

Denmark-Fredericia: Construction management services
OJ S 148/2016 03/08/2016
Contract notice – utilities
Services

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: DONG Energy Thermal Power A/S
Postal address: Kraftværkvej 53
Town: Fredericia
Postal code: 7000
Country: Denmark
Contact person: DONG Energy Thermal Power A/S
For the attention of: Simona Stropute
E-mail: sistr@dongenergy.dk
Telephone: +45 99556866

Internet address(es):

General address of the contracting entity: <http://www.dongenergy.com>

Electronic access to information: <https://goo.gl/UF4UE9>

Electronic submission of tenders and requests to participate: <https://goo.gl/UF4UE9>

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from: the abovementioned address

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

I.2. Main activity

Production, transport and distribution of gas and heat
Electricity

I.3. Contract award on behalf of other contracting entities

The contracting entity is purchasing on behalf of other contracting entities: yes

Official name: Cure DONG Energy RENescience B.V

Postal address: Koninginnegracht 19

Town: The Hague

Postal code: 2514 AB

Country: Netherlands

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting entity

RSC Cure NL Lot 13 — HSE and Construction Management.

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

Services

Service category No 27: Other services

Main site or place of performance: Bedrijventerrein GDC Eindhoven-Acht Achtseweg Noord (Woensel A4462 en A4465) 5651 GG Eindhoven Holland.
NUTS code NL414 Zuidoost-Noord-Brabant

II.1.3. Information about a framework agreement or a dynamic purchasing system

The notice involves a public contract

II.1.4. Information about framework agreement

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

Cure DONG Energy REnescience B.V has decided to establish a plant for a complete handling of unsorted household waste (Municipal Solid Waste — MSW). DONG Energy Thermal Power A/S will be responsible for the execution of the project on behalf of Cure DONG Energy REnescience B.V.

The project, RSC Cure NL will be based on DONG Energy's REnescience Technology, which is a technology for treatment of unsorted household waste. The purpose of the process is sorting and refining the waste for utilization in the production of bioliquid for biogas production, 2D material such as folios of e.g. plastics for the making of RDF and 3D materials such as bottles and cans for the purpose of re-cycling.

The plant will be established in Eindhoven, Holland, during calendar year 2017-2018 and will be designed with a capacity of 120 000 ton of household waste per year or 15 t/h.

This pre-qualification is specific to the RSC Cure NL HSE and Construction Management referred to as Lot 13, which consists of following examples of services (the list is not exhaustive):

- Site management/ construction management;
- HSE management, health, safety, environment;
- Erection supervision, including quality, mechanical, electrical, control and instrumentation, civil supervisions;
- Commissioning management, including quality, mechanical, electrical, control and instrumentation, civil supervisions;
- Safety coordination;
- From defined point in project execution, the technical project engineering.

More detailed description of scope of work can be found in 'Tender Conditions' document on SCANMARKET, as per section I.1) Internet addresses.

II.1.6. CPV code(s)

71540000 Construction management services, 71317210 Health and safety consultancy services, 90721000 Environmental safety services, 90714600 Environmental security control services, 90714500 Environmental quality control services, 71247000 Supervision of building work, 71248000 Supervision of project and documentation, 71520000 Construction supervision services, 71521000 Construction-site supervision services

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Information about 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

II.2.2. Information about options

Options: yes

Description of options: Option 1: Additional 10 000 hours (20 000 to 30 000 hours);

Option 2: Additional 10 000 hours (30 000 to 40 000 hours).

The contracting Entity might wish to exceed the initially intended total of 20 000 hours to be purchased under the Contract and therefore may choose to exercise the Option 1 and may choose to exercise Option 2, in each case to the extent needed to satisfy the needs of Contracting Entity.

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Duration in months: 48 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Conditions relating to the Contract will be stated in the tender documents (on SCANMARKET, as per section I.1)) Internet addresses), however, please note that the Contracting Entity reserves the right to demand an on demand performance bond of a value of 1 000 000 EUR issued by an entity (e.g. bank or insurance company) acceptable to the Contracting Entity. Please note that the choice of law of such performance bond will be the same as the contract and is not negotiable.

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

Please see the tender documents (on SCANMARKET, as per section I.1)) Internet addresses).

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

If several companies submit an offer in a consortium the tender must be submitted jointly by the companies who must assume joint and several liability for the tender submission and during the performance of the contracts. 1 of the consortium members must have full procurator to the contracting entity.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The contract is subject to Dutch law.

