

Denmark-Glostrup: Construction works for power plants and heating plants

OJ S 159/2022 19/08/2022

Contract notice – utilities

Works

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: I/S Vestforbrænding

National registration number: 10866111

Postal address: Ejby Mosevej 219

Town: Glostrup

NUTS code: DK012 Københavns omegn

Postal code: 2600

Country: Denmark

Contact person: Andreas Christoffer Lund

E-mail: ACLU@vestfor.dk

Telephone: +45 26322304

Internet address(es):Main address: <https://www.vestfor.dk>**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/1f6133f1-cd62-48a8-a1cf-ec537b237ba5/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#/1f6133f1-cd62-48a8-a1cf-ec537b237ba5/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#/1f6133f1-cd62-48a8-a1cf-ec537b237ba5/homepage>**I.6. Main activity**

Other activity: Production, transport and distribution of electricity and heat

Section II: Object

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

Carbon Capture

II.1.2. Main CPV code

45251000 Construction works for power plants and heating plants

II.1.3. Type of contract

Works

II.1.4. Short description

I/S Vestforbrænding (hereinafter 'VF') hereby calls for tenders for a design and build contract regarding a Carbon Capture Plant to be installed at VF's existing incineration plant at Ejby Mosevej 219, 2600 Glostrup, Denmark.

The scope of the contract is:

- A complete carbon capture plant including separation and compression of CO₂ and utilization of surplus heat for district heating by means of heat pumps.
- All necessary flue gas channels from battery limits.
- If necessary, a wastewater treatment for discharge to sewer.
- All necessary auxiliary process systems for the carbon capture system
- All necessary electrical systems and DCS systems for the process equipment
- Civil works (site preparation, foundations, buildings etc.) are not a part of the Contractors scope. Submission of information required for enabling VF to execute these works is, however, part of the tender
- Supply of amine for a two-year period

II.1.5. Estimated total value

Value excluding VAT: 800 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

45350000 Mechanical installations, 45310000 Electrical installation work, 42000000 Industrial machinery, 42514000 Machinery and apparatus for filtering or purifying gases, 42900000 Miscellaneous general and special-purpose machinery, 71320000 Engineering design services, 42511110 Heat pumps, 43315000 Compacting machinery, 42996000 Machinery for the treatment of sewage, 44160000 Pipeline, piping, pipes, casing, tubing and related items, 24400000 Fertilisers and nitrogen compounds

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

Main site or place of performance: Glostrup

II.2.4. Description of the procurement

I/S Vestforbrænding (hereinafter 'VF') hereby calls for tenders for a design and build contract regarding a Carbon Capture Plant to be installed at VF's existing incineration plant at Ejby Mosevej 219, 2600 Glostrup, Denmark.

The scope of the contract is:

- A complete carbon capture plant including separation and compression of CO₂ and utilization of surplus heat for district heating by means of heat pumps.
- All necessary flue gas channels from battery limits.
- If necessary, a wastewater treatment for discharge to sewer.
- All necessary auxiliary process systems for the carbon capture system
- All necessary electrical systems and DCS systems for the process equipment

- Civil works (site preparation, foundations, buildings etc.) are not a part of the Contractors scope. Submission of information required for enabling VF to execute these works is, however, part of the tender
- Supply of amine for a two-year period

The contract will be concluded based on the terms and conditions of the draft Design and Build Contract and the General Conditions (ABT/SB) incl. appendices, which are included in the procurement documents.

Additional procurements for the same project (preliminary):

The design and build contract up for procurement is part of a larger project including the following preliminary lots:

- Lot 1: Carbon Capture (this procurement)
- Lot 2: Dry Cooler
- Lot 3: BOP Mechanical
- Lot 4: Electrical and SCADA/DCS
- Lot 5: Civil (Site preparation geotechnics, ground works, foundation, building)
- Lot 6: Flue Gas Cleaning Line 5+6 Heat Pumps

VF asks that interested economic operators are aware that:

