

**Denmark-Ballerup: Repair and maintenance services of warships**

OJ S 210/2014 31/10/2014

Contract notice

Services

Directive 2009/81/EC

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistic Organizations (DALO)

Postal address: Lautrupbjerg 1—5

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Emil Bisgaard

E-mail: [ebi@kammeradvokaten.dk](mailto:ebi@kammeradvokaten.dk)

Telephone: +45 72307889

**Internet address(es):**General address of the contracting authority/entity: <http://www.forsvaret.dk/fmt>**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3. Main activity**

Defence

**I.4. Contract award on behalf of other contracting authorities/entities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Inspection, repair and maintenance service on the vessel HDMS Hvidbjørnen carried out within 10.2.2015-19.3.2015.

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

Services

Service category No 1: Maintenance and repair services

**II.1.3. Information about framework agreement****II.1.4. Information about framework agreement**

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

The assignment includes inspection, repair and maintenance service, according to the specification, of the support ship HDMS Hvidbjørnen. The assignment includes inter alia docking and bottom inspection, a start-up of Class Renewal Survey, exterior painting, repair and maintenance work on the hull and accommodation quarters, as well as general inspection, maintenance and repair work of the vessel's mechanical and electrical systems and components.

The ship's main data:

Steel ship;

- Overall length: 112,5 m;
- Length p.p.: 99,75 m;
- Width max: 14,4 m;
- Draught for: 4,51 m;
- Draught aft: 6,13 m;
- Displacement.: 3500 mt;
- Clearance below BL for lowering Azimuth: 2 m;
- Clearance below BL for lowering rudder stock: 2,5 m;
- Clearance aft of vessel for pulling tail-shaft: 15 m;
- The ship is available during the period 10.2.15-19.3.2015.

### **II.1.6. CPV code(s)**

50640000 Repair and maintenance services of warships, 50240000 Repair, maintenance and associated services related to marine and other equipment

### **II.1.7. Information about subcontracting**

#### **II.1.8. 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**

Estimated value excluding VAT:

Range: between 12 000 000 and 17 000 000 EUR

### **II.2.2. Information about options**

Options: no

### **II.2.3. Information about renewals**

This contract is subject to renewal: no

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

Start 10.2.2015. Completion 19.3.2015

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

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

#### **III.1.2.**

### **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Reference is made to the tender documents with regard to the payment terms. Invoicing must be done in accordance with the at any time applicable Danish legislation on public payments. At present this is the Danish consolidation act. no. 798 of June 2007 which requires invoicing to be done electronically. Exact terms will be stated in the contract.

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No special legal form is required. If the contract is awarded to a group of suppliers (e.g. a consortium) the participants are required to undertake joint and several liabilities and to appoint one supplier to represent the group.

#### **III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

The Supplier and any sub-supplier(s) are required to comply with NATO Security Regulations as implemented by the National Security Authority of the country in which the work is performed. The supplier will be required to ensure that only authorized security personnel have access to classified information or material in the course of performance of the contract. Further, applicants should note that the contract will include a labour clause requiring the supplier to ensure that the wages, including allowances, hours of work and other conditions of labour of his and any subcontractors' employees are no less favourable than those applicable to work of an equal nature within the trade or industry in the district where the work is performed pursuant to any collective agreement, arbitration award or national legislation or administrative regulations. The supplier will contractually be required to demonstrate that the work provision is complied with. Failure to comply can result in sanctions in the form of retention requirements, penalties and possible termination of the contract upon default of the labour clause.

#### **III.1.5. Information about security clearance**

Candidates which do not yet hold security clearance may obtain such clearance until:  
10.2.2015

### **III.2. Conditions for participation**

#### **III.2.1. Personal situation**

##### **Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: A solemn declaration stating whether the applicant has fulfilled its obligations relating to the payment of taxes and contributions to social security schemes in accordance with the legal provisions of the country in which the applicant is established, and in Denmark.

Alternatively, the requirement is fulfilled by sending a service certificate, issued by the Danish Commerce and Companies Agency. The certificate shall be issued a maximum of 6 months before the tender deadline.

Foreign applicants transmitting a corresponding certificate from the authorities in the country in which they are domiciled shall also submit a solemn declaration concerning the obligations relating to the payment of taxes and contributions to social security schemes in Denmark.

If the applicant is a consortium, the declaration/certificate must be submitted for each member of the consortium.

#### **III.2.2. Economic and financial ability**

### **Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)**

List and brief description of conditions: The latest published annual report or a declaration stating the applicant's solvency ratio (calculated by dividing the applicant's equity with the applicant's total assets (equity/total assets x 100) at the end of the preceding financial year. If the applicant is a consortium, the report/declaration must be submitted for each member of the consortium.

Minimum level(s) of standards possibly required: The applicant shall be able to demonstrate to have had a solvency ratio of at least 5 percent in the preceding financial year.

