

Denmark-Fredericia: Enzymes
OJ S 202/2016 19/10/2016
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DONG Energy Thermal Power A/S
Postal address: Kraftværkvej 53
Town: Fredericia
NUTS code: DK042 Østjylland
Postal code: 7000
Country: Denmark
Contact person: DONG Energy Thermal Power A/S
E-mail: xmunk@dongenergy.dk
Telephone: +45 61280689
Internet address(es):
Main address: <http://www.dongenergy.com>

I.3. Communication

Access to the procurement documents is restricted. Further information can be obtained at: <https://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=183101&ccsum=690cf0212027f62e04e1b79251ee6ebe>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted to the abovementioned address
Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=183101&ccsum=690cf0212027f62e04e1b79251ee6ebe>

I.6. Main activity

Electricity

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

RSC Cure NL LOT 10 — Enzymes.

II.1.2. Main CPV code

24965000 Enzymes

II.1.3. Type of contract

Supplies

II.1.4. Short description

DONG Energy Thermal Power A/S is tendering for a contract for enzymes for the REnescience technology, which is a technology for treatment of unsorted household waste. The purpose of the process is sorting and refining the waste for utilization in the production of bioliquid for biogas production, 2D material such as folios of e.g. plastics and 3D materials such as bottles and cans. High recycling of materials are of the essence.

The contract is for the supply of enzymes to a waste treatment plant to be in Eindhoven, Holland with a capacity of 120 000 ton of household waste pr year, or 15 t/h. The duration of the contract is 7.5 years from 1.1.2017 until 31.6.2024.

Moreover, the contract contains options for DONG Energy Thermal Power A/S to buy more enzymes for other projects in Europe, cf. below.

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: 00 Other or Not Specified

II.2.4. Description of the procurement

This tender is for the supply of enzymes to the REnescience core process referred to as LOT 10, including transport to site CIP (INCOTERMS 2010).

The Contract contains the following options:

- 1) Extension of the duration of the Contract by an additional 5 years, after expiry of the original 7.5 year term of the Contract,
- 2) Delivery of enzymes to other and future REnescience plants in European countries for a period of 5 consecutive years, cf. Contract;
 - 2.1) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 50 000 — 74.999 MSW/year;
 - 2.2) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 75 000 — 99.999 MSW/year;
 - 2.3) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 100 000 — 124.999 MSW/year;
 - 2.4) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 125 000 — 149.999 MSW/year;
 - 2.5) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 150 000 — 174.999 MSW/year;
 - 2.6) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 175 000 — 199.999 MSW/year.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

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

Duration in months: 90

This contract is subject to renewal: yes

Description of renewals:

Extension of the Contract term by an additional 5 years, after expiry of the original 7.5 year term of the Contract.

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

Envisaged number of candidates: 5
Objective criteria for choosing the limited number of candidates:

Maximum 5 applicants will be prequalified for the tender procedure.

If the number of applicants applying for prequalification exceeds 5, the Contracting Entity will perform the prequalification based on an evaluation of each applicant's respective:

1. technical ability — Reference (70 %);
2. economic and financial standing (30 %).

Ad 1) Evaluation of references will be based on experience with delivery of enzyme blends with a high activity. Experience with production and transporting of enzymes at a large scale with frequent deliveries.

The more relevant the reference to the current project the better evaluation:

Ad 2) The assessment regarding the applicant's economic and financial standing will be based on an overall assessment based upon criteria:

- Equity;
- Solvency ratio.

The assessment will be based on the information entailed in the documentation requested under section III.2.1) –III.2.2).

The better financial and economic standing the better evaluation.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

2) Delivery of enzymes to other and future REnescience plants in European countries for a period of 5 consecutive years, cf. Contract.

2.1) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 50 000 — 74.999 MSW/year;

2.2) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 75 000 — 99.999 MSW/year;

2.3) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 100 000 — 124.999 MSW/year;

2.4) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 125 000 — 149.999 MSW/year;

2.5) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 150 000 — 174.999 MSW/year;

2.6) Option for delivery of enzymes to a REnescience plant in a European country with a capacity for 175 000 — 199.999 MSW/year.

