

FINLAND - RAILWAY AND TRAMWAY LOCOMOTIVES AND ROLLING STOCK AND ASSOCIATED PARTS - TRAMS FOR HELSINKI METROPOLITAN AREA

193/2023

Contract or concession notice – standard regime

1. Buyer

1.1 Buyer

Official name: [Pääkaupunkiseudun Kaupunkiliikenne Oy] ---

Activity of the contracting entity: Urban railway, tramway, trolleybus or bus services

2. Procedure

2.1 Procedure

Title: Trams for Helsinki Metropolitan Area

Description: Pääkaupunkiseudun kaupunkiliikenne Oy (City Transport) is procuring new trams, other deliverables and services as specified in this Invitation to participate and its annexes. The target of this procurement is to procure new trams which are attractive for the people of Helsinki, have high availability and are well adapted for the Helsinki Metropolitan Area. The procured trams will • replace the old fleet from 70s and 80s, and • provide new trams for the expanding infrastructure. With this procurement City Transport procures new unidirectional trams for the inner city of Helsinki, hereafter referred to as “Tram Type A”. Further City Transport procures new bidirectional trams for the new tramways in Helsinki and Vantaa as well as for existing tramways mainly outside inner city of Helsinki, hereafter referred to as “Tram Type B”. The scope of procurement includes the following deliverables: • 30 Tram Type A • 33 Tram Type B • All spares needed for the Trams • Technical support and supplier services for the Trams • Training • Documentation • Special tools • Virtual and physical mock-up(s) • Optional deliverables The scope of the procurement is described in more detail particularly in Annex 1 "Description of the procurement".

Procedure identifier: 9e568950-b147-4fbc-9330-23a49a8a438b

Internal identifier: 34H21

Type of procedure: Negotiated with prior publication of a call for competition / competitive with negotiation

The procedure is accelerated: No

2.1.1 Purpose

Nature of the contract: Supplies

Main classification (cpv): 34600000 Railway and tramway locomotives and rolling stock and associated parts

Additional classification (cpv): 34620000 Rolling stock

Additional classification (cpv): 34622100 Tramway passenger coaches

Additional classification (cpv): 34630000 Parts of railway or tramway locomotives or rolling stock; railways traffic-control equipment

Additional classification (cpv): 42600000 Machine tools

Additional classification (cpv): 44510000 Tools

Additional classification (cpv): 50220000 Repair, maintenance and associated services related to railways and other equipment

2.1.2 Place of performance

Country subentity: Helsinki-Uusimaa (FI1B1)

Country: Finland

2.1.3 Value

Estimated value excluding VAT: 1,600,000,000 EUR

2.1.4 General information

Additional information: The tender competition will be conducted as negotiated procedure. The number of tenderers is limited due to the negotiated procedure. Conducting of negotiations with an unlimited number of tenderers would significantly complicate the tender process. A maximum of four (4) tenderers will be invited to the negotiations. If there are less than four (4) suitable tenderers, the contracting entity may continue the procedure by inviting all tenderers who meet the criteria for Invitation to participate. The Purchase Agreement and Support Agreement shall be governed by the laws of Finland, excluding its provisions regarding the choice of law. The United Nations Convention on Contracts for the International Sale of Good (CISG) shall not be applied to the Agreements. Any disputes shall be submitted for resolution in the court of first instance of the Buyer's domicile (the District Court of Helsinki). The Parties may also agree on submitting the dispute to an arbitration procedure conducted in Finland, in Finnish. However, witnesses may be heard and evidence submitted in English. The ruling language to be used for the interpretation of the Agreements shall be Finnish. The Finnish language version of the Agreements shall constitute the only binding Agreement between the Parties. If different translation versions of the Agreements have been prepared, the Finnish version of the Agreements shall prevail over the other language versions in case of conflict between the different translation versions. In the absence of a Finnish version, the English version shall prevail. The language of the communications shall be English or Finnish.

