government Quarter, to qualify tenderers who could be interested in submitting a tender for a consultant engineer for security (RIS). The qualifying will be of companies who can offer a team of persons who, together, have experience within engineering design services in general and engineering design services for buildings and outdoor installations with high requirements for security in particular (e.g. the Act on preventive security service and possibly the object security regulations).

II.1.6. CPV code(s)

71000000 Architectural, construction, engineering and inspection services

II.1.7. Information about subcontracting

II.1.8. 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

Statsbygg is in the process of holding a planning and design contest for the engineering design assignment. Negotiations with two winners and the contract is planned to be signed autumn 2017. The contract with RIS will be transported to the group who is awarded the engineering design assignment. RIS shall be included in the engineering design group and contribute to the security requirements being taken care of in the engineering design services for the building and outdoor installations. The deliveries in the contract will follow and be integrated in the engineering design group's deliveries. On a general basis see chapter 4.2 in NS 5834:2016 'Community Security. Protection against deliberate unwanted events. Planning security measures in buildings, sites and property' for the services that will be included in the contract with the consultant engineer for security, as well as Supplement A for guidelines on the role descriptions. The assignment will last until the completed draft project with options for the following phases.

The draft project is expected to commence at the end of 2017 and the completed preliminary project will be available at the turn of the year 2018/2019.

II.2.2. Information about options

Options: yes

Description of options: The contract will comprise security deliveries up to and including the draft project, with options for:

— Preliminary project (the entire government quarter or buildings / parts of the area).

— Detailed engineering design services, follow-up in the construction phase, claims phase (the entire government quarter or buildings / parts of the area).

Statsbygg draws attention to the fact that money has not currently been granted for the engineering design services for the new Government Quarter.

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Start 1.11.2017. Completion 31.12.2025

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

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

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

III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information

III.1.5. Information about security clearance

III.2. Conditions for participation

III.2.1. Personal situation

Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Tenderers are required to have a legally established company (one or several companies) Documentation that shall be submitted; Company Registration Certificate.

III.2.2. Economic and financial ability

Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)

List and brief description of conditions: Tenderers are required to have satisfactory financial implementation ability. The size of the turnover, seen in relation to the contract value, can be emphasised.

The Norwegian Construction and Property Management Department will carry out a credit rating of tenderers.

Tenderers can, in addition, be asked to submit the auditor confirmed annual accounts, alternatively, state StartBANK ID.

III.2.3. Technical and/or professional capacity

Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)

List and brief description of conditions:

A. Tenderers are required to have good competence and experience from engineering design services for security for buildings and outdoor installations with a transferable value, especially as regards the following areas:

— Complexity.

— Experience from all phases.

Documentation to be submitted: A description shall be submitted of up to 3 reference projects

with justified comparative value, with information on, amongst other things,

1. The project's name, contracting authority and reference person.
2. Type of building/outdoor installation (what functions the building housed, whether it was a new building/renovation).
3. The project's size (m²) and the contract value of the company's work (excluding VAT).
4. Description of roles and assignments.
5. Dates of the execution of the assignment, as well as a description of which phases were included in the assignment.
6. The project's requirements regarding the terror threat, sabotage, intelligence threat and criminality.
7. Whether the project was security graded and possibly covered by the object security regulations (yes/no).

B. Tenderers are required to have sufficient capacity to carry out the project.

The minimum requirement for the number of employees with relevant competence who can achieve personnel clearance and authorisation is 5.

Documentation that shall be submitted: Tenderers shall document the number of employees with relevant competence.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2. 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: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Negotiated

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged minimum number 3 and Maximum number 4

Objective criteria for choosing the limited number of candidates: The 3-4 best qualified in the qualification requirements stated in the notice point III.2.3 letters A and B will be selected in this competition. The documentation stated in the same point will form the basis for the selection. The contracting authority reserves the right to contact the reference persons for the reference projects that the tenderer has presented. The reference persons will then probably be sent a form where they will be asked to give points for different qualitative sides of the service provided. Information that is presented in any meetings and whilst obtaining references will also be included in the assessment of who will be chosen.

IV.1.3. 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 yes

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

An electronic auction has been used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

2017/321

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

IV.3.4. Time limit for receipt of tenders or requests to participate

7.8.2017 - 14:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

Other Norwegian.

