

**Denmark-Svendborg: Small craft
OJ S 215/2016 08/11/2016
Contract notice – utilities
Supplies**

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DanPilot

Postal address: Havnepladsen 3A

Town: Svendborg

NUTS code: DK031 Fyn

Postal code: 5700

Country: Denmark

Contact person: Per Tolstrup

E-mail: kontakt@tohv.dk

Internet address(es):

Main address: <http://www.danpilot.dk>

Address of the buyer profile: <http://danpilot.dk/da/om-danpilot/udbud>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://danpilot.dk/da/om-danpilot/udbud>

Additional information can be obtained from the abovementioned address

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

Official name: Tolstrup & Hvilsted

Postal address: Myntevej 5

Town: Randers

Postal code: 8920

Country: Denmark

Contact person: Per Tolstrup

E-mail: kontakt@tohv.dk

NUTS code: DK042 Østjylland

Internet address(es):

Main address: <http://www.tolstruphvilsted.dk/>

Address of the buyer profile: <http://danpilot.dk/da/om-danpilot/udbud>

I.6. Main activity

Port-related activities

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Acquisition of 'New Pilot Boats' for DanPilot.

II.1.2. Main CPV code

34522300 Small craft

II.1.3. Type of contract

Supplies

II.1.4. Short description

This procurement material applies to DanPilot's invitation to the competitive procedure with negotiation regarding acquisition of up to fifteen (15) 'New Pilot Boats'.

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: DK031 Fyn

II.2.4. Description of the procurement

DanPilot is an independent public enterprise under the Ministry of Business and Growth, with the Danish Maritime Authority as the supervising authority. DanPilot handles the public pilotage through Danish territorial waters from any destination in Denmark to all ports in Denmark and in the Baltic Sea all year round and any time of day.

The tenderer shall be able to deliver fifteen (15) of the offered pilot boat. DanPilot is committed to buy eleven (11) of the offered pilot boat. The remaining four (4) pilot boats is optional for DanPilot.

The operation of the offered pilot boats is intended for safe boat-to-ship transfer of pilots at medium speed, and for transit from port-to-ship and reverse at high speed, in the coastal water, sounds and fjords around Denmark. Further, the offered pilot boats will occasionally be operated in light sea ice as it appears in Danish waters.

It is the intention of DanPilot to acquire new build pilot boats ready and approved by the Danish Maritime Authorities (DMA) for operation as a Pilot Boat fulfilling all applicable rules and regulations as set by DMA.

The Procurement material and the appendices describe the details of the procurement procedure and the contract. For more information regarding the technical specifications, see Contract Appendix A — Tender Requirement Specification. For more information regarding contract terms, see Appendix 4 and Appendix 4.1.

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: 56

This contract is subject to renewal: no

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

Envisaged minimum number: 5 Maximum number: 10 Objective criteria for choosing the limited number of candidates:

Among the candidates who are suitable based on the requested information in section B.2 in the Procurement material, DanPilot will prequalify minimum five (5) and maximum ten (10) candidates. If less than five (5) suitable requests are received, DanPilot will prequalify the number of candidates who are suitable. These candidates will be invited to submit a tender. The choice of candidates will be based on an overall assessment of the requested information and documentation in section B.2.1(b) in the Procurement material. However, the listed references will be of high importance in the assessment.

DanPilot will weigh the following positively when choosing the candidates who will be prequalified:

References:

1. High level of comparability to the boat put out for tender regarding type, size, speed and capacity
2. High number of commercial work-boats in each of the references, where especially a high number of pilot boats in each reference will be weighted very positively

The candidates' quality assessment procedure:

1. The description and/or illustration of the candidates' organization shows a well-structured organization covering all aspects of a serial production and an organization capable of serial production
2. The candidate poses and maintains a satisfying quality management system
3. The candidate poses adequate procedures and well skilled competencies and resources ensuring the quality of the product

The candidates' production facilities and test facilities:

1. The description and/or illustration shows well-structured production facilities and logic production flow suitable for serial production
2. Production in enclosed buildings and in separated areas relevant for the activities
3. Production with a minimum of handling and processing
4. Utilization of modern production and test methodologies and technology and in-house adequate production design and administration capabilities.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

DanPilot is committed to buy eleven (11) of the offered pilot boat. The remaining four (4) pilot boats is optional for DanPilot.

