

Denmark-Taastrup: Parts of locomotives or rolling stock
OJ S 142/2020 24/07/2020
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DSB Vedligehold A/S

National registration number: 32788742

Postal address: Telegade 2

Town: Taastrup

NUTS code: DK011 Byen København

Postal code: 2630

Country: Denmark

Contact person: Lotte Ebbeskov

E-mail: loea@dsb.dk

Telephone: +45 24683110

Internet address(es):

Main address: www.dsb.dk

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/63264>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=274614&B=DSB

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=274614&B=DSB

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

I.6. Main activity

Railway services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Rubber Fronts for DSB Trainsets

II.1.2. Main CPV code

34631000 Parts of locomotives or rolling stock

II.1.3. Type of contract

Supplies

II.1.4. Short description

DSB Maintenance has the need new Rubber Fronts for litra MF (IC3) and ER (IR4). The existing Rubber Fronts are continually replaced either due to wear or due to accidents. The two types of litra share the same model of Rubber Front.

II.1.5. Estimated total value

Value excluding VAT: 15 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

34631000 Parts of locomotives or rolling stock

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

II.2.4. Description of the procurement

DSB has 96 train sets of the type MF (IC3) and 44 of the type ER (IR4). The train sets can be coupled when there is need for more capacity in the trainset. The Rubber Frons are placed on each end of the trainset and are used to couple the trainsets.

The Rubber Fronts is a hollow rubber piece that surrounds the front door. The pressure in the rubber front is adjusted so that it is adapted to the different operating situations. This is done partly by a control / regulation, via the train computer (TC) and partly by a TC independent secondary control.

The geometry of the rubber front and the current pressure, depending on the operating situation, partly en-sure that the rubber front as front has as little air resistance as possible and that two interconnected fronts are constantly in contact with each other during the normal movements of lateral displacement, vertical dis-placements and curve travel. This is to ensure that they form a tight and secure passage for passengers and staff. A mechanical walkway support is built into the bottom of the rubber front. The walkway support supports the tread at interconnected fronts so that it stays level and safe to step on during normal movements.

When coupling, the rubber front is vented and sucked "flat" to ensure that the front-end couplings can be mechanically engaged and the electrical contact boxes are pushed out and coupled together. The automatic couplings also ensure that the rubber fronts are not damaged. The rubber front of the train sets serves two purposes, partly to form a rounded end of the train, which ensures an adequate air flow (Cw value for single train sets is 0.75 and 0.50 for several interconnected train sets) at high speeds and partly forming a noise- and waterproof transition between two train sets when these are coupled. DSB commits to place orders for minimum 75 Rubber Fronts in the Term (contract period).

II.2.5. Award criteria

Criteria below

Quality criterion - Name: delivery time / Weighting: 30

Quality criterion - Name: quality / Weighting: 10

Price - Weighting: 60

II.2.6. Estimated value

Value excluding VAT: 15 000 000,00 DKK

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

2 periods of 12 months.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 3
Objective criteria for choosing the limited number of candidates:

The shortlisting of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant deliveries, see section III.1.3), of the supplies covered by the contract, see the description in sections II.1.4) and II.2.4).

The evaluation of the most relevant deliveries will be made on the basis of the extent to which the references document experience with delivery of comparable supplies.

In the evaluation of which candidates have documented the most relevant deliveries of comparable services, the extent to which the references, in total, document relevant experience in delivering the supplies specifically required will be considered.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

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

Referring to section II.2.4.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The tenderer must submit the European Single Procurement Document ("ESPD") with the following information:

Tenderer's average solvency (equity to total assets) in the three latest financial years available

Tenderer's average annual turnover in the three latest financial years available

If the tenderer relies on the economic and financial capacity of other entities, the contracting entity may require that the tenderer and the entities in question undertake joint and several liability for the performance of the contract.

