

**Denmark-Aarhus: Hospital facilities construction work**

OJ S 222/2014 18/11/2014

Contract notice

Works

Directive 2004/18/EC

**Section I: Contracting authority**

---

**I.1. Name and addresses**

Official name: Region Midtjylland — DNU

Postal address: Hedeager 3

Town: Aarhus N

Postal code: 8200

Country: Denmark

For the attention of: Mads Konge Petersen

E-mail: [mads.konge@dnu.rm.dk](mailto:mads.konge@dnu.rm.dk)**Internet address(es):**General address of the contracting authority: <http://www.dnu.rm.dk>Electronic access to information: <http://www.udbud.rm.dk>**Additional information can be obtained from:**

Official name: NIRAS A/S

Postal address: Åboulevarden 80

Town: Århus

Postal code: 8000

Country: Denmark

For the attention of: Lars Nordenhof

E-mail: [Inf@niras.dk](mailto:Inf@niras.dk)

Telephone: +45 87323232

Fax: +45 87323200

Internet address: <http://www.niras.dk>**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

Official name: NIRAS A/S

Postal address: Åboulevarden 80

Town: Århus

Postal code: 8000

Country: Denmark

For the attention of: Lars Nordenhof

E-mail: [Inf@niras.dk](mailto:Inf@niras.dk)

Telephone: +45 87323232

Fax: +45 87323200

Internet address: <http://www.udbud.rm.dk>**Tenders or requests to participate must be submitted:** Official name: Region Midtjylland

Postal address: Hedeager 3

Town: Århus N

Postal code: 8200

Country: Denmark  
For the attention of: Mads Konge Petersen  
E-mail: [mads.konge@dnu.rm.dk](mailto:mads.konge@dnu.rm.dk)

**I.2. Type of the contracting authority**

Regional or local authority

**I.3. Main activity**

Health

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

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

**Section II: Object of the contract**

---

**II.1. Description**

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

Turnkey contract DCPT DNU — Building for particle therapy DNU, The New University Hospital in Aarhus.

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

Works

Design and execution

Main site or place of performance: DNU, The New University Hospital in Aarhus, Brendstrupgaardsvej, 8200 Aarhus N.

NUTS code DK042 Østjylland

**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)**

Central Denmark Region is establishing The Danish Centre of Particle Therapy (DCPT) located at The New University Hospital in Aarhus. The centre will be integrated in an interdisciplinary academic environment, which combines the patient treatment at the best hospital in Denmark with the largest existing research centre of radiation treatment in Scandinavia and the only centre for accelerator physics in Denmark. This long-term vision of the proposed DCPT is to become one of world leaders within the field of research and treatment of cancer by means of particle based radiation treatment. This type of radiation treatment is expected to get great influence on the cancer treatment within the next decade. DCPT will be placed on a site of approx. 9 000 m<sup>2</sup> next to the Oncology Ward of the new Aarhus University Hospital. The site is ready for the construction work to start now. The planned facility of approx. 8 000 m<sup>2</sup> must be equipped with one proton accelerator, three gantries and treatment rooms as well as one research, development and treatment room. DCPT is dimensioned for treatment of up to 1 500 patients per year as well as integrated facilities for patients, relatives, clinical staff and researchers.

The Tender regarding purchase of the actual proton accelerator is at present in the final phase and the bidding suppliers have submitted their final tenders. The design and placement of the proton equipment constitutes the most important part of the overall building work, and the requirements of the supplier of the equipment on the building parts constitute a significant part of the tender documents of the present contract.

The present contract solely comprises the turnkey contract in connection with the establishment of the overall facility/building excluding the supply of the proton equipment but including the constructional installations required for support of the proton equipment. The turnkey contract is put out to tender as a limited tender of turnkey contract with competitive dialogue.

The dialogue meetings are expected to be held in Aarhus at the address Hedeager 3, 8200 Århus N in the period from end February to mid April 2015.

