

298555-2025 - Competition

Norway – Fish, crustaceans and aquatic products – 2024044085 - Delivery of fresh and frozen fish

OJ S 90/2025 12/05/2025

Contract or concession notice – standard regime

Supplies

1. Buyer

1.1. Buyer

Official name: FORSVARSMATERIELL

Email: ipetersen@mil.no

Legal type of the buyer: Defence contractor

Activity of the contracting authority: Defence

2. Procedure

2.1. Procedure

Title: 2024044085 - Delivery of fresh and frozen fish

Description: The Norwegian Defence Materiel Agency (FMA) shall enter into a framework agreement to cover the Norwegian Armed Forces' requirements for delivery of fresh and frozen fish. FMA refers to the attached tender documentation for further information, including specifications, award criteria and more information. The estimated value of the procurement is NOK 300 million excluding VAT, the maximum value is NOK 500 million excluding VAT, over the duration of the agreement.

Procedure identifier: 3a24c0ed-83c3-4d81-b3ae-fcbb88bd0124

Internal identifier: 2024044085

Type of procedure: Open

The procedure is accelerated: no

Main features of the procedure: The Norwegian Defence Materiel Agency (FMA) shall enter into a framework agreement to cover the Norwegian Armed Forces' requirements for delivery of fresh and frozen fish. FMA refers to the attached tender documentation for further information, including specifications, award criteria and more information. The estimated value of the procurement is NOK 300 million excluding VAT, the maximum value is NOK 500 million excluding VAT, over the duration of the agreement.

2.1.1. Purpose

Main nature of the contract: Supplies

Main classification (cpv): 03310000 Fish, crustaceans and aquatic products

Additional classification (cpv): 03311000 Fish, 03312000 Crustaceans, 03313000 Aquatic products, 15110000 Meat, 15200000 Prepared and preserved fish, 15210000 Fish fillets, fish livers and roe, 15211000 Fish fillets, 15220000 Frozen fish, fish fillets and other fish meat, 15230000 Dried or salted fish; fish in brine; smoked fish, 15241000 Coated, canned or tinned fish, 15250000 Seafood

2.1.2. Place of performance

Country: Norway

Anywhere in the given country

2.1.3. Value

Estimated value excluding VAT: 500 000 000,00 NOK

2.1.4. General information

Legal basis:

Directive 2014/24/EU

Anskaffelsesforskriften - This procurement will be made in accordance with the Act from 17 June 2016 no. 73 on public procurements (the Public Procurement Act - LOA) and the regulations 12 August 2016 no. 974 on public procurements (procurement regulations - FOA). The procurement will be carried out in accordance with the 'open tender contest' procedure in accordance with PPR § 13-1 first section.

2.1.6. Grounds for exclusion

Sources of grounds for exclusion: Notice

Corruption: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a enforceable verdict has been convicted of corruption by a verdict handed down not more than five years ago, or a rejection period determined directly in the judgement that still applies? Corruption as defined in Article 3 of the Convention on Combating Corruption, Involving European Communities or European Union Member States (EUT C 195 of 25.6.1997, s. 1), and in Article 2, point 1, in the Council's framework decision 2003/568/RIA of 22 July 2003 on combating corruption in the private sector (EUT L 192 of 31.7.2003, p. 54). This rejection reason also includes corruption as defined in national law for the contracting authority or supplier.

Fraud: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, at the time a legally convicted of fraud has been convicted of fraud by a verdict handed down not more than five years ago, or a rejection period determined directly in the judgement that still applies? Fraud included in Article 1 of the Convention on protection of the Financial Interests of the European Communities (EFT C 316 of 27.11.1995, p. 48).

Money laundering or terrorist financing: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of money laundering or financing terrorism by a verdict handed down no more than five years ago, or a rejection period set out directly in the judgement that still applies? Money laundering or financing terrorism As defined in Article 1 of the European Parliament and Council Directive 2005/60/EF of 26 October 2005 on preventive measures against the use of the financial system for money laundering and financing terrorism (EUT L 309 of 25.11.2005, p. 15).

Participation in a criminal organisation: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, at the time a legally convicted verdict of participation in a criminal organisation by a verdict handed down no more than five years ago, or a rejection period set out directly in the judgement that still applies? Participation in a criminal organisation as defined in Article 2 of the Council's framework decision 2008/841/RIA of 24 October 2008 on control of organised crime (EUT L 300 of 11.11.2008, p. 42)

Terrorist offences or offences linked to terrorist activities: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body, or has

the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of acts of terrorism or criminal acts connected to terrorist activities by a verdict handed down no more than five years ago, or a rejection period set out directly in the judgement that still applies? Acts of terrorism or criminal acts relating to terrorist activity as defined in Article 1 and 3 of the Council's framework decision 2002/475/RIA of 13 June 2002 on combating terrorism (EFT L 164, af 22.6.2002, p. 3). This rejection reason also includes incitement to, participation or attempts to commit such actions as included in Article 4 in the mentioned framework decision.

