

**Denmark-Aalborg: Construction work**  
**OJ S 127/2023 05/07/2023**  
**Contract notice – utilities**  
**Works**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: Nordværk I/S

National registration number: 46076753

Postal address: Troensevej 2

Town: Aalborg Øst

NUTS code: DK050 Nordjylland

Postal code: 9220

Country: Denmark

Contact person: Jacob Volden Paaske

E-mail: [jvpe@ramboll.com](mailto:jvpe@ramboll.com)

Telephone: +45 51611839

**Internet address(es):**

Main address: <https://www.ethics.dk/ethics/eo#/031f9e7c-b2f3-48e7-9581-14c79996e589/homepage>

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/031f9e7c-b2f3-48e7-9581-14c79996e589/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/031f9e7c-b2f3-48e7-9581-14c79996e589/homepage>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/031f9e7c-b2f3-48e7-9581-14c79996e589/homepage>

**I.6. Main activity**

Production, transport and distribution of gas and heat

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**Section II: Object**

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

**II.1.1. Title**

Flue Gas Condensation Plant on Line 3

**II.1.2. Main CPV code**

45000000 Construction work

### **II.1.3. Type of contract**

Works

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

This procurement procedure concerns the award of a contract regarding design, delivery, installation and commissioning of flue gas condensation plant retrofitted to the existing Line 3. The procurement procedure is carried out as a negotiated procedure with prior call for competition according to section 47 of the Utility Directive (2014/25/EU). See section 5.2 in Part 0.B Tender Conditions for additional information about how negotiations will be conducted. The Contracting Authority reserve the right to sign a contract based on the initial offer.

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

Value excluding VAT: 50 000 000,00 DKK

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

This contract is divided into lots: no

## **II.2. Description**

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

90513300 Refuse incineration services, 45252000 Construction works for sewage treatment plants, purification plants and refuse incineration plants, 45251000 Construction works for power plants and heating plants, 45222100 Waste-treatment plant construction work

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

NUTS code: DK050 Nordjylland

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

This procurement concerns the Works regarding design, delivery, installation and commissioning of a new flue gas condensation system with the purpose of producing energy from waste, to be distributed as district heating via the existing district heating distribution network.

The Works comprise, cf. Part III, Appendix A1 Design Basis:

- A new flue gas condensation system with heat pump
- All necessary heat exchangers and pumps
- A new ID-fan
- A water treatment plant for condensate cleaning
- Chemical dosing systems with tanks
- New or upgraded stack
- All district heating installations and connection to the district heating system
- All CMS equipment and implementation of the Works shall be fully implemented in the existing CMS
- All necessary electrical equipment including connection to the overall electrical system
- All necessary auxiliary equipment, tanks etc
- All necessary design, manufacturing, supply, erection, testing, commissioning and hand-over
- Documentation and preparation of data into the Clients O&M system

### **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: 50 000 000,00 DKK

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

Duration in months: 13

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: 3 Objective criteria for choosing the limited number of candidates:

Reference to Part 0.B Tender Conditions, section 3.8 Selection Criteria for Prequalification.

If more suitable applicants, who comply with the minimum requirements, cf. section 3.4-3.6, than the maximum number submit a request for prequalification, the selection of applicants, who will be asked to submit a tender, will be made on the basis of a reasoned assessment on the basis of the technical and professional ability on the basis of the information provided in the contract notice, as described below:

**1) Capacity of waste treatment for references**

Only references in compliance with the minimum requirements, cf. section 3.6.2, 2, will be taken into account.

A maximum of 5 references will be evaluated. If more than 5 references are submitted, the Contracting Authority will only take into account the first 5 references included in the Application for Participation.

Evaluation model has been defined in Part 0.B Tender Conditions, section 3.8 Selection criteria for Prequalification.

2) Should two or more Applicants have equal total score in the evaluation of references above, the Applicants will be ranked according to:

a) which Applicant that have the highest scoring references, and secondarily

b) which Applicant that have the most recent (date of commencement of commercial operation) reference.

**II.2.10. Information about variants**

Variants will be accepted: no

**II.2.11. Information about options**

Options: yes

Description of options:

1. Advanced condensate cleaning plant for cleaning for production of boiler make up water.

Two capacities must be offered: 1.a 3.5 m<sup>3</sup>/h, 1.b: Min. 200 % of nominal condensate production rate.

2. Conditioning plant for district heating water. Min. 200 % of nominal fine cleaned condensate production rate

**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**

It chosen not to divide the tender into lots in order to limit transaction costs, interface coordination and administration on a project of this size.

