

Belgium-Brussels: Liquid nitrogen
OJ S 157/2016 17/08/2016
Contract notice – utilities
Supplies

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: Fluxys Belgium SA
Postal address: Avenue des Arts 31
Town: Brussels
Postal code: 1040
Country: Belgium
For the attention of: Jean-François Decloux
E-mail: jean-francois.decloux@fluxys.com
Telephone: +32 2826725
Fax: +32 22301857

Internet address(es):

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

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
Port-related activities

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

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

Official name: Fluxys LNG N.V
Postal address: Rue Guimard 4
Town: Brussels
Postal code: 1040
Country: Belgium

Section II: Object of the contract

II.1. Description

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

Supply of bulk LIN (Liquid Nitrogen) by truck and buffering.

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

Supplies
NUTS code BE Belgique / België

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 4

Duration of the framework agreement

Duration in months: 61

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

Supply of bulk LIN (Liquid Nitrogen) by truck (approximately 6 000T / year) and buffering.

II.1.6. CPV code(s)

24111800 Liquid nitrogen

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: yes

Tenders may be submitted for one or more lots

II.1.9. Information about variants

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Supply of bulk LIN (Liquid Nitrogen) by truck and buffering.

II.2.2. Information about options

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Information about lots

Lot No: 1

Lot title: LNG-Terminal Zeebrugge: jetty 1 and 2

1) Short description

Supply of bulk LIN at the LNG-Terminal Zeebrugge (jetty 1 and 2 tanks, approximately 2 000 MT/year).

2) CPV code(s)

24111800 Liquid nitrogen, 44612000 Liquefied-gas containers

4) Indication about different time frame or duration

Start 1.1.2017 Completion 31.12.2021

Lot No: 2

Lot title: LBP Dudzele tank

1) Short description

Supply of bulk LIN at the LBP Dudzele (main reservoir and podded tank, approximately 3 500 MT/year).

2) CPV code(s)

24111800 Liquid nitrogen, 44612000 Liquefied-gas containers

4) Indication about different time frame or duration

Start 1.1.2017 Completion 31.12.2021

Lot No: 3

Lot title: LBP Dudzele podded tank

1) Short description

Supply of bulk LIN at the LBP Dudzele (podded tank, approximately 100MT/year) including renting of the podded tank of capacity approximately 60 000 litre with 1 vaporiser for the production of gaseous nitrogen at 3,5 bar.

2) CPV code(s)

24111800 Liquid nitrogen, 44612000 Liquefied-gas containers

4) Indication about different time frame or duration

Start 1.12.2016 Completion 31.12.2021

Lot No: 4

Lot title: LBP Dudzele standby 1

1) Short description

Standby contract for the supply on call only of bulk LIN at the LBP Dudzele (main reservoir, from approximately 1 000 up to 3 000 MT/year — delivery rate 2 to 6 25MT trucks/day).

2) CPV code(s)

24111800 Liquid nitrogen, 44612000 Liquefied-gas containers

4) Indication about different time frame or duration

Start 1.1.2017 Completion 31.12.2021

Lot No: 5

Lot title: LBP Dudzele standby 2

1) Short description

Standby contract for the supply on call only of bulk LIN at the LBP Dudzele (main reservoir, from approximately 1 000 up to 3 000 MT/year — delivery rate 2 to 6 25MT trucks/day).

2) CPV code(s)

24111800 Liquid nitrogen, 44612000 Liquefied-gas containers

4) Indication about different time frame or duration

Start 1.1.2017 Completion 31.12.2021

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

In case of grouping of companies, such as a temporary consortium or a joint venture, a 'leader' should be designated and the different members of this grouping agree to be held jointly and

severally liable towards Contracting Entity. Supplementary information about the consortium or joint venture (such as but not limited to roles, responsibilities, address, pen-holder) are to be provided.

III.1.4. Contract performance conditions

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

Description of particular conditions: The Contracting Entity's terms and conditions will apply.

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: — Any information given shall be completed and/or substantiated when requested by Contracting Entity. At its sole discretion, Contracting Entity may decide that applicants may update their application file in any phase of this selection and award procedure;

— After submission of its file, the applicant should immediately notify Contracting Entity of any subsequent changes which might affect the information provided, and this during the whole award procedure;

— Contracting Entity hereby informs applicants that the selection phase may take longer than 6 months.

2.1.0. Personal situation and general requirements:

— Applicants have to send 1 paper printed and 1 USB/CD-version of their application file by 12:00 of the date as specified in 'Time limit for receipt of tenders or requests to participate'. Except if a new date is announced by a Corrigendum on SIMAP, files received after this date are automatically excluded;

— Applicant will be excluded if the application file does not contain the requested information listed in Section III.2) "Conditions for participation";

— Applicant shall clearly mention the company's full name, including RPR number, VAT number, full address, legal form and leader of the consortium (if applicable);

— In case of a consortium at least a 'letter of consent' between consortium members shall be presented and all members of the consortium have to provide the required information. If not all information is provided for each of the proposed consortium partners, the applicant file of the consortium is immediately excluded as a whole and will not be transformed in a stand alone qualification file of 1 (or more) of the consortium partner(s).