Child labour and including other forms of trafficking in human beings: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of child labour and other forms of human trafficking by a verdict handed down no more than five years ago, or a rejection period determined directly in the judgement that still applies? Child labour and other forms of human trafficking as defined in Article 2 of the European Parliament and council directive 2011/36/EU of 5. 1 April 2011 on the prevention and control of human trafficking and the protection of its victims and for compensation of the Council's framework decision 2002/629/RIA (EUT L 101 of 15.4.2011, p. 1).

Breaching of obligations in the fields of environmental law: Is the tenderer aware of breaches of environmental provisions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Breaching of obligations in the fields of labour law: Is the tenderer aware of breaches of provisions on working conditions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Breaching of obligations in the fields of social law: Is the tenderer aware of breaches of provisions on social conditions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Agreements with other economic operators aimed at distorting competition: Has the tenderer entered into agreement(s) with other tenderers with the intention of turning the competition?

Grave professional misconduct: Has the tenderer committed serious errors in professional practice? If relevant, see the definitions in national law, the relevant notice or procurement documents.

Misrepresentation, withheld information, unable to provide required documents or obtained confidential information of this procedure: Have the tenderer: a) given grossly incorrect information when notifying the information required to verify that there is no basis for rejection, or of the qualification requirements being met, b) failed to provide such information, c) subject to immediately submitting the supporting documents requested by the Contracting Authority, or d) improperly affecting the Contracting Authority's decision process to acquire confidential information that could give this an unlawful advantage in connection with competition, or negligently has given misleading information that can have a significant influence on decisions on rejection, selection or award?

Conflict of interest due to its participation in the procurement procedure: Are tenderers aware of a conflict of interest as stated in national law, the relevant notice or procurement documents?

Direct or indirect involvement in the preparation of this procurement procedure: Has the tenderer or an entity associated with the supplier advised the contracting authority or in another way been involved in the planning of the competition?

Early termination, damages, or other comparable sanctions: Has the tenderer committed significant breaches of contract in connection with the fulfilment of a previous public contract, a

previous contract with a public contracting authority or a previous concession contract, where the breach has led to the cancellation of the contract, compensation or other similar sanctions? Breaching of obligations set under purely national exclusion grounds: The contracting authority shall state that in Norway there are national rejection reasons. These shall be described in the procurement documents. Tenderers must respond to whether they are in one or more of the situations described in the national rejection reasons. Will the purely national rejection reasons, as stated in the relevant notice or in the procurement documents, apply?

Breaching obligation relating to payment of social security contributions: Have tenderers failed to fulfil all their social security obligations in the country where they are established and in their member state, if this is a different country than what he is established in?

Breaching obligation relating to payment of taxes: Has the tenderer not fulfilled his tax and duty obligations in the country in which he is established, and in the contracting authority's member state, if this is a different country than what he is established in?

Business activities are suspended: Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Bankruptcy: Is the tenderer in a bankruptcy situation? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Arrangement with creditors: Is the supplier in a situation where he has been forced debt arrangement? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Insolvency: Is the tenderer in an insolvency situation? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Assets being administered by liquidator: Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Analogous situation like bankruptcy, insolvency or arrangement with creditors under national law: Is the supplier in a situation where he has been forced debt arrangement? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

5. Lot

5.1. Lot: LOT-0000

Title: 2024044085 - Delivery of fresh and frozen fish

Description: The Norwegian Defence Materiel Agency (FMA) shall enter into a framework agreement to cover the Norwegian Armed Forces' requirements for delivery of fresh and frozen fish. FMA refers to the attached tender documentation for further information, including specifications, award criteria and more information. The estimated value of the procurement is NOK 300 million excluding VAT, the maximum value is NOK 500 million excluding VAT, over the duration of the agreement.

Internal identifier: 2024044085

5.1.1. Purpose

Main nature of the contract: Supplies

Main classification (cpv): 03310000 Fish, crustaceans and aquatic products

Additional classification (cpv): 03311000 Fish, 03312000 Crustaceans, 03313000 Aquatic products, 15110000 Meat, 15200000 Prepared and preserved fish, 15210000 Fish fillets, fish livers and roe, 15211000 Fish fillets, 15220000 Frozen fish, fish fillets and other fish meat, 15230000 Dried or salted fish; fish in brine; smoked fish, 15241000 Coated, canned or tinned fish, 15250000 Seafood

5.1.2. Place of performance

Country: Norway

Anywhere in the given country

5.1.3. Estimated duration

Duration: 48 Months

5.1.5. Value

Estimated value excluding VAT: 500 000 000,00 NOK

5.1.6. General information

Reserved participation:

Participation is not reserved.