#### **III.2.3. Technical and/or professional capacity**

##### **Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)**

List and brief description of conditions:

A list describing the most important similar deliveries of services on ships of a similar design (i. e. steel ships), which the applicant has performed within the past 3 years, preferably including the amounts, dates and if possible recipient of the services.

Minimum level(s) of standards possibly required

The applicant must document experience with the performance of inspections, maintenance and repair of steel ships.

#### **III.2.4. Information about reserved contracts**

##### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

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

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Restricted

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged minimum number 3 and Maximum number 5

Objective criteria for choosing the limited number of candidates: If more than five suitable applicants apply for pre-qualification, the selection of the applicants who will be invited to submit tenders will be based on which applicants have documented the most relevant previous deliveries of services compared to the services described in section II.1.5) above.

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

**IV.2.2. Information about electronic auction**

An electronic auction has been used: no

**IV.3. Administrative information**

**IV.3.1. File reference number attributed by the contracting authority**

**IV.3.2. Previous publication concerning this procedure**

no

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

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

1.12.2014 - 12:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

Danish. English.

**Section VI: Complementary information**

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**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**

Pre-Qualification Questionnaire:

DALO have prepared a pre-qualification questionnaire which applicants are strongly encouraged to use when submitting their applications. The pre-qualification questionnaire can be obtained by e-mailing a request to the contact person stated in section I.1). However, it is emphasized that it is the sole responsibility of the applicant that the information provided fulfils the requirements stated in this Contract Notice.

Re. section. III.2.2) Economic and financial capacity and section. III.2.3) Technical capacity: According to directive 2009/81, art. 41(2) and 42(2), an applicant may rely on the economic, financial and/or technical capacity of other entities, regardless of the legal nature of the links with the entities. If an applicant wants to rely on other entities and wishes that the capacity of other entities is included when establishing the suitability of the applicant, the applicant must prove that the other entities will and shall put the relevant resources at the disposal of the applicant. A template for a declaration from the supporting entity to this effect is included in the pre-qualification questionnaire referred to above.

Submission of applications for pre-qualification:

Requests for participation may not be submitted by e-mail. Instead, requests for participation must be sent by post (or handed over) to the contact person named in section I.1). Requests for participation should preferably be submitted in a sealed envelope marked 'Inspection,

repair and maintenance service on Hvidbjørnen — request for participation. Must not be opened in the reception'.

Inspection meeting:

DALO is expecting to organize an Inspection Meeting ('Bidders Conference'), which will be held for all tenderers on board the vessel HDMS Hvidbjørnen. In this case time and place will be stated in the tender documents. During the meeting, the tenderers will have the opportunity to inspect the vessel HDMS Hvidbjørnen. Furthermore, DALO will explain the background of the tender and inform the tenderers of the reasons for initiating the tender and the purpose of the subject-matter of the Contract. General information as to the structure and content of the Tender Documents will be given, and the tender procedure will be explained, including the possibility to submit questions in writing.

Re. IV.2.1) Award criteria:

The evaluation of the tenderer's price will take into account the costs of the Danish Defence associated with the fact that the services will be carried on the supplier's shipyard. Thus, the following costs will be added when evaluating the prices offered: the cost of sailing to the shipyard, the cost of guarding the ship while in dock, and the travel expenses for the personnel of the Danish Defence. This is done solely for the purpose of evaluation, and the winning tenderer will not have to cover these costs.

DALO reserves the right to use the remedies provided for in Section 12 of the Danish statutory order on procedures for the award of public supply contracts, public service contracts and public construction contracts (Order no. 712 of 15.6.2011) if applications or tenders do not fulfil the formalities of the tender specifications.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: The Complaints Board for Public Procurement (Klagenævnet for Udbud)

Postal address: The Danish Business Authority, Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: [kifu@erst.dk](mailto:kifu@erst.dk)

Telephone: +45 35291000

Internet address: <http://kifu.dk>

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: As a consequence of the Danish act no. 492 of 12.5.2010 with subsequent amendments regarding enforcement of the rules for procurement etc., complaints regarding a candidate not being pre-qualified must be filed with The Complaints Board for Public Procurement within 20 calendar days starting the day after the contracting authority has sent notification to the candidates involved, if the notification includes a short account of the relevant reasons for the decision.

Other complaints must be filed with The Complaints Board for Public Procurement within 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date). However, if the tender concerns a framework agreement complaints must be filed with The Complaints Board for Public Procurement within 6 months after the Contracting Authority has sent notification to the candidates/tenderers involved that the Contracting Authority has entered into the framework agreement if the notification included a short account of the relevant reasons for the decision.

The complainant must inform the contracting authority of the appeal in writing at the latest

simultaneously with the lodge of the complaint to The Complaints Board for Public Procurement. The complainant shall state whether the complaint has been lodged in the stand-still period. If the appeal has not been lodged in the stand-still period, the appellant must also state whether it is requested that the appeal is granted delaying effect.

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

Official name: Danish Competition and Consumer Authority

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

Fax: +45 41715100

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

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

29.10.2014