Section VI: Complementary information

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

Security Graded Procurement — Strict Requirements

The Security Act and criminal liability:

The procurement is covered by the regulations on defence and security procurements (FOR-2013-10-04-1185 — hereafter FOSA) as the assignment will involve the tenderer's personnel getting access to information that should be screened.

Security is fundamental and security measures shall be integrated in the planning of the new government block. Large parts of the project and engineering design material will be security graded in accordance with the Act dated 20 March 1998 no. 10 on preventive security services (the Security Act), as the engineering design services involve handling and producing information worthy of screening/security graded material. The Act and accompanying regulations have particular requirements that the engineering design group must comply with. Breaches of the security provisions can lead to criminal liability.

The new government block will be exposed to threats of different characters, not least intelligence threats from different states, but also a terror threat. It is, therefore, considered that the procurement is of such a character that it entitles certain exemptions from the

procurement regulations in accordance with the EEA contract's art. 123, cf. the Public Procurement Act § 2 and FOSA § 1-3 (2). In order to limit the risk of spreading information that is of significant security interest, cf. the mentioned article 123, it is considered to be necessary to set requirements on, amongst other things, Norwegian personnel clearance and requirements on how and where suppliers handle security graded information. The threat level means, in other words, that we do not want to use clearance from foreign authorities. The following requirements will be set for security when the contract is implemented.

Security clearance and authorisation

The execution of the service contract and the engineering design services for the new government quarter will involve that access is given to security graded information on minimum level CONFIDENTIAL (hereafter C). This has led to it being necessary to set requirements that all those who shall work on the project must be able to get Norwegian personnel clearance and authorisation up to and including level C, cf. the Security Act § 19 and the regulations on personnel security, in particular chapter 4 and chapter 5, and §§ 2-1 to 2-2. Due to security considerations, the Norwegian authorities will not rely on foreign authorities' security clearances of their own citizens.

In practice the requirement for Norwegian personnel clearance means that it will mainly be Norwegian citizens who can get clearance and work on the project. Foreign citizens will also be able to get personnel clearance and authorisation, but only Norwegian citizens are deemed as sufficiently loyal and having associations to Norway. The importance of the home country's security will also be relevant. Foreign citizens who do not live or who have never lived in Norway, or who are only in Norway for work, will not normally be cleared. In addition to this, the degree of loyalty and association, including the home country's security importance, will be particularly emphasised when assessing personnel clearance. During the personnel clearance, information is also obtained on, amongst other things, personal finances, associations with other countries, health and any criminal records — see the Security Act §§ 21 and 22, as well as the regulations on personal security, particularly chapters 3 and § 3-4. The authorisation will be carried out by Statsbygg's security organisation having a conversation with the persons who shall be authorised. The discussion will take place to give information on the actual security provisions and to assess the person's security conduct. Security conduct will be assessed based on the Security Act §§ 21 and 22, as well as the regulations on personnel security, particularly §§ 2-2, 3-7, 5-2, 5-5 and 5-8.

The actual clearance and authorisation will take place after the contract has been signed. These processes take time and if there are negative security conditions attached to an applicant, the processing time is longer. Attention is drawn to the fact that it will be the tenderers' risk that personnel clearance and authorisation is refused or not achieved within specific deadlines that Statsbygg set, based on the ordinary processing time for applicants for clearance and authorisation. Detailed sanction rules for a breach of security provisions, missing clearance, loss of clearance etc. will be in the invitation to the negotiated procedure, but we would like to mention here that the conditions can be deemed as a significant breach, which in the worst case, can lead the contract being cancelled.

In the engineering design phase the Directorate of Public Construction and Property will establish a separate project office in Norway with a security certified ICT network. Personnel clearance will be a requirement for getting permanent access to the project office and the ICT network. The engineering design services, including work carried out by RIS, will be carried out in these premises.

Further Qualification Requirements:

In addition to the qualification requirements stated in point III.2.3 of the notice, the following applies:

Tenderers shall, during the competition and during the implementation of the contract, have

the ability to process and store security graded information to the extent and degree of security set for the procurement. Documentation that shall be submitted: 'Self-declaration on security requirements', signed and completed. If information is found on a tenderer that makes the contracting authority believe that the qualification requirement will not be fulfilled, the tenderer can be rejected. In such a case further documentation can be requested from the tenderer and /or Statsbygg itself will obtain further information.

VI.4. Procedures for review

VI.4.1. Review body

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

6.6.2017