Legal basis:

Directive 2014/25/EU

2.1.6 Grounds for exclusion

Description: [The tenderer is in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations.] ---

Description: [The tenderer is bankrupt.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been the subject of a conviction by final judgment for, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.] ---

Description: [The tenderer is in arrangement with creditors.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.] ---

Description: [The tenderer has entered into agreements aimed at distorting competition.] ---

Description: [The tenderer has breached its obligations in the field of environmental law.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been the subject of a conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at

the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable] ---

Description: [The tenderer is subject of insolvency or winding-up.] ---

Description: [The tenderer has breached its obligations in the field of labour law.] ---

Description: [The assets of the tenderer are being administered by a liquidator or by the court.] ---

Description: [The tenderer is in one of the following situations. a) It has misrepresented information in relation to the exclusion or selection criteria, b) It has withheld such information, c) It has delayed to submit the supporting information required by a buyer, or d) It has tried to influence the decision making process of the buyer, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.] ---

Description: [The tenderer has breached the following obligations defined in the Finnish criminal code: violation of the right to organise, work hour offence, extortionate work discrimination, work discrimination, work safety offence or the use of unauthorised foreign labour.] ---

Description: [The participation of the tenderer in the procurement procedure gives rise to conflicts of interest.] ---

Description: [The tenderer, or any undertaking related to it, has advised the buyer or otherwise been involved in the preparation of the procurement procedure.] ---

Description: [The tenderer is guilty of grave professional misconduct.] ---

Description: [The tenderer's previous contracts or concessions have been terminated prematurely or damages or other similar penalties have been claimed in connection with the contracts in question.] ---

Description: [The tenderer has breached its obligations in the field of social law.] ---

Description: [The tenderer has breached its obligations to pay social security contributions in the country of its establishment or in the country of the buyer.] ---

Description: [The business activities of the tenderer are suspended.] ---

Description: [The tenderer has breached its obligations to pay taxes in the country of its establishment or in the country of the buyer.] ---

Description: [The tenderer itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.] ---

5. Lot

5.1 Lot: LOT-0000

Title: Trams for Helsinki Metropolitan Area

Description: Pääkaupunkiseudun kaupunkiliikenne Oy (City Transport) is procuring new trams, other deliverables and services as specified in this Invitation to participate and its annexes. The target of this procurement is to procure new trams which are attractive for the people of Helsinki, have high availability and are well adapted for the Helsinki Metropolitan Area. The procured trams will • replace the old fleet from 70s and 80s, and • provide new trams for the expanding infrastructure. With this procurement City Transport procures new unidirectional trams for the inner city of Helsinki, hereafter referred to as “Tram Type A”. Further City Transport procures new bidirectional trams for the new tramways in Helsinki and Vantaa as well as for existing tramways mainly outside inner city of Helsinki, hereafter referred to as “Tram Type B”. The scope of procurement includes the following deliverables: • 30 Tram Type A • 33 Tram Type B • All spares needed for the Trams • Technical support and supplier services for the Trams • Training • Documentation • Special tools • Virtual and physical mock-up(s) • Optional deliverables The scope of the procurement is described in more detail particularly in Annex 1 "Description of the procurement".

Internal identifier: 662379

5.1.1 Purpose

Nature of the contract: Supplies

Main classification (cpv): 34600000 Railway and tramway locomotives and rolling stock and associated parts

Additional classification (cpv): 34620000 Rolling stock

Additional classification (cpv): 34622100 Tramway passenger coaches

Additional classification (cpv): 34630000 Parts of railway or tramway locomotives or rolling stock; railways traffic-control equipment

Additional classification (cpv): 42600000 Machine tools

Additional classification (cpv): 44510000 Tools

Additional classification (cpv): 50220000 Repair, maintenance and associated services related to railways and other equipment

Options:

The buyer reserves the right for additional purchases from the contractor, as described here: The scope of the procurement includes the following optional deliverables: Additional trams - Up to 40 Tram Type A. - Up to 80 Tram Type B. For any Tram Type B, a technical option (option B+) can be ordered. Option B+ allows for: - Safe commercial operation without catenary for approximately 1 km - Safe commercial operation at full performance close and parallel to a 400kV power line. The detailed performance of option B+ will be defined during the negotiation phase.