The works comprise in outline foundation, in situ casting of concrete for radiation protection, prefabricated element delivery and mounting, ventilation, plumbing and heating, power, cooling, fitting-out etc. as well as architectural and engineering consultancy.

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

45215140 Hospital facilities construction work, 45214600 Construction work for research buildings, 45215120 Special medical building construction work, 45214630 Scientific installations, 45215144 Screening rooms construction work

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

The procurement is covered by the Government Procurement Agreement: yes

#### **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**

The scope is described under item II.1.5), anticipated total construction costs EUR 40 000 000 – 43 000 000.

#### **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**

Duration in months: 28 (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**

In connection with entering into contract the contractor must provide a security of 15 % of the total contract sum, cf. General Conditions for Turnkey contracts (ABT93) as well as special conditions, which will appear from the competitive dialogue.

A copy of ABT 93 will be accessible on the portal address appearing from item VI.3) Additional information.

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

Cf. ABT93 and special conditions, which will appear from the competitive dialogue.

A copy of ABT 93 will be accessible on the portal address appearing from item VI.3) Additional information.

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

If the tender is submitted by a consolidation of companies (consortium), the participants must accept joint and several liability for all obligations. An authorized tenderer must be nominated, who accounts for all the tenderers of the consortium in connection with the tender and the subsequent contractual terms. An example of a consortium declaration is available on the portal address appearing from item VI.3) Additional information.

A consortium declaration, if any, must be submitted together with the other information regarding 'Personal situation of economic operators'.

### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Other particular conditions to which the performance of the contract is subject: Yes

Description of particular conditions: Declaration of key figures of construction works of the state etc. (BEK no. 1469 of 16.12.2009) is valid for this building project. The executing contractor must therefore gather and hand in information to be used for calculation of key figures in accordance with the declaration, cf. especially § 10 and § 11 as well as appendices 3 and 4 of the declaration.

Declaration of quality assurance of building works (BEK no. 1117 of 23.9.2010) is valid for this building project. The executing contractor must therefore carry out quality assurance and participate in project examination in accordance with the declaration.

ILO convention no. 94 regarding work clauses in public contracts is valid for this building project. The contract will therefore include a condition, which secures wages for the workers concerned and other working conditions, which are not less favourable than those valid in the collective agreement etc. for other works of the same kind, cf. the specific rules in article 2 of the convention.

The contractor must comply with 'Clause regarding use of trainees' Central Denmark Region. (This clause can be found on the portal address, which appears from item VI.3) Additional information.

Overview of the buildings can be found on the portal address, which appears from item VI.3) Additional information.

## **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: This information must be submitted for the turnkey contractor as well as all affiliated advisors:

1. Full name/company name, VAT no. and address as well as contact person.
2. Short presentation of the company of the applicant as well as the companies of the affiliated advisors. Information of organisation, ownership, company form and information of affiliation of the company to other companies such as e.g. mother companies
3. Solemn declarations of unsettled due debt to the public sector, cf. lbk. 336 of 13.5.1997, and compliance of the public procurement directive, paragraph 45, subsection 2, letter a,b,c,e, f. (standard declarations from Central Denmark Region can be found on the portal address, which appears from item VI.3) Additional information).

Furthermore, in case of a consolidation of companies (consortium), a consortium declaration

must be submitted and the above mentioned information must be stated for each member of the consortium. If the above mentioned information is not stated for each member of the consortium, it will not entail that the application is unconditional, but lacking information might influence the evaluation of the eligibility of the consortium and the selection of tenderers.

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

List and brief description of conditions: 4. Information of the economic conditions of the company in the form of information of turnover (information of gross profit is not sufficient), result before tax, solvency ratio and equity for the latest 3 available financial years documented by annual accounts with auditor's certificate. The information must be enclosed in schematized forms. An example of a schematized form can be found on the portal address appearing from item VI.3) Additional information.

If the applicant is comprised by legal requirements regarding publication of balance, the balance must be enclosed.

Newly established companies, which are unable to present this information, must enclose a bank statement or accountant's statement, which can document the financial and economic capacity of the applicant.