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Pursuant to Article 80 (3) of Directive 2014/25/EU of the European Parliament and of the Council, the applicant shall prove his eligibility by submitting the self-declaration form (European Single Procurement Document (ESPD)), in which the exclusion grounds are stated. The ESPD is uploaded in SCANMARKET.

The applicant shall insert the information in the ESPD. The ESPD .xml file is available for download in SCANMARKET (see section I.1)) Internet address). The applicant shall save the .xml file on its computer and import it on: <https://ec.europa.eu/growth/tools-databases/espdc> and complete the ESPD. The PDF version of filled out ESPD shall be uploaded to SCANMARKET (as per I.1)).

The applicant shall submit the following information in ESPD Part I:

A.0) Company name, address, mail, name and web-page;

A.1) Contact person's name, mail and phone number;

A.2) Registration (CVR no or VAT no);

A.3) Reliance on other economic operators — If the applicant is a subsidiary that relies on capacity of another economic operator, it needs to be indicated in ESPD Part II, section C and respective requirements of ESPD Part II, section C need to be complied with.

Minimum requirements (exclusion grounds):

— No ESPD included.

III.2.2. Economic and financial ability

List and brief description of conditions: B.1) The applicant shall submit information from annual accounts for the previous 2 (two) years, if possible. If the applicant is a newly established entity and therefore cannot provide 2 (two) years of annual accounts the applicant will have to submit information from its latest annual accounts or opening balance.

The assessment regarding the applicant's economic and financial standing will be based on information provided in ESPD Part IV section B. The applicant is requested to fill out the sections called:

- 'Specific yearly turnover', where the specific yearly turnover in the business area covered by the contract shall be provided;
- 'Set up of economic operator' if the applicant is a newly established entity;
- 'Other economic and financial requirements', where the following information from 2 (two) last financial years shall be provided by the applicant and evaluated by the contracting entity:
 - Turnover;
 - EBIT (operating result);
 - Result;
 - Intangible assets;
 - Tangible assets;
 - Cash and cash equivalents;
 - Current assets;
 - Total assets;
 - Equity, incl. minority interests;
 - Total debt;
 - Current liabilities;
 - External rating (S&P / Moodys).

B.2) If the applicant relies on the economic and financial capacity of another economic operator in order to fulfil the minimum requirement set out herein III.2.2) the applicant must submit the same information as mentioned under B.1) of this other economic operator and still the applicant must submit the information as mentioned under B.1).

If the applicant relies on the economic and financial capacity of other entities, then:

- 1) It needs to be clearly indicated in ESPD Part II, respective sections C and/or D (if the applicant relies on resources it would normally not rely on); and
- 2) The information regarding the economic and financial capacity shall be submitted for such entities.

If the other legal entity is a parent company to the applicant, it is possible to submit 1 ESPD

with information from consolidated accounts for the parent company instead of 2 ESPDs for both entities.

If the applicant is part of a profit sharing agreement with another legal entity, cf. for example the German Ergebnisabführungsvertrag or the Dutch Civil Code article 2:403 (a '403 statement' which is a declaration from a parent company, stating that the parent is liable for the obligations of its subsidiary) or equivalent legal arrangements, the evaluation of the applicants' financial standing will be based on the financial information from the financially strongest entity participating in the arrangement. If the applicant is part of a profit sharing agreement the information from annual accounts of the other legal entity for the previous 2 years should be submitted. The applicant is encouraged to explicitly mention the profit sharing arrangement in the ESPD Part V.

If a consortium applies for pre-qualification, the information above shall be submitted for each member of the consortium.

Minimum requirements (exclusion grounds):

— The yearly turnover of 5 000 000 (five million) EUR for the last 2 (two) financial year for the applicant or the consortium.

III.2.3. Technical and professional ability

List and brief description of conditions: C.1) The applicant shall submit a complete description of the applicant's Quality, Health, Safety and Environmental management systems including whether the Quality, Health, Safety and Environmental management system is certified according to ISO9001, OHSAS18001 and ISO14001.

If the applicant is certified according to ISO9001, OHSAS18001 and ISO14001 the certificate will be considered a complete description.

If the applicant is not certified, the applicant can submit overall description of its own developed QHSE management system with cross-references to ISO/OHSAS standards (max. 10 pages excl. enclosure. If more than 10 pages are submitted, only the 1st 10 pages will be considered).

The documentation can be send either in English or Danish.

