

**Denmark-Copenhagen: Environmental services**

OJ S 163/2019 26/08/2019

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: EKF Danmarks Eksportkredit

National registration number: 30763777

Postal address: Lautrupsgade 11

Town: København Ø

NUTS code: DK0 Danmark

Postal code: 2100

Country: Denmark

Contact person: Gitte Hald

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

Telephone: +45 35462600

**Internet address(es):**Main address: [www.ekf.dk](http://www.ekf.dk)**I.3. Communication**The procurement documents are available for unrestricted and full direct access, free of charge, at: [http://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=248093&B=KA](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=248093&B=KA)

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: [http://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=248093&B=KA](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=248093&B=KA)

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

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Economic and financial affairs

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Consultancy Services for the Environmental and Social Sustainability

**II.1.2. Main CPV code**

90700000 Environmental services

**II.1.3. Type of contract**

Services

#### **II.1.4. Short description**

EKF Denmark's Export Credit Agency (hereinafter 'EKF') is launching a call for tender with the aim of establishing a framework agreement with a supplier in the environmental and social sectors throughout the countries of EKF's operations.

The purpose of the framework agreement is to provide support to the projects of EKF, concerning:

- 1) Environmental and social due diligence and monitoring;
- 2) Competences and Staff;
- 3) Training and workshops with the purpose of providing EKF staff with the expertise needed;
- 4) Small ad hoc tasks relating to environmental and social issues; and
- 5) CSR/ESG reporting and strategy development. Please see description in Section II.2.4) below.

#### **II.1.5. Estimated total value**

Value excluding VAT: 16 000 000,00 DKK

#### **II.1.6. Information about lots**

This contract is divided into lots: no

### **II.2. Description**

#### **II.2.2. Additional CPV code(s)**

72221000 Business analysis consultancy services

#### **II.2.3. Place of performance**

NUTS code: DK0 Danmark

#### **II.2.4. Description of the procurement**

The services rendered by EKF on environmental and social issues include the following:

Re 1) Environmental and social due diligence and monitoring in order to assess compliance with the following frameworks and standards:

- EKF's CSR Policy (Appendix 2 to the Agreement);
- the OECD recommendation on common approaches on the environment and — officially supported export credits,
- UN guiding principles for business and human rights,
- the equator principles,
- IFC performance standards,
- The Danish and European rules and legislation on animal welfare.

The services includes offsite due diligence support as well as site visit support and monitoring.

The offsite due diligence is expected to regard projects located worldwide.

Re 2) Competences and staff:

The supplier shall have an organizational set-up that can provide EKF with seamless services and high-quality support. The services shall be provided by an account responsible and a core team. Furthermore, the supplier shall under duration of the framework agreement provide access to associated resources.

The supplier shall within the core team or associated experts resources be able to navigate within the following areas of expertise: E and S management systems and certification — environment — human rights — labour rights - biodiversity — resettlement

— climate change impact — SDG, ESG, strategy — reporting — indigenous people — animal welfare — Good international industry practice (GIIP) — international conventions.

These areas of expertise will be related to EKF's projects, which are primarily focused on the wind industry, renewable energy, large scale infrastructure, agribusiness.

In order to solve locally orientated issues, the Supplier shall under the duration of the framework agreement provide access to associated social and environmental resources with local experience of the following areas, if such expert knowledge is not represented in the core team:

— Europe: North-, Central- and South America — Middle East — Sub-Saharan Africa — Southeast Asia — CIS countries — Oceania.

Local experience means: knowledge regarding local environmental and social conditions including related law and regulation in the above stated areas relating to each state/country in each area.

3) Training and workshops with the purpose of providing EKF staff with the expertise needed. On an ad hoc basis provide training for EKF staff on new developments especially related to the following: IFC performance standards — WBG EHS guidelines, — UN Guiding Principles on Businesses and Human Rights — Environmental and social sustainability themes relevant to EKF CSR work in general.