DanPilot has until delivery of the 11th pilot boat to decide whether or not they will exercise the option and buy more than eleven (11), but maximum fifteen (15), of the offered pilot boat. The pilot boats included in the option shall be delivered no later than two (2) years from the delivery of the 11th pilot boat. DanPilot and the tenderer will agree on a detailed delivery plan.

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

DanPilot invites all tenderers to an information meeting regarding the procurement procedure.

The information meeting will take place on 17.11.2016 from 13:00 to 15:00 CET.

Please consult section A.5.2 in the Procurement material for further information regarding the information meeting.

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:

A. Personal situation of the candidate:

- Information about the candidates' identity and information in general about the candidate, cf. ESPD part II. A: Information about the economic operator
- Information about the candidates' representatives, cf. ESPD part II. B: Information about representatives of the economic operator
- Information about whether the candidates are subject to one of the mandatory grounds of exclusion in the Danish procurement law (Udbudsloven), cf. ESPD part III. A: Grounds relating to criminal convictions
- Information about whether the candidates are subject to one of the mandatory grounds of exclusion in the Danish procurement law (Udbudsloven), cf. ESPD part III. B: Grounds relating to the payment of taxes or social security contributions
- Information about whether the candidates are subject to one of the mandatory grounds of exclusion in the Danish procurement law (Udbudsloven), cf. ESPD part III. C: Grounds relating to insolvency, conflicts of interest or professional misconduct:
 - o Conflict of interest due to its participation in the procurement procedure
 - o Direct or indirect involvement in the preparation of this procurement procedure
 - o Guilty of misinterpretation, withheld information, unable to provide required documents and obtained confidential information of this procedure.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

References:

Description of up to five (5) of the candidates' principal references regarding contracts from comparable deliveries.

Comparable deliveries in this sense are defined as commercial workboats that has been designed and/or built and put into operation within the last 10 years, and operated successfully for minimum 6 months within the last 5 years.

Commercial workboats in this sense are defined as a pilot boat, a crew boat, a SAR boat, a patrol boat or other similar workboat that has been built for purpose and certified for commercial use according to rules and regulation by Class, and/or by European Flag State.

One contract regarding delivery of numerous commercial workboats cannot be subject to more than one reference.

Each of the references should describe:

- the client as well as the contact person at the client, including the telephone number of this contact person;
- the date of delivery of each of the boats(s);
- the time period for production of the boat(s);
- the time and place in which the boat is/was in operation;
- the Class and/or European Flag State that the boat has been built according to;
- the sum of the contract;
- the number of boats delivered;
- a short description of the delivered boat(s), including type, size, speed and capacity.

Please state the reply in the ESPD part IV. C in the field 'For supply contracts: performance of deliveries of the specified type'.

— The candidates' quality assessment procedure:

Description and/or illustration of the candidates' quality assessment procedure.

Quality assessment procedure is in this sense defined as:

Description on how the candidate define and continuously improve procedures that ensure that the product and deliveries that the candidate offers meets customer expectation, contract obligation and applicable laws and regulations.

The candidate should describe and/or illustrate the following:

— Configuration of the candidates' organization with assigned functionalities, including interfacing of subcontracted deliveries

— A verification of the candidates' quality management system. For example ISO 9001:, or other quality management system with similar objectives.

— How the candidate ensures the quality of the product by procedures, competencies and resources

Please state the reply in the ESPD part IV. C in the field 'Technical facilities and measures for ensuring quality'.

— The candidates' production facilities and test facilities:

Description and/or illustration of the candidates' production facilities and test facilities.

Production facilities is in this sense defined as:

Production facilities suitable for purpose, which means serial production and subsequent delivery of commercial work boats, as defined above, in numbers comparable to this acquisition.