The ESPD serves as provisional documentation that the tenderer fulfils the minimum suitability requirements in respect of economic and financial capacity.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

Upon the contracting entity's request, the following documentation of economic and financial capacity must be submitted:

Solvency (equity to total assets ratio):

A statement regarding the operator's equity and assets in the three most recent annual reports /financial statements available, depending on when the operator was established if the equity

and assets figures are available. For groups of operators (e.g. a consortium), the information in the most recent annual re-port/financial statement available must be submitted for each participating operator in the group. Where an operator relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), information for such other entities must be provided as well.

Turnover in the latest three years:

A statement regarding the operator's total turnover in the three most recent annual reports /financial statements available, depending on when the operator was set up or started trading, if the figures for this turnover are available. For groups of operators (e.g. a consortium), the information in the most recent annual report/financial statement available must be submitted for each participating operator in the group. Where an operator relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a), information for such other entities must be provided as well.

Minimum level(s) of standards possibly required:

Solvency (equity to total assets ratio):

As a minimum requirement, solvency (equity to total assets ratio) of at least 15 % is required. The solvency (equity to total assets ratio) shall be calculated as an average of the three latest annual reports/financial statements available. The solvency (equity to total assets ratio) is calculated as the operator's average equity divided by the operator's average assets, calculated as a percentage. The solvency (equity to total assets ratio) is thus calculated as $(\text{average equity}/\text{average assets}) \times 100 = \text{solvency (equity to total assets ratio)}$. If the tenderer relies on the capacity of other entities, the solvency (equity to total assets ratio) is calculated as the sum of the tenderer's and such other entities' average equity divided by the sum of their average assets, calculated as a percentage. For groups of operators (e.g. a consortium), the solvency (equity to total assets ratio) is calculated as the sum of the average equity of the operators divided by the sum of their average assets, calculated as a percentage. The information is to be stated in section IV.B of the ESPD.

Average turnover in the latest three years:

As a minimum requirement, a average annual turnover of at least DKK 20 million is required. The average shall be calculated on the three latest annual reports/financial statements available. If the tenderer relies on the capacity of other entities, the average turnover is to be calculated as the average turnover of the tenderer and such other entities in the three latest annual reports/financial statements available. For groups of operators (e.g. a consortium), the turnover is calculated as the average turnover of the operators in the three latest annual reports/financial statements available. The information is to be stated in section IV.B of the ESPD.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The tenderer must submit the ESPD with the following information:

A list of the most significant comparable supplies, see sections II.1.4) and II.2.4), that the tenderer has carried out in the last 3 years.

Only references relating to supplies carried out at the time of application will be given importance in the evaluation of which candidates have documented the most relevant deliveries, see section II.2.9).

Each reference is requested to include a brief description of the deliveries made. The description of the delivery should include a clear description of the supplies set out in sections II.1.4) and II.2.4) to which the delivery related and the tenderer's role(s) in the performance of the delivery. The reference is furthermore requested to include the financial value of the delivery (amount), the date of delivery and the name of the customer (recipient).

When indicating the date of the delivery, the tenderer is requested to indicate the date of commencement and finalisation of the delivery. If this is not possible, for example if the tasks were performed on a continuous basis under a framework agreement, the tenderer is asked to indicate the specification of the date.

No more than 5 references may be stated, irrespective of whether the tenderer is a single operator, whether the tenderer relies on the technical capacity of other entities, or whether the tenderer is a group of operators (e.g. a consortium).

The ESPD serves as provisional documentation that the tenderer fulfils the minimum suitability requirements in respect of technical and professional ability, see section III.1.3) and tenderer's compliance with the selection criterion, see section II.2.9).

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

No additional documentation of technical and professional capacity will be required from the tenderer. However, the contracting entity reserves the right to contact the tender or the customer stated in the reference for confirmation of the information stated in the reference, including the dates of the reference indicated.

Minimum level(s) of standards possibly required:

No minimum requirements.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Financing conditions and payment arrangements will be stated in the procurement documents. Reference is furthermore made to the electronic invoicing required and the option of ordering electronically pursuant to (Consolidated) Act no. 798 of 28 June 2007 about payment to public authorities, etc., as amended. The consolidated act is available (in Danish) at www.retsinformation.dk.

