

Denmark-Esbjerg: Heat-exchange units
OJ S 202/2015 17/10/2015
Contract notice – utilities
Works

Directive 2004/17/EC

Section I: Contracting entity

I.1. Name and addresses

Official name: Energnist
National registration number: DK
Postal address: Måde Industrivej 35
Town: Esbjerg Ø
Postal code: 6705
Country: Denmark
Contact person: Ramboll
For the attention of: Robert Falkentoft
E-mail: rf@ramboll.dk
Telephone: +45 51618704

Internet address(es):

General address of the contracting entity: www.energnist.dk

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from: the abovementioned address

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

I.2. Main activity

Production, transport and distribution of gas and heat
Other: waste-to energy

I.3. Contract award on behalf of other contracting entities

The contracting entity is purchasing on behalf of other contracting entities: no

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting entity

Establishment of flue gas condensation plant on existing waste-to-energy facility.

II.1.2. Type of contract and place of performance or delivery

Works

Realisation, by whatever means of work, corresponding to the requirements specified by the contracting entities

Main site or place of performance: Esbjerg, Denmark.

NUTS code DK041 Vestjylland

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

The notice involves a public contract

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

Retrofit of a flue gas condensation plant with direct condensation to an existing wet flue gas cleaning plant on a Waste-to-Energy facility. The flue gas condensation shall be based on a condensing scrubber and include condensate water treatment and inhouse connection to the district heating system. The Works consists of overall process layout, calculations, design, manufacturing and delivery, installation, commissioning and hand over of all machinery, controls and electrical systems.

II.1.6. CPV code(s)

42511100 Heat-exchange units - FG04 - KA16, 42320000 Waste incinerators - FC01 - KA16, 42514000 Machinery and apparatus for filtering or purifying gases - FG05 - KA16

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Information about lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Retrofit of a flue gas condensation plant with direct condensation to an existing wet flue gas cleaning on a Waste to Energy facility. The flue gas condensation shall be based on a condensing scrubber and include condensate water treatment and inhouse connection to the district heating system. The Works consists of overall process layout, calculations, design, manufacturing and delivery, installation, commissioning and hand over of all machinery, controls and electrical systems.

II.2.2. Information about options

Options: yes

Description of options: Not yet known.

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Duration in months: 10 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

As specified in Tender Documents.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

As specified in Tender Documents.

III.1.3.

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

If the contract is awarded to a group of economic operators in a consortium etc. such group is required to undertake joint and several liability and to authorize one of the economic operators to represent the group.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Applicants who have been the subject of a conviction by final judgment of which the Contracting Authority is aware for 1 or more of the reasons listed under (a) to (d) below will be excluded from participation in the tender:

- (a) participation in a criminal organization, as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (b) corruption, as defined in Article 3 of the Council Act of 26.5.1997 and Article 3(1) of Council Joint Action 98/742/JHA respectively;
- (c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (d) money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10.6.1991 on prevention of the use of the financial system for the purpose of money laundering.

Applicants shall produce an extract from the 'judicial record' or, failing that, of an equivalent document issued by a competent judicial or administrative authority in the country of establishment showing that none of the situations referred to under (a) to (d) above apply to the Applicant.

Applicants shall be legal registered companies and must provide the following documentation:

- (e) Evidence of registration in a trade or professional register in the Applicants' country of origin;
- (f) A description of the Applicants' organisation, including company structure and ownership. A declaration from a competent authority confirming that they are not in one of the situations described below:
 - (g) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - (h) They have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
 - (i) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or of Denmark;

Where the country in which the Applicants are established do not issue such declarations, extracts or equivalent documentation for confirmation of the situations mentioned under (a) to (d) or (g) to (i) above, or where these do not cover all the situations specified, they may be replaced by a declaration on oath or, in countries where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of establishment.

In case the applicant is a group of economic operators (e.g. a consortium, co-operation,

partnership) the information under (a) to (i) must be given for each of the participating operators. Authority declarations may not be older than 6 month at the date for the applicants submission of the pre-qualification application.

The Contracting Authority reserves the right to verify any information provided and requires that applicants consent to the release of any and all information from any contracting entity. Applicants will be excluded from participation in the tender if the above information and documentation is not provided or if they are guilty of misrepresentation in supplying the information and documentation required by the Contracting Authority or if they have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify.

III.2.2. Economic and financial ability

List and brief description of conditions: (a) Annual accounts on group level and for the legal entity requesting pre-qualification for the last 3 financial years available;

(b) an accountant declaration or equivalent documentation providing, as a minimum, information for the last 3 financial years available on the Applicant's turnover achieved on assignments similar or comparable to this contract.