Test facilities in this sense defined as

Test facilities supporting the production and applicable documentation requirements and utilizing recognized technology and equipment for serial production and subsequent delivery of commercial work boats, as defined above, in numbers comparable to this acquisition.

The candidate should describe and/or illustrate the following:

— General arrangement of:

o facilities for storing and handling of materials and equipment,

o production workshops,

o assembly areas,

o dock facilities,

o test facilities and

o design and administration offices

— How these facilities will be utilized e.g. production methodology and technologies, production flow chart and production capability

Please state the reply in the ESPD part IV. C in the field 'Tools, plant or technical equipment'.

— Please consult section B.2.1 b) in the Procurement material for further information.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Please notice, that the winning tenderer must be able to provide the guarantee described in Appendix 4.1 — Shipbuilding Contract Bimco, Annex A(iii).

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.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2016/S 172-309498](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 02/12/2016 Local time: 12:00

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

Date: 16/12/2016

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

Questions regarding the prequalification:

Candidates are requested to seek clarification and answers to any queries by asking questions regarding the prequalification.

All enquiries and questions regarding the prequalification should be made in writing and sent by e-mail to kontakt@tohv.dk, with the following subject line: 'Questions — Prequalification, New Pilot Boats' no later than 23.11.2016, 12:00 CET.

Supplementary information, including questions and answers, will be provided in depersonalised form on DanPilot's homepage at: <http://danpilot.dk/da/om-danpilot/udbud>.

— Confirmation of content in ESPD:

The prequalified candidates shall on request from DanPilot provide documentation according to The Public Procurement Act (Udbudsloven) § 152 regarding the information that the candidate has given in Appendix 1 — ESPD (European single procurement document).

A. Personal situation of the candidate:

If the candidate is from Denmark, the documentation regarding the information given according to section B.4.1(a) in the Procurement material shall be in form of an Official Certificate (Serviceattest) from the Danish Business Authority (Erhvervsstyrelsen). The Official Certificate shall contain information from the police (Det Centrale Kriminalregister) why the candidate shall complete and sign a declaration of consent (samtykkeerklæring) which shall be uploaded when the Official Certificate is ordered. For information about how the Official Certificate is ordered please see the following website:

https://indberet.virk.dk/myndigheder/stat/ERST/Anmod_om_serviceattest

The Official Certificate will not be accepted if it is older than six (6) months from the deadline for submission of request for prequalification.

Please note that the processing time at the Danish Business Authority is about 2 weeks from the day where they receive the order for the Official Certificate.

If the candidate isn't from Denmark the documentation regarding the information given according to section B.2.1(a) in the Procurement material shall, cf. The Public Procurement Act, section 153, be in form of

— An extract from the relevant register or a similar document issued by a competent judicial or administrative authority stating that the candidate or tenderer is not subject to the grounds for exclusion in The Public Procurement Act, section 135(1)

— A certificate issued by the competent authority in the country referred to as documentation that the candidate is not subject to the grounds for exclusion in The Public Procurement Act, section 135(3).

If the country in question does not issue the documents or certificates stated above, or if such documents or certificates do not cover all the cases mentioned, those documents or certificates can be replaced by a statement provided on oath. If statements on oath are not provided for in the relevant country, a solemn declaration made before a competent judicial or administrative authority, a notary or a competent professional organisation in the country in which the candidate or tenderer is registered, can be applied.

We refer to e-Certis (<http://ec.europa.eu/markt/ecertis/login.do>) an online database that can be used as a guide to find the right documentation.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291000

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

VI.4.2. Body responsible for mediation procedures

Official name: Finder ikke anvendelse

Town: Finder ikke anvendelse

Country: Denmark

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Complains about not being pre-qualified: Within 20 calendar days from notification of the result, if the notification contains a short explanation of the relevant reasons for the decision.

Counting from the day after the day where the contracting authority has sent the notification to the involved candidates.

Complains about DanPilots decision on conclusion of contract: Within 45 days from the contract award notice has been published in the Official Journal of the EU, counting from the day after the day where the notice has been published.

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
Telephone: +45 41715000
Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

04/11/2016