5.1.2 Place of performance

Country subentity: Helsinki-Uusimaa (FI1B1)

Country: Finland

5.1.4 Renewal

Maximum renewals: 2

Description: The purchase agreement will enter into force at signature. It is valid 10 years for ordering additional trams. The obligations related to production and delivery of the last trams and warranty obligations exceed this period. The support agreement will enter into force at signature and has a duration of 30 years after end of general warranty of the last delivered tram and can be extended additional five (5) years two (2) times.

5.1.5 Value

Estimated value excluding VAT: 1,600,000,000 EUR

5.1.6 General information

Reserved participation: None

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA)

Information about previous notices:

Identifier of the previous notice: 334914-2021

Additional information: The tender competition will be conducted as negotiated procedure. The number of tenderers is limited due to the negotiated procedure. Conducting of negotiations with an unlimited number of tenderers would significantly complicate the tender process. A maximum of four (4) tenderers will be invited to the negotiations. If there are less than four (4) suitable tenderers, the contracting entity may continue the procedure by inviting all tenderers who meet the criteria for Invitation to participate. The Purchase Agreement and Support Agreement shall be governed by the laws of Finland, excluding its provisions regarding the choice of law. The United Nations Convention on Contracts for the International Sale of Good (CISG) shall not be applied to the Agreements. Any disputes shall be submitted for resolution in the court of first instance of the Buyer's domicile (the District Court of Helsinki). The Parties may also agree on submitting the dispute to an arbitration procedure conducted in Finland, in Finnish. However, witnesses may be heard and evidence submitted in English. The ruling language to be used for the interpretation of the Agreements shall be Finnish. The Finnish language version of the Agreements shall constitute the only binding Agreement between the Parties. If different translation versions of the Agreements have been prepared, the Finnish version of the Agreements shall prevail over the other language versions in case of conflict between the different translation versions. In the absence of a Finnish version, the English version shall prevail. The language of the communications shall be English or Finnish.

5.1.7 Strategic procurement

Approach to reducing environmental impacts: The transition to a circular economy

Social objective promoted: Fair working conditions

5.1.9 Selection criteria

Criterion:

Type: Economic and financial standing

Name: The tenderer's economical standing and financial solvency

Description: The tenderer's economical standing and financial solvency is sufficiently stable to provide the contracting entity the products and services that are the subject matter of the Agreements. The tenderer's economical standing and financial solvency is primarily evaluated based on European Business credit reports in the service provided by Suomen Asiakastieto Oy, which must indicate a risk rating score of 1 to 3 (Suomen Asiakastieto Oy). If the tenderer's information is not stated in the service provided by Suomen Asiakastieto Oy, the economical standing and financial solvency of the tenderer will be evaluated based on financial statement and/or other similar information. These certifications will be separately requested from the tenderer if they are required. Tenderer whose risk rating is 4 or 5, or whose economical standing and financial solvency is evaluated based on other information to be on a similar basis, will be excluded from the procurement process. The contracting entity will request the risk rating from Suomen Asiakastieto Oy for each tenderer and use it to evaluate each tenderer's solvency, liquidity, and economic standing. In case the tenderer's data cannot be

found in Suomen Asiakastieto Oy database the tenderer commits to provide to the contracting entity upon request its income statement, balance sheet, annual report, and other financial statements if their publication is required by the laws of the tenderer's country of establishment. In addition, the tenderer commits to provide the documents, if the tenderer's risk rating is not provided by Suomen Asiakastieto Oy. The tenderer is requested to ensure the correctness of its economic and financial standing before the end of the deadline for the application for participation in Suomen Asiakastieto Oy. The tenderer commits to provide at the contracting entity request its financial statements and/or other documentation. If the application is made as a group, the requirement applies to all members of the group. If a tenderer uses supporting entities, each of them individually must meet the requirement.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Economic and financial standing