4) Small ad hoc tasks relating to environmental and social issues:

The ad hoc small task input will vary greatly in subject and extend of service, as it will relate to technical aspects within the aforementioned topics. The small ad hoc tasks may be in the form of e-mails and telephone calls. The task will vary but may include, but are not limited to, the following: occupational health and safety (related to industrial facilities and construction sites, respectively) — air pollution — noise and vibrations — hazardous materials management — biodiversity and ecosystem services — animal welfare (in particular poultry and pig production and slaughtering) — indigenous peoples' rights and communities — stakeholder engagement — land acquisition resettlement and compensation schemes.

5) CSR/ESG reporting and strategy development:

The supplier shall be able to provide consultancy services related to EKF's CSR reporting and strategy e.g: assisting in maintaining and further development of EKF's records of environmentally and socially related data — support EKF in meeting obligations under the Danish Financial Act's §§99.a and 99.b, the equator principles and the UN Global Compact frameworks.

#### **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**

Value excluding VAT: 16 000 000,00 DKK

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

Duration in months: 48

This contract is subject to renewal: no

#### **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:

The limitation of candidates invited to tender will take place after an evaluation of which candidates have documented the most relevant deliveries, (see Section III.1.3), of the services covered by the contract, (see the description in Sections II.1.4) and II.2.4).

The evaluation of the most relevant deliveries will be made on the basis of the extent to which the references document experience with delivery of comparable services related to environmental and social due diligence cf. No 1 in Section II.2.4) within the areas of expertise and in the geographical areas, cf. No 2 in Section II.2.4).

In the evaluation of which candidates have documented the most relevant deliveries of comparable services the following will be taken into account (in order of priority):

- the more the references show experience in delivering comparable services within a wide range of the areas of expertise,
- the more the references show wide experience in delivering comparable services within the geographical areas stated,
- the more the references show a large network of resources with knowledge regarding local environmental and social conditions within the geographical areas when delivering comparable services.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **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**

In addition to the Section II.2.3) Place of performance it should be noted that other places of performance can occur. Further information is stated in the tender documents.

Please be advised that 1 person may be specialized within several areas of expertise, cf. Section II.2.4), No 2.

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

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#### **III.1. Conditions for participation**

##### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

The candidate must submit the European Single Procurement Document ('ESPD') with the following information:

- the candidate's equity in the most recent financial year available,
- the candidate's total annual turnover in the most recent financial year available.

If the candidate relies on the economic and financial capacity of other entities, the candidate and the entities in question will be jointly and severally liable for the performance of the contract, see s.144(6) of the Danish Public Procurement Act.

The ESPD serves as provisional documentation that the candidate fulfils the minimum suitability requirements in respect of economic and financial capacity.

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

Upon the contracting entity's request, the candidate must submit the following documentation of economic and financial capacity:

- (equity): the operator's balance sheet or extracts thereof in the most recent financial report /financial year available if publication of the balance sheet is required under law in the country in which the operator is established, or other documentation of the size of the equity. For groups of operators (e.g. a consortium), the information in the most recent financial report /financial year available must be submitted for each participating operator in the group. Where an operator relies on the economic and financial capacity of other entities (e.g. a parent

company, a sister company or a subcontractor), information for such other entities must also be provided,

— (turnover in the most recent financial year available): a statement regarding the operator's overall turnover in the most recent financial year available, depending on the date on which the operator was set up or started trading, if the information on these turnovers is available. For groups of operators (e.g. a consortium), the information must be submitted for each participating operator in the group. Where an operator relies on the economic and financial capacity of other entities (e.g. a parent company, a sister company or a subcontractor), information for such other entities must also be provided.