III.1.8. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

No specific legal form is required.

If the order is awarded to a group of economic operators (e.g. a consortium), each participant of the group must assume joint and several liability and appoint a joint representative.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The contract has incorporated the corporate social responsibility considerations, as appropriate, as laid down in the conventions on the basis of which the principles of the UN Global Compact are worded and as laid down in the OECD Guidelines for Multinational Enterprises. The contract furthermore lays down requirements pursuant to ILO Convention no. 94 on labour clauses in public contracts and Circular no. 9471 of 30 June 2014.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Negotiated procedure with prior call for competition

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

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

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.2.2. Time limit for receipt of tenders or requests to participate

Date: 01/09/2020 Local time: 09:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 04/09/2020

IV.2.4. Languages in which tenders or requests to participate may be submitted

German, English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

Participation in the tendering procedure may only take place by electronic means via the electronic tendering system used by the contracting entity, see the address set out in section I. 3). The tendering procedure may be accessed under the tab "Ongoing public invitations to tender". For access to the procurement documents, the tenderer must be registered or register as a user.

If the tender contains several versions of the same document, the latest uploaded version will apply.

All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system. The contracting entity would prefer that questions regarding prequalification are submitted within 20 August 2020.

Interested operators are requested to keep updated via the electronic tendering system. If the tenderer encounters problems with the system, please contact support by e-mail, dksupport@eu-supply.com, or telephone (+45) 70 20 80 14.

The tenderer must submit as its application an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras (1)-(3) of the Danish Public Procurement Act, cf. s.11 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating economic operator. If the tenderer relies on the capacity of other entities, an ESPD must be submitted for each of the entities on which the tenderer relies.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must provide documentation of the information submitted in the

ESPD pursuant to sections 151 and 152(3), cf. section 11 of the Danish Order on Implementation.

In the event of change of the tenderer, the provisions of s.147 of the Danish Public Procurement Act will apply in their entirety.

As regards sections II.1.5) and II.2.6), it should be noted that the estimated value of the framework agreement is DKK 10 -15 million. The range indicated is based on the uncertainty as to the final value of the framework agreement.

It is specifically pointed out to the tenderer that the tenderer is bound by the prices offered, irrespective of the turnover specifically achieved under the framework agreement, i.e. also if the specific turnover deviates from the estimates, both up and down.

A site visit/inspection of the existing Rubber Fronts will be possible. The site visit/inspection will take place on 13 August 2020 12:00 at DSB Maintenance, Klargøringscenter Kastrup, Kystvejen 15, DK 2770 Kastrup. Tenderers wishing to participate in the site visit are asked to sign up via the electronic tendering system at least 3 days before the meeting with indication of name of business and number of participants. The contracting entity may reduce the number of participants per business. The site visit/inspection is arranged in order to provide the tenderer with more details of the required Rubber Fronts before submission of application. When submitting tender, however, the tenderer must base its tender on the written information stated in the procurement documents. During the site visit/inspection, the tenderers may ask questions directly related to the site visit/inspection and of no material significance to the tender procedure. Any other questions must be put in writing. The contracting entity will draw up brief minutes of the site visit which will be published via the electronic tendering system. The contracting entity may ask the tenderer to supplement, specify or complete the tender pursuant to Article 76, para. (4) of the Utilities Directive if the tender does not meet the formal requirements of the procurement documents.

The contracting entity reserves the right to award the contract on the basis of the initial tender. VI.4)

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 72405708

Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer if the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para. (1) of the Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published.

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the tenderers concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into if the notification includes an explanation of the relevant grounds for the decision.

3) 6 months after the contracting entity has entered into a framework agreement calculated from the day after the day when the contracting entity has notified the affected candidates and tenderers, see section 2(2) of the Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the stand-still period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see clause 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1).

The Complaints Board's own complaints procedure is available at www.erhvervsstyrelsen.dk

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

22/07/2020