

Denmark-Glostrup: Water purification plant construction work

OJ S 245/2014 19/12/2014

Contract notice

Works

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Glostrup Hospital

Postal address: Nordre Ringvej 57

Town: Glostrup

Postal code: 2600

Country: Denmark

For the attention of: Mie Rasmussen

E-mail: mie.boeje.rasmussen@regionh.dk

Telephone: +45 38632317

Internet address(es):

General address of the contracting authority: <http://www.glostruphospital.dk>

Electronic access to information: <http://http://www.glostruphospital.dk/nythospital/menu/Udbud/Affalds-og-spildevandsrensingsanlaeg>

Additional information can be obtained from:

Official name: EY

Postal address: Osvald Helmuths Vej 4

Town: Frederiksberg

Postal code: 2000

Country: Denmark

For the attention of: Guri Weihe

E-mail: guri.weihe@dk.ey.com

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

Official name: EY

Postal address: Osvald Helmuths Vej 4

Town: Frederiksberg

Postal code: 2000

Country: Denmark

For the attention of: Guri Weihe

E-mail: guri.weihe@dk.ey.com

Tenders or requests to participate must be submitted: Official name: EY

Postal address: Osvald Helmuths Vej 4

Town: Frederiksberg

Postal code: 2000

Country: Denmark

For the attention of: Guri Weihe

E-mail: guri.weihe@dk.ey.com

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

PPP project for the construction of new waste, rainwater and wastewater facilities at Glostrup Hospital.

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

Works

NUTS code DK012 Københavns omegn

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)

Glostrup Hospital calls for tenders for a public-private partnership (PPP) regarding the construction of new facilities for handling and treating waste, rainwater and wastewater at Glostrup Hospital. With the construction of new facilities for rain water, wastewater and waste management Glostrup Hospital wishes to increase utilisation of resources which are today considered waste and wastewater. The facilities are to ensure a financially sustainable future operation of the hospital. The design, construction and operation of the new facilities are intended to be left with a PPP company.

A new wastewater treatment plant must be constructed. The new wastewater treatment plant must comply with the future more rigorous requirements for discharge of wastewater. This means that the wastewater must be treated to remove medicine residues and other substances so as to prevent that the wastewater impacts negatively on the environment. The treated wastewater must be of a quality which allows discharge to a public recipient and reuse in the hospital's softening plant so as to reduce the consumption of water from public supplies. The water softening plant uses approx. 12 000 m³ per year. At present, a licence for reuse of cleaned (treated) wastewater has not yet been obtained, but Glostrup Hospital bears the risk that such licence can be obtained. The wastewater treatment plant must have a capacity of approx. 830 000 m³ per year. The precise capacity requirements are stated in the tender material.

Rainwater and wastewater must be separated. As part of this work, a retention basin must be constructed. The construction of an infiltration well is furthermore included as an option. At present, a licence for infiltration of rainwater has not yet been obtained. Glostrup Hospital bears the risk that such licence can be obtained.

The waste management of the hospital is to be optimised. The supplier is to undertake the management of the hospital's general waste and food waste and, over time, the supplier is to manage hazardous clinical waste (included as an option). The waste transportation from the hospital wards is to take place mechanically. If financially viable, a fraction of the waste may be used for energy production in a local plant and may thereby contribute to the running of the wastewater treatment plant. In recent years, the hospital has produced approx. 700 000 kg of

general waste and food waste per year.

The solution offered must cover the entire existing hospital and Psykiatrisk Center Glostrup (approx. 135 000 m²). In addition to this must be added, as a minimum, the extensions already decided on, i.e. a headache center (approx. 2 200 m²) and a planned construction for neurological patients (approx. 25 000 m²).

The precise description of the task is set out in Appendix 1 of the tender documents.

II.1.6. CPV code(s)

45252210 Water purification plant construction work, 65120000 Operation of a water-purification plant, 42996000 Machinery for the treatment of sewage, 44163130 Sewer pipes, 45232420 Sewage work, 45232421 Sewage treatment works, 45252000 Construction works for sewage treatment plants, purification plants and refuse incineration plants, 45252130 Sewage plant equipment, 45222100 Waste-treatment plant construction work, 90500000 Refuse and waste related services, 90510000 Refuse disposal and treatment, 90511200 Household-refuse collection services, 90524200 Clinical-waste disposal services

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

Estimated value excluding VAT:

Range: between 65 000 000 and 75 000 000 DKK

II.2.2. Information about options

Options: yes

Description of options: Option 1: Construction of an infiltration well.

Option 2: Handling of hazardous clinical waste.

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: 180 (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

The requirements for deposits and guarantees are stated in the tender documents.

In the construction phase, the supplier must provide a financial guarantee from a bank, a guarantee institute, a pension fund or similar with a view to providing security for the Contracting Authority's claims, if any, against the supplier in the construction phase.

Furthermore, the supplier must provide a financial guarantee from a bank, a guarantee institute, a pension fund or similar with a guaranteed amount corresponding to a significant

part of the value of the facilities with a view to providing security for the Contracting Authority's claims, if any, against the supplier in the operational phase. The requirement for the size of the guaranteed amount will be reduced during the term of the contract in order to maintain compatibility between the principal and the residual value of the payments under the contract and the residual value of the asset.

