

Denmark-Aarhus: Transport equipment and auxiliary products to transportation

OJ S 182/2022 21/09/2022

Contract notice

Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Aarhus Kommune, Teknik og Miljø

National registration number: 55133018

Postal address: Rådhuspladsen 2

Town: Aarhus C

NUTS code: DK042 Østjylland

Postal code: 8000

Country: Denmark

Contact person: Michael Bloksgaard

E-mail: mib@aarhus.dk

Telephone: +45 29208516

Internet address(es):Main address: www.aarhus.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#/a7b92291-5040-4c6f-a537-c45edb2a80ca/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#/a7b92291-5040-4c6f-a537-c45edb2a80ca/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#/a7b92291-5040-4c6f-a537-c45edb2a80ca/homepage>

I.4. Type of the contracting authority

Regional or local authority

I.5. Main activity

General public services

Section II: Object

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

Public tender concerning Framework Agreement for the purchase of OCIT-based road traffic signal controllers and system components

II.1.2. Main CPV code

34000000 Transport equipment and auxiliary products to transportation

II.1.3. Type of contract

Supplies

II.1.4. Short description

The tender covers the supply of OCIT-based road traffic signal controllers and system components.

A Framework Agreement is awarded to two (2) suppliers. The Framework Agreements must cover OCIT-based road traffic signal controllers and system components, including the supply of prefabricated and fully functional control units for installation in control cabinets for traffic signal.

II.1.5. Estimated total value

Value excluding VAT: 25 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description**II.2.3. Place of performance**

NUTS code: DK042 Østjylland

Main site or place of performance: Municipality of Aarhus

II.2.4. Description of the procurement

Please note point II.1.4. Note also that points II 1.5) and II 2.6) represent the maximum value of the Framework Agreement.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 60 %

Price - Weighting: 40 %

II.2.6. Estimated value

Value excluding VAT: 25 000 000,00 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.2.10. 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

Note that points II 1.5) and II 2.6) represent the maximum value of the Framework Agreement.

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

Tenderers must provide the following key figures for each of the last 3 financial years in Section B of Part IV of the ESPD:

- Equity

If the Tenderer existed for less than three financial years, the ESPD Part IV Section B, point 3 must be completed). Where the Tenderer relies on the economic and financial capacity of other entities, the equity requirement must be met in respect of at least one of those other entities. Thus, no cumulative equity requirement shall be calculated for the participating entities. In the case of a grouping of undertakings (e.g. a consortium), the equity requirement must be met in respect of at least one of the participating undertakings. Therefore, no accumulated equity is calculated for the participating entities. An economic operator participating alone but relying on the capacity of one or more entities must ensure that the contracting authority receives the Tenderer's own ESPD, together with a separate ESPD from the supporting entities, providing relevant information for each of the entities on which the Tenderer relies. The Tenderer to whom the contracting authority intends to award the Framework Agreement must, before the contracting authority's decision on the award of the Framework Agreement, provide evidence of the information specified in the ESPD Part IV, Section B. The following evidence of economic and financial standing must be provided at the request of the contracting authority: the Tenderer's annual financial reports, or extracts thereof, for the last 3 financial years, if publication of annual financial reports is required by law in the country where the tenderer is established. The Tenderer may prove its economic and financial standing by any other document deemed appropriate by the contracting authority if, for a valid reason, the Tenderer is unable to provide the documents requested by the contracting authority.

Minimum level(s) of standards possibly required:

As a minimum, the Tenderer must have had the following key financial figures for each of the last three financial years:

- Equity: the Tenderer must have positive equity for each of the last three financial years.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

Tenderers must state in Section C of Part IV of the ESPD whether they meet the minimum requirements set out below. The Tenderer may rely on the capabilities of other entities (e.g. a parent or sister company, a subcontractor or another entity), regardless of the legal nature of the relationship between the Tenderer and these others. In such cases, the Tenderer must demonstrate that it has the full resources necessary for the performance of the Framework Agreement, for example by providing a statement of support for the legal commitment of these entities to make the necessary resources available during the contract period. An economic operator participating alone but relying on the capacity of one or more entities must ensure that the contracting authority receives the Tenderer's own ESPD together with a separate ESPD from the supporting entity providing relevant information for each of the entities on which the Tenderer relies. In addition, where groups of economic operators (e.g. a consortium) participate in the procurement procedure together, a separate ESPD must be completed for each of the participating economic operators. The references provided by the Tenderer in Section C of Part IV of the ESPD constitute sufficient evidence of the minimum technical and

professional capacity required and the contracting authority will not therefore request any additional evidence from the Tenderer to whom it intends to award the Framework Agreement. However, the contracting entity reserves the right to contact the references provided if this is deemed necessary for an assessment of the Tenderer's suitability.