**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 Applicant must state the annual turnover for the latest three available financial years.

'Turnover' is the amount to which the company is entitled or expects to be entitled in exchange for goods supplied or services rendered.

The Applicant must state the equity based on the Applicants' attested financial accounts for the latest fiscal year.

The annual accounts of the Applicant and, where applicable, the members of the combination and/or the entities on whose capacity is relied upon, for the last three financial years for which the accounts have been closed.

Reference to Part 0.B Tender Conditions section 3.6.1 B: Economic and Financial Capacity.

Minimum level(s) of standards possibly required:

The Applicant must, for the last three financial years for which the accounts have been closed, have an average annual turnover of at least 125.000.000 DKK. Where the Application for Participation is based on a combination of undertakings or where the financial or economic capacity of other entities is relied upon, the minimum annual turnover must be met by relying on no more than three members of the combination and/or entities on whose capacity is relied upon.

The equity must be positive based on the most recent annual account or financial figures.

Where the application for participation is submitted by a combination of undertakings or where the financial or economic capacity of other entities is relied upon, this requirement must be met by relying on the same members of the combination and/or entities as those on whose capacity is relied on for meeting the minimum turnover requirement. The components of the ratios are in that case calculated by adding the financial figures of all the aforementioned members and/or entities.

The annual accounts of the Applicant and, where applicable, the members of the combination and/or the entities on whose capacity is relied upon, for the last three financial years for which the accounts have been closed.

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

List and brief description of selection criteria:

The Applicant must possess sufficient technical and professional capacity to carry out the Scope of Works for which it submits an Application for Participation.

The description should include:

- Name of reference project or plant
- Contract amount (in DKK)
- Place of performance (office address of reference plant)
- Client (final client)
- Contact person for the client (name, position, telephone number and e-mail)
- Period of the contract (start and end date)
- Description of the technical solution provided by the Applicant under the contract
- Description of the scope of the activities carried out by the Applicant under the contract.
- Description of the fuel input (types of waste)
- Nominal capacity (tonnes waste/hour) and Flue gas flow (Nm<sup>3</sup>/h)
- Date of commencement of commercial operation (Provisional takeover)

Reference to Part 0.B Tender Conditions section 3.6.2 C: Technical and Professional Ability

Minimum level(s) of standards possibly required:

- a) The reference must pertain to supply of a complete FGC system for a waste-to-energy plant based on predominantly municipal solid waste as fuel.
- b) The project must have been commissioned in the EU, Norway, Iceland, Switzerland or the United Kingdom within the last 8 years. In other words, the commercial commissioning of the system must have taken place after 01/01/2015. The Contracting Authority have chosen a period of 8 years due to the limited number of projects that has been carried out within the recent 5 years in order to ensure an effective competition.
- c) The Participant must have been the main supplier of the technology and designer of the FGC system.
- d) The Participant must provide at least 1 reference which satisfies the above conditions.

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

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

Termination of the Contract because of activities in Russia In accordance with Article 5k of Regulation (EU) No 833/2014 concerning restrictive measures pursuant by Russia's actions destabilizes the situation in Ukraine, as amended by Council Regulation (EU) 2022/578 of 8 April 2022. The contractor must declare that it is not engaged in activities in Russia that are contrary to Article 5k of Regulation (EU) No 833/2014. The declaration shall be annexed as Part II.j. In cases where the Contractor cannot declare that they are not covered by the prohibition or where the Contractor subsequently fails to comply with the declared, Nordværk I /S may terminate the contract.

## **Section IV: Procedure**

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

Date: 11/08/2023 Local time: 11:00

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

#### **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: 3 (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**

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

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

Official name: Klagenævnet for udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 72405708

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

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

Precise information on deadline(s) for review procedures:

Under the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.), the following time limits apply to the filing of a complaint: A complaint about not being selected must be filed with the Complaints Board for Public Procurement within 20 calendar days, see section 7(1) of the Act, from the date after notification has been sent to the candidates involved of who has been selected when notification is accompanied by the reason for the decision in accordance with section 2(1)(i) of the Act.

In other situations see section 7(2) of the Act, must be filed with the Complaints Board for Public Procurement within:

- 1) 45 calendar days after the contracting authority has published a notice in the Official Journal of the European Union of the contracting authority's conclusion of a contract. The time limit is calculated from the day after the day on which the notice was published;
- 2) 20 calendar days calculated from the day after the contracting authority has notified its decision, see section 185 (2) of the Danish Public Procurement Act

#### **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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: [www.kfst.dk](http://www.kfst.dk)

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

30/06/2023