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

The Supplier must undertake the financing in the construction period until the ownership to the asset is transferred to a financier appointed by the hospital against payment to the Supplier of a purchase sum agreed in advance. The details of the financing conditions and terms of payment are stated in the tender documents.

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

No particular legal form is required. If the contract is awarded to a group of economic operators (e.g. a consortium), each participant of the group must assume joint and several liability and appoint a joint representative.

III.1.4. Contract performance conditions

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

Description of particular conditions: The contract includes social clauses which will be binding on the supplier. The specific obligations are stated in the tender documents.

Unsuccessful tenderers having submitted a compliant tender will receive a tender fee of 100 000 DKK. The tender fee will thus only be given to compliant tenders. However, if it is apparent that tenders are submitted for the sole purpose of achieving a tender fee, the Hospital will not be obliged to pay a tender fee.

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: The following documentation must be included in the tender:

- Either a solemn declaration as to whether the tenderer has unpaid, due debt to public authorities pursuant to the Danish Act on Limitation of Debtors' Possibilities of Participation in Public Tender Procedures and on the Amendment of Certain Other Acts (lov om begrænsning af skyldneres muligheder for at deltage i offentlige udbudsforretninger og om ændringer af visse andre love). This act is available (in Danish) at www.retsinformation.dk
- Or an official certificate from the Danish Business Authority (Erhvervsstyrelsen) containing the same information;
- Or an official certificate from an equivalent foreign authority containing the same information. Please note that it may be necessary to supplement such foreign certificate with a solemn declaration regarding circumstances not covered by the certificate (e.g. the operator's compliance with its obligations in Denmark).

It is important that the solemn declaration/the official certificate concerns the precise legal entity (e.g. a company) submitting the tender.

For groups of operators (e.g. a consortium), the information must be submitted for each participating operator in the group.

III.2.2. Economic and financial ability

List and brief description of conditions: 1) The Supplier's balance sheet or extracts thereof for the three most recent financial years available, where publication of the balance sheet is required under the law of the country in which the tenderer is established, or other documentation of the size of the equity. For groups of operators (e.g. a consortium), the information must be submitted for each participating operator in the group.

2) A solemn declaration regarding the total turnover of the tenderer for the three most recent financial years available, according to the date when the tenderer was established or started up its business if the figures for such turnover are available. For groups of operators (e.g. a consortium), the information must be submitted for each participating operator in the group.

3) A statement of whether the tenderer's financial key figures, see 1) and 2) above, are still deemed to be a reflection of the tenderer's financial situation, or whether substantial changes have taken place affecting the financial capacity. There will be no requirement for this document to be certified by auditors. This documentation is only to be submitted if the financial statement has been finalised more than 6 months prior to the date of the deadline for submission of tender. For groups of operators (e.g. a consortium), the information must be submitted for each participating operator in the group.

If the tenderer wishes to rely on the capacity of other entities, reference is made to section VI. 3) of the Contract Notice regarding statement or other documentation in this respect.

Minimum level(s) of standards possibly required: As a minimum requirement, an equity is required of at least 25 000 000 DKK in the 3 most recent financial years available. If the tenderer relies on the capacity of other entities, the equity is calculated as the total equity of the tenderer and such other entities for the three most recent financial years available. For a group of operators (e.g. a consortium), the equity is calculated as the total equity of the participants for the 3 most recent financial years available.

As a minimum requirement, a total annual turnover of at least 25 000 000 DKK in each of the 3 most recent financial years available is required. If the tenderer relies on the capacity of other entities, the turnover is calculated as the total turnover of the tenderer and such other entities in each of the three most recent financial years available. For a group of operators (e.g. a consortium), the turnover is calculated as the total turnover of the members of the group in each of the three most recent financial years available.

III.2.3. Technical and professional ability

List and brief description of conditions:

1. Submission of a list of the most significant equivalent construction works within waste, rainwater and wastewater management, see section II.1.5) of the Contract Notice, which the applicant has carried out in the course of the latest five years, depending on the date when the applicant was established or started up trading. The Contracting Authority would prefer that the list includes the following: a brief description of the task and the role undertaken by the applicant in connection with its execution, the recipient of the task, the amount and the time of delivery.

2. Submission of a list of the most significant equivalent works within operation and maintenance of waste, rainwater and wastewater management, see section II.1.5) of the Contract Notice, which the applicant has carried out in the course of the latest 3 years, depending on the date when the applicant was established or started up trading. The Contracting Authority would prefer that the list includes the following: a brief description of the task and the role undertaken by the applicant in connection with its execution, the recipient, the amount and the time of delivery.

Minimum level(s) of standards possibly required:

As a minimum requirement, the applicant must have at least 1 relevant reference from equivalent waste management services, at least 1 reference from equivalent services

regarding separation and/or handling of rainwater, at least 1 relevant reference from equivalent services regarding hospital wastewater treatment.