If annual accounts are not available, an accountant declaration or equivalent documentation providing, as a minimum, information for the last 3 financial years available on the Applicant's

- (i) overall turnover;
- (ii) turnover achieved on assignments similar or comparable to this contract; and
- (iii) net capital.

In case the applicant is a group of economic operators (e.g. a consortium, co-operation, partnership) the information must be given for each of the participating operators.

If the Applicant is a subsidiary in a group of companies and the Applicant has legally binding financial support (e.g. a guarantee) from another group company the information must also be given for that supporting company (on a consolidated basis).

If the Applicant relies on the capacities of other legal entities (e.g. a partner or a subcontractor), the Applicant must prove that the Applicant has at his disposal the resources necessary, for instance by a letter of reliance which documents that the Applicant can rely on the capacities of the other legal entities in this respect and the same financial information as for the Applicant must be provided for the legal person(s) on whose capacities the Applicant relies.

III.2.3. Technical and professional ability

List and brief description of conditions: Applicants shall show an appropriate and adequate quality assurance system:

(a) Documentation of the Applicant's quality assurance system. Documentation should include description of:

- 1) quality policy,
- 2) quality management manual index and
- 3) audit protocol.

Applicants shall show an appropriate and adequate technical capacity (cumulative requirements):

(b) Overview of Applicant's staff. Information on number of persons within the pertinent areas of expertise, design, procurement, production, commissioning and project management.

Detailed CVs are not requested or required at this stage.

(c) The Applicant shall give a short description of machinery, production facilities, work-shops etc. relevant for this contract.

Applicant shall show an appropriate and adequate number and quality of relevant references:

(d) The Applicant shall provide documentation of reference projects the last 5 years relevant to this contract.

The list of references must include:

- Name and location of the reference plant,
- Date of project start and completion,
- Brief description of the supply, including plant capacity,
- Information on whether supply is carried out as lead or sub-supplier.

The Applicant may provide a supplementary list of reference projects older than 5 years if such projects are especially relevant to this contract.

In case the applicant is a group of economic operators (e.g. a consortium, co-operation, partnership) the information under (a) to (d) above must be given for each of the participating operators and the applicant (the group) will be evaluated as a whole regarding the said requirements.

If the Applicant relies on the capacities of other legal entities (e.g. a partner), the Applicant must prove that the Applicant has at his disposal the resources necessary, for instance by a letter of reliance which document that the Applicant can rely on the capacities of the other legal entities in this respect.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures): no

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting entity

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents

(except for a DPS)

Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

13.11.2015 - 12:00

IV.3.5. Languages in which tenders or requests to participate may be submitted

Danish. English.

IV.3.6. Minimum time frame during which the tenderer must maintain the tender

IV.3.7. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

VI.3. Additional information

(1) The Contracting Authority intends to invite a maximum of 4 applicants to the tender.

(2) An application for pre-qualification is asked to be sent in 1 original document in hard copy, 1 copy of the original and 1 electronic copy.

(3) Reduction of the number of applicants will take place on the basis of (i) applicants with the most relevant references (cf. section III.2.3) (d)), and (ii) overall technical capacities demonstrated (cf. section III.2.3 (a) to (c)).

In addition to these criteria, the Contracting Authority will take into account how the best possible competition for the contract put up for tender can be established.

(4) Submittal of the tender material as well as the award of the contract is subject to approval by the board of the Contracting Authority.

(5) The Contracting Authority points out that the programme language is English and the contract is written in English, however, some documents may need to be in Danish.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud (The Complaints Board for Public Procurement), Erhvervs og Selskabsstyrelsen (The Danish Commerce and Companies Agency)

Postal address: Langelinie Allé 17

Town: Copenhagen Ø

Postal code: DK-2100

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291000

Internet address: www.klfu.dk

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Deadline for lodging complaints regarding the Contracting Authority's decision on pre-qualification of applicants is 30 calendar days from the date following the date of the Contracting Authority's dispatch of a notification to the applicants concerning the election of participants, cf. section 7(1) of the Danish Act on Enforcement of the Public Procurement Rules.

Deadline for lodging complaints regarding the award decision reached by the Contracting Authority is 6 months from the date following the date of publication in the Official Journal of the award notice, cf. section 7(2) of the Danish Act on Enforcement of the Public Procurement Rules.

VI.4.3. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen, Center for Offentlig Konkurrence

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Fax: +45 41715100

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

12.10.2015