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

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

Applicants shall fill out the eESPD document on: <https://ec.europa.eu/growth/tools-databases/espdp/welcome>. The eESPD is a generic application form to be used by Applicants in EU-tenders.

It is not a requirement that the Applicant fills in part III, section A and B of the eESPD. The Contracting Entity is aware that all the grounds for exclusion contained in part III, section A and B of the eESPD is 'pre-filled' without any possibility to un-tick them and leave part III with no answer selected. The Contracting Entity does not take the automatically filled in answers in part III, section A and B into consideration.

The Applicant shall submit a description of ownership and corporate structure. If the Applicant is a subsidiary, the Applicant shall submit the name of the highest possible group parent — being an entity directly or indirectly controlling more than 50 % of the Applicant. The information should be provided in the eESPD part IV, section B where it says 'Other economic or financial requirements'.

If for technical reasons, the Applicant finds that it is impossible to insert a full description of ownership and corporate structure in the eESPD, the Applicant can consider to upload a separate file in Scanmarket with the description and refer to such file in the eESPD part V.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

B.1. The Applicant shall submit information enabling DONG Energy Thermal Power A/S to assess the Applicant's economic and financial capacity.

The Applicant should provide the figures below based on the latest annual report. The Applicant shall submit the information in the eESPD part V stating which financial year the information relates to (e.g. financial year 2015 if this is the latest annual report).

— Total shareholder's equity (Equity including minority shares);

— Solvency ratio = (Total shareholder's equity / Total Assets);

If the Applicant wished to improve its economic and financial assessment by relying on another legal entity, this should be indicated by ticking 'yes' in the eESPD part II C.

Further, the supporting legal entity shall fill in a separate eESPD. If the other supporting entity is a parent company to the Applicant and the companies have consolidated accounts, it is possible to submit financial information for the parent company only but it shall be made clear from part II C of the eESPD that the Applicant relies on the economic and financial information of the parent company or any other supporting entity by ticking 'yes' in section II C of the eESPD: 'Does the economic operator rely on the capacities of other entities'.

If the Applicant is part of a profit sharing agreement with another legal entity, cf. for example Germany's "Ergebnisabführungsvertrag" or equivalent legal arrangement or if the parent company of the Applicant has made a statement according to the Dutch Civil Code article 2: 403 (a '403 statement') or equivalent legal arrangement, Applicant should declare in the eESPD part II c that it relies on another entity. Further the supporting entity shall fill out a separate eESPD. The Applicant or the supporting entity should explicitly mention the profit sharing agreement/403 statement in the eESPD part V. In case of a profit sharing agreement the evaluation will be based on the figures for the financial strongest entity participating in the arrangement. Only this company has to insert financial figures in the eESPD part V. in case of

support from a parent company the information will be based on financial figures from both entities which accordingly both have to insert financial figures in the eESPD part V, unless the Applicant and the companies have consolidated accounts, cf. above.

Minimum level(s) of standards possibly required:

- Total Shareholder's equity must be above 30 MDKK;
- Solvency ratio must be above 15 %.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

C1) The Applicant shall state that the Scope of Works is covered by a Quality management system, which complies with the requirements of ISO 9001:2008 or equivalent.

C2) The Applicant shall state that the Applicant has an environmental management system according to ISO14.001 or equivalent.

The Applicant shall state compliance with C1) and C2) by ticking 'yes' in part IV of the eESPD.

D1) References;

Please submit information about your previous deliveries within the scope of the tendered contract, cf. section II.1.4) above, or for previous deliveries of enzymes for the production of biofuel and other complex enzymes blends in high amount, for the period from 1.1.2012 to date, in the eESPD section V).

The information shall include:

- Title of the project;
- Name of Customer and contact details information;
- Delivery period;
- Contract value (if confidential then insert a range of maximum 5 MEUR).

In addition information regarding the scope of supply and contractors or sub-contractors role in the project should be listed. The Applicants are encouraged to list information of up to 5 (five) previous deliveries.

The assessment of the Applicant's technical and professional ability described in section III. 2.3) will be based on the Contracting Entity's evaluation of the information regarding previous deliveries entailed in section V of the eESPD.