The assessment regarding the applicant's QHSE management systems will be based on information provided in ESPD Part IV section D. If applicant does not have the formal certification, the description of the QHSE management systems can be provided and will be evaluated. Such description shall be named in ESPD Part V and can be uploaded on SCANMARKET.

D.1) The applicant must enclose a reference list including specified similar works that the applicant has executed from 1.8.2011-1.8.2016. The reference projects shall be included in ESPD Part IV section C 'For service contracts: performance of services of the specified type'. Please specify in 'Description' field the correlation between reference project and the current project. In addition, if applicable, information regarding contractors or sub-contractors' role in the project should be listed.

D.2) The applicant is requested to fill out the ESPD Part IV section C 'Average annual manpower'. The average annual manpower shall be as stated in the applicant's annual accounts. If the applicant relies on the technical/professional capacity of another economic operator, in addition to D.1) the applicant must submit information as mentioned under D.1) above for this other economic operator. If the applicant relies on the capacities of the other economic operators in this respect, it need to be clearly indicated in the ESPD Part V.

If a consortium submits a request for participation, information must be submitted for each member of the consortium to the extent this is relevant taking into account the consortium members' expected responsibilities in the delivery of the works.

Minimum requirements (Exclusion grounds):
— No references as per D.1) and D.2) above included at all.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Negotiated

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

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

RSC Cure NL LOT 13

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents

(except for a DPS)

Payable documents: no

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

15.8.2016 - 10:00

IV.3.5. Languages in which tenders or requests to participate may be submitted

Danish. English.

IV.3.6. Minimum time frame during which the tenderer must maintain the tender

IV.3.7. Conditions for opening of tenders

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

The contract will be awarded to the Tenderer that has submitted the most economically advantageous tender based on the criteria set out in the Tender Documents. The negotiated procedure will be used according to Directive 2014/25/EC of the European Parliament and of the Council of 26.2.2014.

Maximum 5 (five) applicants will be pre-qualified for the tender procedure.

If the number of applicants applying for pre-qualification exceeds 5, the Contracting Entity will perform the Pre-qualification of applicants meeting the minimum requirements as set out in sections III.2.1)-III.2.3) shall be based on an evaluation of each applicant's respective (prioritized order):

1. Technical ability — Reference as per III.2.3) D (60 %). Evaluation of reference projects will be based on experience with delivery similar HSE and Construction Management works. The more relevant the reference to the current project, regarding complexity, size and local conditions, the better evaluation;
2. Economic and financial standing as per III.2.2) (20 %). The better financial and economic standing, the better the evaluation;
3. Technical ability — Quality management systems III.2.3) C.1) (10 %);
4. Technical ability — Health and safety management systems III.2.3) C.1) (5 %);
5. Technical ability — Environmental management systems III.2.3) C.1) (5 %).

If the applicant provides its own description of QHSE system — it will be considered positive the more detailed information and the more relevant procedures.

The 5 (five) best applicants will be pre-qualified.

DONG Energy reserves the right — subject to the applicable law, the principles of equal treatment and transparency — to request an applicant to submit missing or insufficient information according to section III.2.1)-III.2.4) or, if applicable, to use information already in the Contracting entity's possession; or obtain such information provided it is publicly available. However, the contracting entity is not obliged to do so. 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. Please be advised that all communication regarding this tender procedure will be in English.

The deadline in IV.3.4) is Copenhagen Time.

The contract is expected to contain provisions regarding assignment of the rights and obligations of the contracting entity to entities within the DONG Energy group including a right to assign the contract to DONG Energy Thermal Power A/S, as well as consortium partners within Cure DONG Energy REnaissance B.V.

Important Notice Regarding SCANMARKET: Applicant shall upload all the information and documents intended to be available to DONG Energy on SCANMARKET (as per I.1) Internet address) at the deadline (as per IV.3.4)). These documents and information will therefore be considered as the conclusive/complete application (i.e. application considered complete even without pressing 'Finalize participation'). In order to obtain a receipt for your submission, please press 'Finalize participation'.

VI.4. Procedures for review

VI.4.1. Review body

Official name: District Court of Amsterdam

Postal address: PO Box 84500

Town: Amsterdam

Postal code: 1080 BN

Country: Netherlands

Telephone: +31 0205412111

Internet address: <https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Rechtbanken/Rechtbank-Amsterdam/Contact/Paginas/default.aspx#5755dfd5-5eb8-4aef-a26e-f366f7072ec10>

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

29.7.2016