- The value of the contract, cf. sections II.1.5) and II.2.6), is based on an estimate and in its nature uncertain to some extent
- The tender validity period, cf. section IV.2.6), is subject to negotiation and may be altered by VF depending on the feedback from the tenderers
- The start and end dates of the duration of the contract, cf. section II.2.7) concern the period until project handover. The contractor has obligations towards VF even after handover, e.g., the supply of amine for up to five years.
- VF expects to have one round of negotiations, before inviting the tenderers to submit their final tender (Best And Final Offer). However, VF reserves the right to conduct one or more additional rounds of negotiations, if necessary. VF does not reserve the option to award the contract based on the initial tender, and VF will not reduce the number of tenderers during the procurement procedure
- VF will pay a remuneration of EUR 100,000 to tenderers who participate in the entire procurement procedure conditioned upon the tenderers' submission of a final tender complying with the formal requirements as well as the technical requirements, including the tenderer who is awarded the contract. If VF annuls the procurement procedure after the deadline for the final tender/the first revised tender VF will remunerate the tenderers as outlined.
- The procurement procedure is a negotiated procedure. All requirements/terms and conditions of the contract and appendices may be subject to negotiation except for requirements/terms and conditions which are explicitly categorized as minimum requirements.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Technical Solution / Weighting: 30

Quality criterion - Name: Project Execution / Weighting: 10

Cost criterion - Name: Costs / Weighting: 60

II.2.6. Estimated value

Value excluding VAT: 800 000 000,00 DKK

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

Start: 03/04/2023 End: 31/12/2025

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:

VF intends to select five candidates who will be invited to participate in the tender and negotiation phase and submit an initial tender.

If five candidates or less apply for prequalification VF intends to select all candidates, provided that each candidate fulfils the requirements for suitability and is not subject to grounds for exclusion. However, VF may choose to annul the procurement procedure if the number of candidates that fulfils the requirements for suitability and is not subject to grounds for exclusion is deemed too low to ensure an adequate competition.

If more than five candidates fulfil the requirements for suitability and are not subject to grounds for exclusion, VF will select the candidates to receive an invitation to submit an initial tender among these candidates.

This selection will be based on the following criterion:

- The most relevant experience

VF will evaluate the references provided by the candidate on the basis on the criterion 'the most relevant experience'. The more the references provided by the candidate correspond to the subject of this procurement procedure the more positively VF will assess this candidate's prequalification application.

In the comparison between the references and the subject of this procurement procedure, VF will, among other things, attach importance to the extent to which the references document experience with:

- Construction of carbon capture plants
- Delivery and installation of heat pumps
- CO2 compression

The candidate is encouraged to describe its references in detail and to point out of any factors that make the individual references particularly comparable to the contract up for tender.

The selection will be based solely on the references specified in the ESPD and a maximum of six references. If the candidate has provided more than six references, only the six most recent references will be considered in the selection decision.

The maximum number of references to be considered also applies if the candidate is a group of economic operators and/or if the candidate is based on one or more entities.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

The contract contains the following separately priced options for VF:

- A two year service contract (described in section 12 of the procurement document A238811-413 General Requirements)
- The supply of amine for three additional years

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

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The candidate is asked to fill in the following information in its ESPD:

- Its turnover in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- Its equity in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- Its solvency ratio (equity-to-assets ratio) in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- Its balance sum in its most recently concluded and audited financial year at the deadline for submission of the application for prequalification, if the candidate is a group of economic operators and/or if the candidate is based on the economic and financial standing of other entities

Minimum level(s) of standards possibly required:

The candidate's economical and financial standing must fulfil the following requirements:

- The candidate must have a turnover of at least DKK 1 billion in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- The candidate must have equity of at least DKK 100 million in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification
- The candidate must have a solvency ratio (equity-to-assets ratio) of at least 10 % in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The candidate is asked to fill in information about its previous experiences in its ESPD:

Here, the candidate must provide a minimum of two references and a maximum of six references concerning completed projects within the past ten years. VF defines "completed projects" as projects where hand over has been completed before the prequalification application deadline.

Minimum level(s) of standards possibly required:

The candidate's references must fulfil the following requirements:

- At least two of the candidate's references must regard construction of thermal plants for production of heat and/or power, process plants where raw materials are prepared by a special method, or heat pump plants with a fee for the candidate of at least DKK 50 million.
- At least one of the candidate's references must regard construction of an amine-based carbon capture plant which is in operation or able to operate according to the specifications of the reference contract.

The requirements to the references may be fulfilled using only two references if at least one of the references meets the combined requirements.