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

Open

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

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 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

Prior information notice

Notice number in the OJ S: [2013/S 248-431906](#) of 21.12.2013

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

4.5.2015 - 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.

Other: Tenders may be submitted in Danish or English. The PPP Agreement is drafted in Danish but the Agreement has been translated into English for the tenderers' convenience. In the event of discrepancy between the Danish and the English language version, the Danish language version will prevail. For further information about language requirements after conclusion of the contract, reference is made to clause 1.2 of the PPP Agreement.

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

Duration in months: 6 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

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

Any questions and answers in connection with submission of tenders will be published at:
<http://www.glostruphospital.dk/nythospital/menu/Udbud/Affalds-og-spildevandsrensningsanlaeg>

Interested operators are encouraged to regularly seek information at the website.

Prior to this tender procedure a technical dialogue has been carried out. Relevant material from this dialogue is available at the website of the Contracting Authority: <http://www.glostruphospital.dk/nythospital/menu/Udbud/Affalds-og-spildevandsrensningsanlaeg>

Information meetings about the invitation to tender will be held on 5 and 26 February 2015 in the hours between 12 and 15, at the following address: Glostrup Hospital, Nordre Ringvej 57, 2600 Glostrup.

At the first meeting, the Contracting Authority will explain the background and purpose of the Contract. The Contracting Authority will furthermore give more general information about the structure of the tender material and how the tenderers should deal with the material. Finally, there will be a presentation of existing facilities.

The second meeting will include site visits to clinical sections and areas in which the waste management is to be carried out; the tenderers may furthermore submit requests for areas to inspect, if relevant.

The tenderer may pose questions during the information meeting. If, in the Contracting Authority's view, a question is not suited for response during the meeting, e.g. if a response is assessed to require further considerations on the part of the Contracting Authority, the Contracting Authority may refer the tenderer to pose the question in writing. The Contracting Authority will draw up brief minutes of the information meeting, and all tenderers will subsequently be given access to these minutes at the tender web page.

As regards section II.3) it should be noted that the duration of the contract stated of 180 months is calculated from 1.1.2017. The tenderers may offer a sooner handover date than 1.1.2017 and, if so, this period will be added to the 180 months. For a sooner handover date, the tenderer will thus be able to achieve a total operating period which is longer than the 180 months, see section II.3).

As regards sections III.2.2) and III.2.3) it should be noted that the operator may rely on the capacity of other entities (e.g. a parent or sister company or a subcontractor) regardless of the legal nature of the links between the operator and such other entities. The operator must in that case substantiate that the operator will have at its full disposal the resources necessary to perform the contract, for example by producing an undertaking or other documentation on the part of such entities to place the necessary resources at its disposal for the duration of the contract. Otherwise the Contracting Authority will not be able to take

into consideration the capacity of such other entities. The Contracting Authority has drawn up a specimen form for the undertaking, which is available at <http://www.glostruphospital.dk/nythospital/menu/Udbud/Affalds-og-spildevandsrensingsanlaeg>

As regards section IV.1.2) it should be noted that each tenderer may only submit 1 tender. If the same legal entity is part of or otherwise participates in several tenders, for example submits its own tender, but at the same time participates in a consortium, which submits tender, such tenderer must ensure that the same legal entity's participation does not entail an opportunity to mutually influence the contents of the tenders of the various tenderers. The Contracting Authority reserves the right to request tenderers to substantiate that the participation of the same legal entity does not entail an opportunity of mutually influencing the contents of the tenders of the various tenderers, including that a practice is not followed which may threaten transparency and distort competition between the bidders.

The tender must be submitted or delivered to the following address: EY, Att.: Guri Weihe, Osvold Helmuths Vej 4, 2000 Frederiksberg.

Tenders may not be submitted by e-mail.

The Contracting Authority would prefer that the tender is submitted in 5 hard copies in a sealed envelope marked 'New waste, rainwater and wastewater facilities at Glostrup Hospital — tender. Must not be opened by the reception'. The tender should furthermore be included in an electronic version on, e.g., USB.

If applications or tenders do not meet the formal requirements stated in the tender documents, the Contracting Authority reserves the right to use the procedure set out in section 12 of Danish Executive Order no 712 of 15.6.2011 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts.

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291000

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

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to the Danish Act on Enforcement of the Procurement Rules, etc. (the Act is available at www.retsinformation.dk) the following deadlines apply to lodging of appeals:

Appeals against the tender procedure must be lodged with the Danish Complaints Board for Public Procurement within 45 calendar days after the Contracting Authority has published a notice in the Official Journal of the European Union that the Contracting Authority has awarded the contract. The deadline is calculated from the day after the day when the notice has been published.

The complainant must no later than at the same time as lodging the appeal with the Complaints Board for Public Procurement notify the Contracting Authority that an appeal has been lodged with the Board and whether the appeal has been lodged within the standstill period, see section 3(1) of the Act.

In the event that the appeal has not been lodged within the standstill period, the complainant must furthermore state whether a suspensory effect of the appeal has been requested, see

clause 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1).

The Complaint Board's own complaints procedure is available at www.klfu.dk

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

Official name: The Danish Competition and Consumer Authority (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

16.12.2014