5. Statement from the management of the company declaring that no important changes in the solvency ratio and equity of the company have occurred since the latest published accounts. If substantial changes have occurred in the economic capacity of the applicant since the date of the latest balance, the management statement must document that the applicant complies with the minimum requirements on equity and solvency ratio.

If the equity of the applicant is based on the capacity of other economic units, this must be documented by means of a binding statement from each of these units.

In case of a consolidation of companies (consortium), the above mentioned information must be stated for each member of the consortium. If the above mentioned information is not stated for each member of the consortium, it will not entail that the application is unconditional, but lacking information might influence the evaluation of the eligibility of the consortium and the selection of tenderers.

Minimum level(s) of standards possibly required: — the equity with addition of a subordinated loan capital, if any, must be minimum EUR 4 300 000 at the latest balance date

— the turnover must be minimum EUR 43 000 000 in the latest disposable financial year.

— the solvency ratio must be minimum 10 % at the latest balance date.

An example of a statement regarding total turnover, equity and solvency ratio of the applicant can be found on the portal address appearing from item VI.3) Additional information.

If the applicant wants to be based on the economic and financial capacity of other units, cf. the public procurement directive, paragraph 47, subsection 2, the applicant must forward a statement from the units in question declaring that they irrevocably engage to put the necessary economic and financial resources at the disposal of the applicant, so that the applicant is able to accomplish a possible ensuing contract progress.

An example of a statement regarding support can be found on the portal address appearing from item VI.3) Additional information.

If the company of the applicant was established within the latest 3 years, the applicant must only submit information from the period in which the company has existed.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

The applicant must submit the following on behalf of the turnkey contractor as well as all affiliated advisors:

6. Project references from the latest 5 years from previously accomplished assignments of

corresponding or comparable type and size. The references must encompass a thorough description of the assignment. The description must as a minimum encompass information such as:

Name of project, Builder, Advisor, Contract sum, Year of execution, Type of contract, Description of the complexity of the building work, Contact information to builder.

The references must altogether feature corresponding or comparable projects with reference to complexity and size, and experience with/knowledge of radiation protection, concrete technology, building of hospitals, technically complex buildings etc. must be made probable.

The orderer reserves the right to contact the builder on the references in question.

A minimum of 3 references from each party (turnkey contractor and respective advisors) should be enclosed and a maximum of 15 references from turnkey contractor and advisors in total.

7. Companies VAT registered in Denmark must submit key figures/ mark book from previously accomplished building assignments, cf. § 9 in declaration no. 1469 of 16.12.2009 regarding key figures of construction works of the state etc.

If the applicant is not in possession of key figures calculated in accordance with the definitions of the declaration, or if the applicant is not VAT registered in Denmark, the applicant must submit corresponding information to be used for the selection, cf. the declaration § 9, subsection 5. The corresponding information must be certified by a neutral third party.

Corresponding information is information of earlier accomplishments within the last 3 years including:

A. Statements from clients regarding:

1) Time limits, 2) deficiencies and 3) client satisfaction.

B. Number of work accidents of the applicant.

Additional information and guidance regarding key figures can be found at [www.ebst.dk](http://www.ebst.dk)

If key figures or corresponding information have not been enclosed, the application will not be regarded as unconditional, but lacking information might influence the evaluation of the eligibility of the applicant.

8. Information of manpower.

Average number of employees of the company within the latest 3 financial years, distributed into groups of professions and functions. If the company of the applicant was established within the latest 3 years, the applicant must only submit information from the period in which the company has existed.

This information must be submitted from the turnkey contractor as well as affiliated advisors.

9. Overall description of quality assurance system.

10. The turnkey contractor only must submit an overall description of his safety and health work system.

In case of a consolidation of companies (consortium), the above mentioned information must be stated for each member of the consortium. If the above mentioned information is not stated for each member of the consortium, it will not entail that the application is unconditional, but lacking information might influence the evaluation of the eligibility of the consortium and the selection of tenderers.

