

**Denmark-Taastrup: Parts of locomotives or rolling stock**  
**OJ S 143/2020 27/07/2020**  
**Contract notice – utilities**  
**Supplies**

**Legal Basis:**

Directive 2014/25/EU

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**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](mailto:loea@dsb.dk)

Telephone: +45 24683110

**Internet address(es):**

Main address: [www.dsb.dk](http://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=275676&B=DSB](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=275676&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=275676&B=DSB](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=275676&B=DSB)

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

**I.6. Main activity**

Railway services

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

IGBT for Litra ET (OTU)

**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**

IGBT for litra ET (OTU).

#### **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: DK011 Byen København

#### **II.2.4. Description of the procurement**

DSB Maintenance A/S needs to purchase new IGBTs for the trains that run between Denmark and Sweden. The line is served by 111 trainsets of the type ET (OUT). The IGBT's are continuously being replaced in the case of breakdown.

It is important that the IGBTs are compliant with the existing software in the converters as the software cannot be changed.

DSB requires two different models of IGBT: MBN 1200  
And MBN 800.

DSB commits to place orders for minimum 750 prices of MBM 1200 and minimum 120 prices of MBN 800 in the Term (contract period).

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: Quality / Weighting: 10

Quality criterion - Name: Delivery time / Weighting: 30

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 each 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**

Refer to section II.2.4.

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

He 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 re-quire 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 avail-able. 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 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 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), information for such other entities must be provided as well.

Minimum level(s) of standards possibly required:

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:

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 de-livery should include a clear description of the supplies set out in sections II.1.4) and II.2.4) to which the de-livery 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).

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](http://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**

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### **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**

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### **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 20/8 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](mailto:dksupport@eu-supply.com), or tele-phone (+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 10 -15 million DKK. 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.

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. 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](mailto: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](http://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](http://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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

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

#### **VI.5. Date of dispatch of this notice**

22/07/2020