

Denmark-Copenhagen: Architectural, construction, engineering and inspection services
OJ S 108/2023 07/06/2023
Contract award notice – utilities
Services

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Metroselskabet I/S

Postal address: Metrovej 5

Town: København

NUTS code: DK01 Hovedstaden

Postal code: 2300

Country: Denmark

Contact person: Vibeke Jessen

E-mail: vij@m.dk

Internet address(es):

Main address: www.metroselskabet.dk

I.6. Main activity

Recreation, culture and religion

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Østhavn Metro line, Consultancy Environmental Impact Assessment (EIA), Concept- and Reference Design

II.1.2. Main CPV code

71000000 Architectural, construction, engineering and inspection services

II.1.3. Type of contract

Services

II.1.4. Short description

Østhavn M5 is a new metro line that will connect the new city development areas to the east of Copenhagen, including Lynetteholmen, Refshaleøen and Kløverparken with the existing city and transport network. Currently, there are 2 possible main scenarios for the alignment of M5. M5 Orange via Amagerbrogade– from København Hovedbanegård (Kh) to Lynetteholm via Amager, with possibilities to extend to Østerport (KK) or Nordhavn. M5 Purple from Lynetteholm to Prags Boulevard Øst via Kk, Kh and following the same alignment than M5 Orange between Kh and Prags Boulevard ØstAmager.

Currently, Metroselskabet is awaiting a decision in regards to which of the two possible lines will be preferred. Thus, the contract is procured in two (2) lots (Lot 1: M5 Orange, Lot 2: M5 Purple). Once the political decision on which line to move forward has been made,

Metroselskabet will cancel the lot not chosen, please refer to section II.2.4) and section VI. 3.6).

II.1.6. Information about lots

This contract is divided into lots: yes

II.2. Description

II.2.1. Title

M5 Purple (Østhavn Metro line, Consultancy Environmental Impact Assessment (EIA), Civil Works Concept and Reference Design_M5 Purple)

Lot No: 2

II.2.2. Additional CPV code(s)

71000000 Architectural, construction, engineering and inspection services, 71300000 Engineering services, 71310000 Consultative engineering and construction services, 71330000 Miscellaneous engineering services, 71311000 Civil engineering consultancy services, 71311200 Transport systems consultancy services, 71311230 Railway engineering services, 71313400 Environmental impact assessment for construction, 71317200 Health and safety services, 71313000 Environmental engineering consultancy services

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

Main site or place of performance: Copenhagen

II.2.4. Description of the procurement

The new metro line M5 Østhavn will connect the new city development areas to the east of Copenhagen including Lynetteholmen, Refshaleøen and Kløverparken with the existing city and transport network.

The project is divided into five phases:

Phase 1: Programme study (already completed)

Phase 2.1: Conceptual design (civil works) and EIA (this contract notice)

Phase 2.2: Reference design and production of construction contract documents (this contract notice)

Phase 3: Procurement and contracting (this contract notice)

Phase 4: Follow-up during the construction phase (Option 1, please refer to section II.2.11)

The main construction contract will be procured as a 'Design and Build' contract based on the reference design made by the consultant. There may also be further smaller construction contracts that are procured as construct only based on the consultants detailed design, for example advanced works.

The consultancy services consist of (the list is not exhaustive):

-EIA

-Design Management

-ICT Management

-Conceptual Design,

-Reference Design

-Develop and prepare the requirements for the construction contractor

-Prepare procurement strategy for the construction contract

-Development of BIM- model for all infrastructure elements

-Develop and prepare requirements for the contractors use of the BIM model

-Be in charge of the innovation process, develop idea-catalogue, prepare basis for decisions, time schedule etc.

-Prepare basis for decisions in regards, to the technical aspects of the project, e.i in regards to the innovation process, technical solutions, sustainability etc.

-Assistance to Metroselskabet during construction (option, please refer to section II.2.11)

Furthermore, the contract includes services such as preparation of reports, cost calculations, scheduling, produce drawings, 3D model files etc.

The design must include development of BIM models for all infrastructure elements in accordance with the requirements defined in the tender material. Metroselskabet has high ambitions in regards to BIM, and the consultant is expected to have a high level of experience and knowledge regarding BIM. In addition, Metroselskabet intends to collaborate with the consultant by using BIM/GIS, which also requires experiences working with BIM/GIS.

Metroselskabet encourages the applicants to consider the requirements for the BIM services very carefully and if needed teaming up with specialists in working with BIM as sub-consultants.

During the design process the consultant must have a high focus on safety and the possible implications of their design. In addition, Metroselskabet has a high focus on minimizing the CO2 footprint, and the consultant is expected to develop an idea-catalogue as well as considering the possibilities identified by Metroselskabet for the design.

Innovation must be an integrated part of the design process. The process shall not only consider ideas already identified but also generate new ideas. Metroselskabet encourages the applicants to consider the innovation process very carefully and if needed consider teaming up with specialists in innovation processes as sub-consultants.

Metroselskabet strongly expects a decision on which alignment to be taken forward will be made during Q1 2023. If the decision on which alignment to move forward has not yet made when the deadline for submission of final tender response expires, the contract will not be awarded until such a political decision has been made. Metroselskabet reserves the right to purchase EIA for the not chosen line from the winning tenderer. Payment for the additional EIA will be negotiated based on the hourly rates offered by the winning tenderer. After completion of the EIA for both M5 Orange and M5 Purple, (if relevant) Metroselskabet reserves the right to exchange the originally chosen Metro line for the new chosen Metro line (phase 2.2, 3 and 4 (option)). Please refer to the tender documentation for further details.