If the applicant wants to emphasise the competencies of sub-contractor in connection with the evaluation of the eligibility of the applicant, the applicant must enclose a statement from the sub-contractor in question declaring that the applicant has the competencies of the sub-contractor at his disposal in case of the applicant being granted the assignment. Furthermore, an overall description of the services of the sub-contractor must be enclosed.

If the applicant wants the competencies of the sub-contractor to be included in the evaluation of the eligibility of the applicant, the information stated in item III.2.3) (Technical capacity) should also be enclosed in the application.

If this information has not been enclosed for the sub-contractor, the application will not be regarded as unconditional, but lacking information might influence the evaluation of the eligibility of the applicant.

#### **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**

competitive dialogue

##### **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: Objective criteria of selection of the limited number of operator: Selection among the conditional applicants will take place on the basis of information of the qualifications of the applicants in accordance with items III.2.2) Economic capacity and III.2.3) Technical capacity, with main emphasis on the project references of the applicant.

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes

#### **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 will be 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**

16.12.2014 - 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.

#### **IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

#### **IV.3.8. 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**

The pre-qualification material is available on [www.udbud.rm.dk](http://www.udbud.rm.dk) not later than 21.11.2014.

Application for pre-qualification must be sent to the address in section I, I.1.

The envelope must be marked:

'Turnkey contract, DCPT DNU — application for pre-qualification — do not open at reception'.

Deadline for submission of application stated in section IV.3.4. is Danish local time.

The application must be forwarded on 1 USB-stick and in hard-copy consisting of one signed original and 5 copies.

The application must encompass name and E-mail of a contact person.

Anticipated overall tender schedule:

— Sending out of request for pre-qualification, 13.11.2014.

— Conduct of information meeting, Wednesday, 26.11.2014, at 10:00 - 12:00, at the address stated under item I.1.

Registration for the information meeting is necessary and must be sent to [Inf@niras.dk](mailto:Inf@niras.dk) 21.11.2014, at 12:00 at the latest, with information of number of participant.

— Submission of pre-qualification material, 16.12.2014.

— Announcement of pre-qualification, 12.1.2015.

— Sending out of dialogue material, 21.1.2015.

— Dialogue meetings are held in the period end February – end April. 2015.

— Sending out of final tender material, 20.4.2015.

— Opening of tenders, 2.6.2015.

— Evaluation and nomination, June-July, 2015.

— Handling by the regional council, 26.8.2015.

— Publications of winner, 27.8.2015.

— Stand Still period, 28.8. - 7.9.2015.

— Signing of contract, 22.9.2015.

Each pre-qualified turnkey contract team, which completes the dialogue process and submit conditional tender will receive a fee corresponding to EUR 40 000. The winner don't get any fee.

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

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

Official name: The appeals committee for tendering

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: København Ø

Postal code: 2100  
Country: Denmark  
E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)  
Internet address: <http://www.klfu.dk>

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

Precise information on deadline(s) for review procedures: Appeals regarding the tendering procedure must be forwarded to 'The appeals committee for tendering' in accordance with §7 in act no. 492 of 12.5.2010 regarding enforcement of the tendering rule etc., as follows: Appeals regarding not being pre-qualified must be received by the appeals committee within 20 calendar days from the day after the notification of the orderer of who has been pre-qualified, if the notification includes a short explanation of the relevant reasons for the decision. A fee of DKK 20 000 must be enclosed in the appeals. Other appeals must be received by the appeal committee within 45 days from the day after the publication in Official Journal of the European Union of the notification that the orderer has entered into a contract. Simultaneously with — and not later than — lodging of appeal to the appeal committee, the complainant must in writing inform the orderer of the referring of the appeal to the appeal committee, and whether the appeal is lodged in the stand-still period. If the appeal is not lodged in the stand-still period, the complainant must also inform whether delaying effect of the appeal is requested. See more about lodging of appeals on the home page of the appeals committee for tendering (Klagenævnet for Udbud): [www.klfu.dk](http://www.klfu.dk)

#### **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)  
Internet address: <http://kfst.dk>

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

13.11.2014