2.1.1. When applying, the applicants will expressly declare in 1 signed letter:

— The lots for which they apply: All Lots — Lot 1 — Lot 2 — Lot 3 — Lot 4 — Lot 5 or a combination of Lots (to be specified);

— That they are established in a EU member state or in an EFTA country;

— That they have at least one (1) staff member who is proficient in Dutch, French or English in order to understand technico-commercial inquiries and/or contract negotiations;

— That they are prepared to sign a confidentiality agreement upon request of Contracting Entity;

2.1.2. When applying, the applicants will expressly declare in 1 signed letter, they:

a) Are not in a situation of bankruptcy, liquidation, ceasing business, composition or preventive composition or a similar situation which exists in their national laws and rules;

b) Have not been convicted through a res judicata sentence for an offence liable to affect their professional morality;

c) Have not committed a serious offence whatsoever, on a professional level, and which the Contracting Entity can establish by any means;

d) Have met their obligations as to the payment of social security contributions and taxes

according to legal provisions applicable in the country where they are settled and/or in Belgium. Important remark: Companies with social/fiscal debts in Belgium at the time of submission of the application and/or at any later moment during this award procedure, must provide Contracting Entity with a certification mentioning the exact amount of the debts.

2.1.3. When applying, following information is to be enclosed (or clearly listed with indication 'not available'):

— A list of their customers representing each more than 20 % of their turnover, indicating the percentages for the last three (3) years, if any (Contracting Entity reserves the right to seek references).

III.2.2. Economic and financial ability

List and brief description of conditions: 2.2.1. Financial:

When applying, the applicants shall provide:

- If the company is part of a group: the corporate structure, including information on inter-company relations, if any, such as PLTA (Profit and Loss Transfer Agreement), PCG (Parent Company Guarantee) or full liability declaration;
- If the company is not part of a group: declaration that the company is not part of a group;
- The consolidated audited financial statements (income statement and balance sheet) for the 3 previous financial years of the company, or, if the company is rated by Moody's, S&P and/or Fitch, the Moody's, S&P and/or Fitch rating of the company.

Applicant will be excluded (or by replacement its ultimate guarantor, if any) when:

- If rated by S&P, Moody's, Fitch: applicants with rating < BBB-/Baa1;
- For applicants without rating, if solvability:
 - a) (Equity/Total liabilities) over the past year <10 %, or
 - b) If (Equity/Fixed Assets) over the past year <30 %.

2.2.2. Insurances:

Applicant shall provide a valid General Liability Insurance certificate representing a coverage of not less than 1 250 000 EUR each and every loss, all damage combined. If such an Insurance certificate is not available at the moment of introducing the application, applicant shall deliver a sworn statement declaring that the applying company will be covered by such Insurance contract as from award on. If applicant is not based in Belgium, he will also declare that a Workmen's Compensation Insurance or equivalent is in place. Insurance(s) issued by a well-established European Insurance company will be valid for the whole period from award till end of Scope of Work, or replaced by an equivalent insurance without any time laps between insured periods. Where necessary, Contracting Entity will make inquiries with the applicant for more information. Applicant commits to submit to Contracting Entity any renewal of the above-mentioned Insurance certificates during the whole selection, tendering and contracting process.

III.2.3. Technical and professional ability

List and brief description of conditions: 2.3.1. When applying, the applicants will expressly:

- Declare being able to supply LIN of a quality of minimal: Oxygen content < 5 vol. ppm / Purity: 99,996 % / Dew-point: At least -70° / Humidity: < 2 Vol. ppm;
- Demonstrate that it has successful experience in Europe as main contractor in the execution of at least 2 contracts for bulk LIN supply by truck within the last 3 years;
- Provide evidence of its experience with a quality and security plan for similar supplies and in existing facilities. In particular, applicants will have a ISO 9000 or at least a quality management system satisfying the essential elements of ISO 9001. In this respect, the certificate, the delivery date and the institution granting the certificate, shall be indicated. Applicants without ISO 9000 certificate have to prove that the follow-up and the conducting of subcontractors and suppliers are determined in a quality system compliant with applicable

conditions 7.1, 7.2, 7.4, 7.5, 8.2.4 and 8.3 of ISO 9001. For Joint Ventures, the certificate holder must master the project quality system. The quality system must be applicable on-site also;

- Prove of experience or knowledge of the of environmental criteria applicable in Belgium;
- Provide (Belgian) VCA certificate (or equivalent). In this respect, the certificate, the delivery date and the institution granting the certificate shall be indicated;
- Provide a copy of the applicant's HSE policy, as well as its detailed incident procedure (and related forms);
- Prove by means of CV's that they have at least 2 staff members assignable at their order intake organisation / client support, in charge of executing the contract who is fluent in Dutch.

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

CE/APN1615

IV.3.2. Previous publication concerning this procedure

IV.3.3. Conditions for obtaining specifications and additional documents

(except for a DPS)

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

15.9.2016 - 12:00

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

English. French. Dutch.

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

VI.2. Information about European Union funds

VI.3. Additional 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

12.8.2016