II.2.5. Award criteria

Quality criterion - Name: Process / Weighting: 30

Quality criterion - Name: Organisation and key personnel / Weighting: 40

Cost criterion - Name: Price / Weighting: 30

II.2.11. Information about options

Options: yes

Description of options:

Option 1: Consultancy to Metroselskabet during construction phase (phase 4). The option consists of consultancy services to Metroselskabet during the construction phase, such as review of design, assessment of design solutions suggested by the contractor etc., follow up on BIM requirements etc. Please refer to M5-MS-ØHA-CNS-CWEIA-TEN-DO-005 Project and Work Description.

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

Ad II.2.6) It is a large scale project (irrespective of lot 1 or lot 2 is chosen) and there is a high degree of uncertainty in relation to the contract value.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive dialogue

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

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 196-557691](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a periodic indicative notice

Section V: Award of contract

Contract No: 1

Lot No: 2

Title:

M5 Purple (Østhavn Metro line, Consultancy Environmental Impact Assessment (EIA), Civil Works Concept and Reference Design_M5 Purple)

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

01/06/2023

V.2.2. Information about tenders

Number of tenders received: 4

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: yes

V.2.3. Name and address of the contractor

Official name: COWI A/S

Postal address: Parallelsvej 2

Town: Lyngby

NUTS code: DK013 Nordsjælland

Postal code: 2800

Country: Denmark

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Ove Arup & Partners Denmark A/S
Postal address: Axeltorv 2K
Town: Copenhagen
NUTS code: DK01 Hovedstaden
Postal code: 1609
Country: Denmark
The contractor is an SME: no

V.2.4. Information on value of the contract/lot

V.2.5. Information about subcontracting

V.2.6. Price paid for bargain purchases

Section VI: Complementary information

VI.3. Additional information

The application for prequalification must be submitted via Byggeprojekt.

Questions during the prequalification must be submitted by using the question/answer function in Byggeprojekt. Questions should be submitted no later than 26th of October 2022.

Metroselskabet will no later than 31st. of October 2022 release the answers.

Ad II.1.6) Applicants must submit application for prequalification for both lots. Please refer to III.1.2) and III.1.3).

Ad IV.2.6) The validity of the final tender must be 6 month calculated from the deadline for submission of final tender.

Ad III.1.4) Metroselskabet must exclude applicants from participation in the procurement if the applicant is covered by the mandatory grounds for exclusion in the Danish Procurement Act section 134A-136. Please, notice that some of the voluntary grounds for exclusion are made mandatory by section 136. Furthermore, Metroselskabet will exclude applicants, if the applicant is covered by ground for exclusion section 137, sub-section 1, no 1, no. 2, and no. 3. Please be aware of regulation 2022/576 of 8.th of April 2022, article 5k, by which public entities are not allowed to enter into contract with certain suppliers and individuals with connections to Russia. As part of the application the applicant must submit a declaration regarding sanctions against Russia. Please, refer to M5-MS-ØHA-CNS-CWEIA-TEN-DO-003-003 Declaration Sanctions Against Russia.

Metroselskabet will request documentation for the information given in the ESPD. The documentation will be requested at the time of debriefing of the applicants for the prequalification. Metroselskabet will request the following documentation:

Economic and financial standing:

Auditor´s report of the applicants financial standing

Technical and professional ability:

No documentation will be required.

Grounds for exclusion, except section 137, no.3:

For applicant registered in Denmark, a Serviceattest will be sufficient documentation. For applicants registered outside Denmark, please refer to <https://ec.europa.eu/tools/ecertis/#/homePage> for information on sufficient documentation for the mandatory and voluntary grounds for exclusion.

Grounds for exclusion, section 137 no 3:

If the applicant is a consortium/joint venture etc. a description of the composition of the consortium/joint venture must be submitted as part of the documentation. Furthermore, an

assessment made by an external legal adviser, documenting that the consortium/joint venture does not constitute an infringement of the Danish Competition Regulations (LBK no 360 of 04 /03/2021).

Metroselskabet uses the competitive dialogue procedure, c.f. Utilities Directive article 48 as procurement procedure. Metroselskabet has assessed that it is necessary to obtain the tenderers input and suggestions for the final tender documentation especially in regards, to the innovation process, the EIA and the digital requirements.

Metroselskabet intends to use the competitive dialogue procedure in order, to define and decide upon solution regarding technical issues and contractual issue such as:

- Reducing the CO2 foot print and building a sustainable metro in construction and in operation
- Developing the EIA structured around UNSDGs
- Developing the BIM requirements and collaboration using the BIM model
- Defining an innovation process with focus on sustainability from concept design to operation of the new metro line.

All parts of the tender documentation can be included in the dialogue phase, including the requirements for the services, schedule, terms of the contract etc.

Tenderers who submit a final compliant tender will receive DKK 300.000,00 in fee for participation in the competitive dialogue. The tenderer awarded the consultancy contract will not be eligible for fee for participation.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Danish Board of Complaints
Postal address: Nævnenes Hus, Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naeveneshus.dk
Telephone: +45 72405600
Internet address: www.naeveneshus.dk

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

In accordance with the act on the Complaint Board for Public Procurement, appeals regarding failure to become pre-qualified shall be submitted to the Complaint Board for Public Procurements within 20 calendar days, counting from the date after issue of notification to applicants regarding which applicants have been pre-qualified, cf. Section 2 (1) of the Act, if this notification includes a brief account of the relevant reasons for the decision. Other appeals must be submitted to the Complaint Board for Public Procurement within 45 calendar days after publication of announcements on a concluded contract in the Official Journal of the European Union.

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Competition and Consumer Agency
Postal address: Carl Jakobsens Vej 35
Town: Valby
Postal code: 2500
Country: Denmark
E-mail: kfst@kfst.dk
Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

02/06/2023