Minimum level(s) of standards possibly required:

It is a minimum requirement that the Tenderer has delivered OCIT-based road traffic signal controllers in at least one previous order within the last 3 years, which is comparable to the Framework Agreement tendered. The reference must include information on:

- the nature of the task
- Contract value (if possible)
- Date of performance of the task
- For whom the work is carried out

References that are comparable to this Framework Agreement means orders to municipalities, regions, other public authorities, and includes application of the OCIT-protocol for communication with a central system for surveillance. A reference may be provided for deliveries started earlier than the last 3 calendar years and/or not yet completed, as long as parts of the reference are within the last 3 calendar years preceding the tender deadline and these parts include a contract for the procurement of OCIT-based controllers and system components.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

See the tender documents for further details.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open 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 several operators Envisaged maximum number of participants to the framework agreement: 2

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: 24/10/2022 Local time: 10:00

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

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)

IV.2.7. Conditions for opening of tenders

Date: 24/10/2022 Local time: 10:00

Place:

Municipality of Aarhus

Information about authorised persons and opening procedure: It is not possible to attend the opening of offers.

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

Participation in the tendering process is excluded if one of the following conditions in the ESPD Part III sections A and B is present.

1) The Tenderer has been convicted by final judgment of:

- Criminal organisation
- Bribery
- EU fraud
- Terrorist offences
- Money laundering
- Child labour or human trafficking.

2) The Tenderer has persons in its management who have been convicted of any of the above offences.

3) The Tenderer has unpaid public debts of DKK 100 000 or more, unless a debt settlement agreement has been concluded.

4) The Tenderer has conflicts of interest with the contracting authority that cannot be remedied.

5) The Tenderer has engaged in anti-competitive practices as a result of prior involvement in the preparation of the tender procedure in relation to the tender in question, which cannot be effectively remedied by less intrusive measures.

6) The Tenderer has made gross misrepresentations or withheld information in relation to certain of the above.

7) The Tenderer has committed serious professional misconduct calling into question the integrity of the Tenderer.

In addition, participation in the tender procedure is excluded if the Tenderer is established in a country included in the EU list of non-cooperative tax jurisdictions and is not a party to the WTO Government Procurement Agreement or other trade agreements providing for an open market in public procurement.

Participation in the tendering process is also excluded if one of the following conditions in the ESPD Part III Section C is present.

1) The Tenderer is declared bankrupt or is being compulsorily wound up, if its activities are being administered by a receiver or by the court, if the Tenderer is being compulsorily wound up, if the Tenderer's business activities have been suspended or if the Tenderer is in any analogous situation arising from a similar procedure provided for in national legislation or regulations where the Tenderer is established.

- 2) The contracting entity has sufficient plausible indications to conclude that the Tenderer has entered into an agreement with other economic operators with a view to distorting competition.
- 3) The contracting entity can demonstrate that the Tenderer has materially breached a previous public contract, utility contract or concession contract and that the breach has resulted in the termination of that contract or a similar sanction.

Proof of the information given in the ESPD concerning the grounds for exclusion may be furnished by means of a service certificate. The contracting entity shall accept a service certificate not older than 6 months. It is not possible to submit partial tenders. Tenders must therefore be submitted for the entire contract. The tendered task is not divided into subcontracts due to the scope of the task and the fact that the contracting authority considers that the best price/quality ratio will be obtained if the task is performed by one supplier. The Tenderer must also provide a declaration of good faith concerning Russian establishment and ownership.

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: klfu@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:

Complaints about the tender procedure must be submitted to the Board of Appeals for Public Procurement in accordance with Section 7 of Act No. 492 of 12.5.2010 on the Board of Appeals for Public Procurement. Appeals must be received by the Procurement Appeals Board within 6 months of the contracting entity concluding a framework agreement, calculated from the day after the contracting entity has notified the tenderers concerned. The appeal must be accompanied by an appeal fee of DKK 20 000. At the latest when lodging the appeal with the Board of Appeal, the appellant must inform the contracting entity in writing of the submission of the appeal to the Board of Appeal and whether the appeal was lodged during the standstill period. If the appeal is not lodged within the standstill period, the appellant shall also indicate whether suspensive effect is sought. For further information, please consult the website of the Public Procurement Appeals Board <http://klfu.dk>.

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

16/09/2022