Minimum level(s) of standards possibly required:

— (equity): as a minimum requirement, a positive equity in the most recent financial year available. If the candidate relies on the capacity of other entities, the equity is to be calculated as the total equity of the operator and such other entities in the most recent financial year available. For groups of operators (e.g. a consortium), the equity is calculated as the total equity of the operators in the most recent financial year available. The information is to be stated in Section IV.B of the ESPD,

— (turnover in the most recent financial year available): as a minimum requirement, a total annual turnover of at least 20 000 000 DKK is required in the most recent financial year available. If the candidate relies on the capacity of other entities, the turnover is to be calculated as the total turnover of the candidate and such other entities in the most recent financial year available. For groups of operators (e.g. a consortium), the turnover is calculated as the total turnover of the operators in the most recent financial year available. The information is to be stated in Section IV.B of the ESPD.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

The candidate must submit the ESPD with the following information:

A list of the 8 most significant comparable services, see Sections II.1.4) and II.2.4), that the candidate has carried out in the last 3 years before the expiry of the application deadline.

Only references relating to services carried out at the time of application will be given importance in the evaluation of which candidates have documented the most relevant deliveries, see Section II.2.9). Hence, in the event of an ongoing task, only the part of the services already having been performed at the time of application will be included in the evaluation of the reference.

Each reference is requested to include a brief description of the delivery performed. The delivery description should include a clear description of the services set out in Section II.2.4) including the relevant area(s) of expertise (cf. No 2 in Section II.2.4)), the concerned country /countries and how local knowledge was provided by the candidate's network. Furthermore, the candidate's role(s) in the performance of the delivery should be included. The reference is furthermore requested to include the financial value of the delivery (amount), date of delivery and name of the customer (recipient).

When indicating the date of the delivery, the candidate is requested to indicate the date when the delivery was commenced and finalised. If that is not possible, e.g. if the tasks were performed on an ongoing basis under a framework agreement, the candidate is asked to specify the circumstances of the date in the description.

No more than 8 references may be stated, irrespective of whether the candidate is a single operator, whether the candidate relies on the technical capacity of other entities, or whether the candidate is a group of operators (e.g. a consortium).

If more than 8 references are stated, only the first 8 references will be taken into account. Any additional references will be disregarded.

If it is not possible to decide which references are the first 8 references, the references will be selected by drawing lots.

If the candidate relies on the professional experience of other entities for the performance of specific parts of the services comprised by the contract, (see Section II.2.4), such specific parts of the services under the contract must be performed by the entity on which the candidate relies.

The ESPD serves as provisional documentation in relation to the candidate's compliance with the selection criterion, (see Section II.2.9).

Before the decision to award the contract is made, the tenderer to whom the contracting entity intends to award the contract must submit documentation that the information stated in the ESPD is accurate.

No additional documentation of technical and professional capacity will be required from the candidate. However, the contracting entity reserves the right to contact the candidate or the customer stated in the reference for confirmation of the information stated in the reference, including the dates of the reference indicated.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

The contract has to the relevant extent incorporated the corporate social responsibility considerations as laid down in the conventions on the basis of which the principles of the UN Global Compact are worded and as laid down in the OECD guidelines for multinational enterprises. The contract furthermore lays down requirements pursuant to ILO Convention No 94 on labour clauses in public contracts and Circular No 9471 of 30.6.2014.

The contract lays down requirements on compliance with the law on processing of personal data.

The requirements specification states that the supplier shall within the core team be able to perform tasks in Danish and English. Under the duration of the framework agreement the supplier shall provide resources within the core team or with associated resources in order to perform tasks in Spanish, French, Russian, Turkish and Chinese.

#### **III.2.3. 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

## **Section IV: Procedure**

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### **IV.1. Description**

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

Restricted procedure

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

#### **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: 23/09/2019 Local time: 09:00

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

Date: 07/10/2019

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

Danish, 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**

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#### **VI.1. Information about recurrence**

This is a recurrent procurement: no

#### **VI.3. Additional information**

Participation in the tendering procedure may only take place by electronic means via the electronic tendering system used by the contracting entity, see the address set out in Section I. 3). The tendering procedure is accessed under 'Ongoing public procedures'. For access to the procurement documents, the candidate must be registered or register as a user.