If the Applicant wishes to improve its technical and professional assessment by relying on the technical capacity of another legal entity, the Applicant should indicate this by ticking 'yes' in the eESPD part II C and the supporting legal entity shall fill in a separate eESPD with the relevant information.

If a consortium submits a request for participation, information must be submitted for each member of the consortium to the extent this is relevant taking into account the consortium members' expected responsibilities in the delivery of the goods.

Minimum level(s) of standards possibly required:

- It is a minimum requirement that the Scope of Works is covered by a quality management system, which complies with the requirements of ISO 9001:2008 or equivalent.
- It is a minimum requirement that the Applicant has an environmental management system according to ISO14.001 or equivalent.

Compliance with both minimum requirement is confirmed by ticking 'yes' in part IV of the eESPD.

- The Applicant shall as a minimum present one reference for a previous delivery.

III.1.6. Deposits and guarantees required

Conditions relating to the Contract will be stated in the tender documents, however, please note that the Contracting Entity reserves the right to demand a performance security (for proper performance of all obligations under the Contract) comprising:

- (a) An on demand performance bond issued by a bank or insurance company with a rating specified in the tender material.
- (b) An on demand advanced payment bond. The advance payment bond shall cover the actual advance payment (if any) to be made by the Contracting Entity to the supplier.
If the Applicant is a subsidiary, the Contracting Entity also reserves the right to demand:
- (c) A parent company guarantee provided by a parent within the group ("Parent Company Guarantee).
- The Applicant and parent company, if any, may be requested to deliver updated annual accounts during the duration of the Contract.

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

Cf. the Tender Conditions.

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

If several companies submit an offer in a consortium the tender must be submitted jointly by the companies who must assume joint and several liability for the tender submission and during the performance of the contracts.

One of the consortium members must have full procuration to the contracting entity.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The Contract is conditioned upon obtaining a positive FID expected in December 2016, but it may be delayed.

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

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: 01/11/2016 Local time: 12:00

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

Date: 03/11/2016

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

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.3. Additional information

Please note that only prequalified applicants can submit a tender. It is not possible to submit a tender from for example a sister company or another company within the prequalified Applicant's group.

If the Contract is awarded to a consortium, the members of the consortium shall accept joint and several liability and appoint a common authorised representative.

Please be advised that all communication regarding this tender procedure will be in English. Please be advised that applicants will be required to sign a Non Disclosure Agreement ('NDA') prior to access to certain Tender documents. The Contracting Entity encourages the Applicants to sign the non-disclosure agreement in Scanmarket and submit it at latest together with the request for prequalification. Please note that the confidential tender documents will only be made available if the Contracting Entity has received the signed non-disclosure agreement from the Applicant. Further, please note that the time between notification about prequalification and the date by which the tender documents is made available can be very short.

The NDA will also cover the Applicants possibility to receive a sample batch of Municipal Solid Waste ('MSW') from DONG Energy Thermal Power A/S during the prequalification phase if necessary for tendering.

You can register in Scanmarket here: <https://dongenergy.scanmarket.com/SupplierRegistration/NewSupplier?eventId=183101&ccsum=690cf0212027f62e04e1b79251ee6ebe>

Please remember to upload the eESPD(s) with your response.

All uploaded information in Scanmarket will be available to the contracting entity at the expiry of the dead-line although the 'finalize participation' button is not pressed, and the contracting entity will assess such uploaded applications and/or tenders. However, the contracting entity encourages you to press the 'finalize participation button'. Please note, that in order to obtain a receipt for your submission you should press 'finalize participation'. Once this button is pressed you will not be able to change or resubmit your application/tender, unless you request Scanmarket or DONG Energy to grant you access.

The maximum size of individual files are 200 MB. However, it is possible to submit many files. We suggest that you look into whether it is possible to compress and/or split files that exceed the individual maximum of 200 MB using zip or similar archiving software. If you expect to upload big files we suggest that you test the system in good time before the deadline and contact either the contracting entity or Scanmarket if you experience technical difficulties.

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@erst.dk

Telephone: +45 35291095

Internet address: <https://www.erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

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

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsensvej 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

18/10/2016