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): no

5.1.9. Selection criteria

Sources of selection criteria: Notice

Criterion: Enrolment in a trade register

Description of selection criterion: Tenderers are registered in a company register or a trade register in the member state in which the tenderer is established. As described in annex XI of directive 2014/24/EU; suppliers from certain member states may have to fulfil other requirements in the mentioned annex. Minimum qualification requirements Qualification requirement: Tenderers shall be registered in a company register or trade register in the country where the tenderer is established. Documentation requirement: Norwegian tenderers: Fimaat certificate Foreign tenderers: Confirmation that the tenderer is registered in a company register or a commerce register in the country where the tenderer is established.

Criterion: Other economic or financial requirements

Description of selection criterion: Regarding any other economic and financial requirements that have been stated in the notice or in the procurement documents, the tenderer declares that: Minimum qualification requirements QUALIFICATION REQUIREMENT: Tenderers shall have the necessary economic and financial capacity to fulfil the contract. It is sufficient to fulfil the requirement that the tenderer has achieved the credit rating of "credit worthy" or equivalent. DOCUMENTATION REQUIREMENT: Credit rating from a certified credit rating

company based on the last known accounting figures. The assessment must not be more than three months old.

Criterion: Certificates by quality control institutes

Description of selection criterion: **QUALIFICATION REQUIREMENT:** Tenderers shall have a quality assurance system that shall contain a minimum of: 1) that the tenderer has procedures to ensure compliance with all laws and regulations, such as the part of the entity that shall work with this contract is covered by. **DOCUMENTATION REQUIREMENT:** A description of the tenderer's quality assurance methods. If a tenderer is certified in accordance with ISO 9001 or equivalent standards, it will be sufficient to submit a copy of a valid certificate to fulfil this sub-point.

Criterion: Certificates by independent bodies about environmental management systems or standards

Description of selection criterion: 629 / 5 000 Environmental management system Qualification requirements: The supplier must have a documented and valid environmental management system, which consists of the following elements: - A system for the company's environmental concerns and environmental policy, - Strategy for competence in the environmental field, - Procedures for implementing the agreement in an environmentally sound manner. Documentation requirements: Description of environmental management measures implemented in the company, which shows that the system includes the aforementioned points. If the supplier is certified according to ISO 14001, Miljøfyrtårn, EMAS or equivalent standards, it will be sufficient to provide a copy of a valid certificate.

5.1.11. Procurement documents

Deadline for requesting additional information: 02/06/2025 10:00:00 (UTC+00:00) Western European Time, GMT

Address of the procurement documents: <https://permalink.mercell.com/256378799.aspx>

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://permalink.mercell.com/256378799.aspx>

Languages in which tenders or requests to participate may be submitted: Norwegian

Electronic catalogue: Not allowed

Advanced or qualified electronic signature or seal (as defined in Regulation (EU) No 910/2014) is required

Variants: Not allowed

Deadline for receipt of tenders: 13/06/2025 10:00:00 (UTC+00:00) Western European Time, GMT

Duration during which the tender must remain valid: 110 Days

Information about public opening:

Opening date: 13/06/2025 10:00:00 (UTC+00:00) Western European Time, GMT

Terms of contract:

The execution of the contract must be performed within the framework of sheltered employment programmes: No

Electronic invoicing: Required

Electronic ordering will be used: yes

Electronic payment will be used: yes

5.1.15. Techniques

Framework agreement:

Framework agreement, without reopening of competition

Maximum number of participants: 99

Information about the dynamic purchasing system:

No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Oslo tingrett

Organisation providing more information on the review procedures: FORSVARSMATERIELL

8. Organisations

8.1. ORG-0001

Official name: FORSVARSMATERIELL

Registration number: 916075855

Postal address: Grev Wedels plass 1

Town: OSLO

Postcode: 0151

Country subdivision (NUTS): Oslo (NO081)

Country: Norway

Contact point: Ingrid Margrethe Petersen

Email: ipetersen@mil.no

Telephone: 63808999

Internet address: <https://FMA.NO>

Roles of this organisation:

Buyer

Organisation providing more information on the review procedures

8.1. ORG-0002

Official name: Oslo tingrett

Registration number: 926725939

Postal address: Postboks 2106 Vika

Town: Oslo

Postcode: 0125

Country subdivision (NUTS): Oslo (NO081)

Country: Norway

Roles of this organisation:

Review organisation

Notice information

Notice identifier/version: e743426a-543b-4a3a-aecc-66fb1b1ee8eb - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice subtype: 16

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