III.1.6. Deposits and guarantees required

The contractor (i.e., the tenderer who is awarded the contract) must provide a performance bond of 15 % of the contract sum and an advance payment bond of 20 % of the contract sum

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

A payment schedule is included in the procurement documents (A238811-402 Payment Schedule). As further described in this document payments are made according to the contractors fulfilment of project milestones

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The terms and conditions of the contract is stated in the draft design and build contract included in the procurement documents. Interested economic operators should in particular be aware that the draft design and build contract contains:

- Requirements to the contractor's Company Social Responsibility, including, e.g., a labour clause and a clause regarding apprentices and trainees
- Regulations regarding liquidated damages for certain types of breach of contract, e.g., delay of hand-over and failure to meet guarantee requirements

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

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: 14/09/2022 Local time: 23:59

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

Date: 16/09/2022

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: 4 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

In this procurement procedure only the mandatory exclusion grounds of sections 134 a, 135-136 of the Danish Public Procurement Act (Act no. 1564 of 15 December 2016 with subsequent amendments) apply.

VF intends to request documentation regarding the information provided in ESPD from the tenderers in connection with the invitation to submit initial tenders.

To document that the tenderer is not subject to grounds for exclusion VF expects to ask the tenderer to submit:

- An extract from the relevant register or a similar document issued by a competent judicial or administrative authority stating that the tenderer is not subject to the grounds for exclusion stipulated in section 135(1).
- A certificate issued by the competent authority in the country referred to as documentation that the tenderer is not subject to the grounds for exclusion stipulated in the cases stated in section 135(3).

If the country in question does not issue the documents or certificates, or if such documents or certificates do not cover all the cases mentioned, those documents or certificates may be replaced by a declaration on oath. If declarations 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 tenderer is established may be provided instead.

For tenderers established in Denmark this documentation may be submitted in the form of a service certificate ('serviceattest') issued by the Danish Business Authority on request. The service certificate must contain information from the Probate Court, the Police's criminal registry, the Danish Labour Market Supplementary Pension and the Danish Tax Agency. It may not be older than six months at the deadline for submission of Prequalification Application.

For Tenderers established outside of Denmark, please be aware of the listed relevant and sufficient documentation in e-certis: <https://ec.europa.eu/tools/ecertis/#/homePage>

VF will accept sufficient documentation from national authorities in the national language.

However, VF requests that an unofficial translation into English is submitted as well.

To document that the tenderer fulfils the requirements for suitability for participation in this procurement procedure VF expects to ask the tenderer to submit:

- An audited annual report or equivalent documentation stating the tenderer's turnover, equity, and solvency ratio (equity-to-assets ratio) (and, if relevant, balance sum) in most recently concluded and audited financial year at the deadline for submission of the application for prequalification. If an annual report is not required under the law of the country in which the tenderer is established or if the tenderer's annual report doesn't contain the required information VF will accept a declaration from the tenderer's external accountant instead.
- Contact information to contact persons at the customers mentioned as references in ESPD if such contact information is not included in the ESPD

If the information above is available to VF via access to a national database, the tenderer is not obliged to submit the documentation in question to VF. However, in that case VF asks that the tenderer instead informs VF where to find the information and supplies VF with any necessary passwords, etc.

Groups of economic operators will be asked to submit documentation regarding exclusion grounds and requirements for suitability for each of the economic operators in the group.

If the tenderer is based on one or more supporting entities the tenderer will be asked to submit documentation regarding exclusion grounds for each supporting entity. Furthermore, for each supporting entity the tenderer will be asked to submit documentation for the relevant capacities of the supporting entity regarding fulfilling the requirements for suitability.

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: kfu@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The Danish Complaints Board for Public Procurement Act (Act no. 593 of 02.06.2016 which is available at www.retsinformation.dk.) contain the regulation governing deadlines for review procedures regarding public procurement under Danish law.

Complaints concerning a candidate not being prequalified must be lodged with the Danish Complaints Board for Public Procurement ("the Complaints Board") within a 20 calendar day deadline starting the day after the day that VF has sent notification to the candidates involved regarding VF's selection decision, cf. section 7(1) of the Danish Complaints Board for Public Procurement Act.

Other complaints must be lodged with the Complaints Board within a 45 calendar day deadline initiated by VF's publication of a contract award notice in the Official Journal of the European Union. The first day of the deadline is the day following the publication date, cf. section 7(2)(i) of the Danish Complaints Board for Public Procurement Act.

The complainant must notify VF of the complaint in writing at the latest at the same time as the complainant lodges the complaint with the Complaints Board. Furthermore, the complainant must inform VF as to whether or not the complaint has been lodged in the standstill-period and whether the complainant has requested the complaint to be given suspensory effect, cf. section 6(4) of the Danish Complaints Board for Public Procurement Act.

To lodge a complaint with the Danish Complaints Board for Public Procurement the complainant must pay a fee of DKK 20,000.

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: www.kfst.dk

VI.5. Date of dispatch of this notice

15/08/2022