If the application contains several versions of the same document, the latest uploaded version will apply.

All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system. Questions regarding the submission of applications must be submitted not later than 11.9.2019. Questions asked after this date will be answered if they are received in time for the contracting authority to provide the information required and communicate the answers not later than 6 days before expiry of the application deadline. Questions received later than 6 days before expiry of the deadline cannot expect to be answered.

Interested operators are requested to keep updated via the electronic tendering system. If the candidate encounters problems with the system, please contact support by email [dksupport@eu-supply.com](mailto:dksupport@eu-supply.com) or telephone (+45) 70208014.

The candidate must submit as its application an ESPD as preliminary documentation of the circumstances set out in Section 148(1) paras (1)-(3) of the Danish Public Procurement Act (udbudsløven). For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating operator. If the candidate relies on the capacity of other entities, an ESPD must be submitted for each of the entities on which the candidate relies.

The candidate will be excluded from participation in the tender procedure if the candidate is subject to the compulsory grounds for exclusion set out in Sections 135 and 136 of the Danish Public Procurement Act, unless the candidate has submitted sufficient documentation of its reliability in accordance with Section 138 of the Danish Public Procurement Act.

Before the decision to award the contract is made, the tenderer to whom the contracting authority intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to Sections 151-152, cf. Section 153 of the Danish Public Procurement Act. The contracting authority reserves the right to ask for documentation at an earlier stage in the process (e.g. from all the pre-qualified candidates).

Additional information:

As regards Section II.1.5) and Section II.2.6), it should be noted that the amount is an estimate of the expected total maximum contract price. The estimate is based on the historical consumption of the services over the last 4 years. It should be noted that the sum stated is an

estimate of the total maximum contract price, but the estimate is based on an estimated range of the expected contract price. The estimated range is 10 000 000 DKK — 14 000 000 DKK, but it might be up to 16 000 000 DKK. The estimate is not a guaranteed turnover. The actual turnover on the framework agreement can vary from this estimate. The supplier bears the commercial risk that actual turnover related to the framework agreement may vary.

As regards Section II.2.9) it should be noted that each candidate may only submit 1 application for pre-qualification.

The contracting entity may use the procedure of Section 159(5) of the Danish Public Procurement Act in the event that applications or tenders do not comply with the formal requirements of the procurement documents.

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

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

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

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405600

Internet address: <https://klfu.naevneneshus.dk/>

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the act is available (in Danish) at [www.retsinformation.dk](http://www.retsinformation.dk)), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see Section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with Section 2(1), para (1) of the Act and Section 171(2) of the Danish Public Procurement Act.

In other situations, complaints of award procedures, see Section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting authority has published a notice in the Official Journal of the European Union that the contracting authority has entered into a contract. The deadline is calculated from the day after the day when the notice was published;

2) 30 calendar days calculated from the day after the day when the contracting authority has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision;

3) 6 months after the contracting authority entered into a framework agreement calculated from the day after the day when the contracting authority notified the candidates and tenderers concerned, see Section 2(2) of the Act and Section 171(4) of the Danish Public Procurement Act;

4) 20 calendar days calculated from the day after the contracting authority has submitted notification of its decision, see Section 185(2) of the Danish Public Procurement Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting authority in writing that a complaint

has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see Section 6(4) of the Act. In cases where the complaint was not lodged during the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see Clause 12(1) of the Act.

The email address of the Complaints Board for Public Procurement is set out in Section VI.4.1). The complaints board's own complaints procedure is available at [www.erhvervsstyrelsen.dk](http://www.erhvervsstyrelsen.dk)

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

Official name: Konkurrence- og Forbrugerstyrelsen (The 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

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

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

21/08/2019