Name: Turnover

Description: The tenderer's average yearly turnover for the last three financial years is at least 800,000,000 euros per year. The tenderer shall provide the yearly turnover information from the three (3) previous financial years if requested by the contracting entity and if the tenderer is entitled to do so by the legislation of its country of origin. If the application is submitted as a group of economic operators, each member of the group must meet the requirements individually. If a tenderer relies on the resources of other entities (support entities), the tenderer may meet the requirement together with its supporting entity. In this case, the tenderer may be asked to explain the commitments and agreements concerning the existence of financial resources.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Other

Name: Certificates by independent bodies about quality assurance standards

Description: The tenderer must be certified in accordance with ISO 22163, or ISO/TS 22163, or ISO 9001, or equivalent.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Other

Name: Certificates by independent bodies about environmental management systems or standards

Description: The tenderer must be certified in accordance with ISO 14001, or EU Eco-Management and Audit Scheme (EMAS), or equivalent.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Suitability to pursue the professional activity

Name: Enrolment in a trade register

Description: It is enrolled in relevant professional registers kept in the Member State of its establishment as described in Annex XI of Directive 2014/24/EU; economic operators from certain Member States may have to comply with other requirements set out in that Annex.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Technical and professional ability

Name: Mandatory references

Description: The requirements for the tenderer's experience related to the tenderer's technical and professional qualifications are set out in Annex 2 "References" (Excel sheet) to the Invitation to participate. The tenderer must fulfil the following mandatory references (requirement X) at least in three references: a) the company has delivered at least 10 trams to the same client, and b) the trams are delivered for use in the European Economic Area, Switzerland or the United Kingdom of Great Britain and Northern Ireland, and c) minimum one tram has been placed in passenger service in the period between 1/2015 and 9/2023, and at least in one spares supply reference: G) A self-propelled rolling stock reference in the European Economic Area, Switzerland or the United Kingdom of Great Britain and Northern Ireland, which has included complete and exclusive spare parts supply with a contract term of at least 10 years, e.g. a Full Service Agreement (FSA), Technical Support & Spares Supply Agreement (TSSSA), or similar, in which the tenderer was fully responsible for the availability and on-time delivery of spares. The spares must, to some degree, have been supplied to the client during the period between 1/2015 and 9/2023. In addition, each of the criteria A-F set on the Annex 2 "References" must be filled in at least once in at least one of the references, which must also be compliant with requirement X. The criteria are: A) the reference trams are fully operational in environmental conditions in EN standard 50125-1, lowest temp T1 (-25C), highest temp T2 (+35C) B) the reference trams are fully operational in track infrastructure with 880-1100 mm gauge C) the reference trams have solely pivoting/rotating type bogies (i.e. bogies which can rotate towards the carbody around a vertical axle) with conventional wheelsets (i.e. both wheels connected to each other with a rigid axle) D) the reference trams are 27-35 m long E) the reference trams have an approved maximum service speed of at least 70 km/h, and F) the reference includes at least 40 trams delivered under the same contract. If the application is made as a group of economic operators, the members of the group may meet the requirement together. If a tenderer relies on the resources of other entities (supporting entities) to meet the requirement, the tenderer may meet the requirement together with its supporting entities. The resources of other entities may be used as proof of technical and professional ability only if those other entities perform all or part of similar services to be procured during the contract period.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Criterion:

Type: Technical and professional ability

Name: Scored references

Description: The requirements and accurate scoring for the tenderer's experience related to the tenderer's technical and professional qualifications are set out in Annex 2 "References" (Excel sheet) to the Invitation to participate. Scored references are divided in a single requirements (requirements 1-3) and combination requirements (requirements 4-5). The references must also be compliant with requirement X. The requirements are: 1) the reference includes trams that are fully operational in climatic conditions down to -35C (10 points if at least one reference meets the requirement) 2) the reference includes trams that are fully operational in track infrastructure with minimum horizontal radius of 15 m (10 points if at least one reference meets the requirement) 3) the reference includes trams which have catenary free operation (with an onboard energy storage) for a minimum of 1 kilometre (5 points if at least one reference meets the requirement) 4) combination B+C is fulfilled in the same reference (15 points if both requirements B+C are met in at least one reference), and 5)

Combination B+C+2 is fulfilled in the same reference (10 points if all requirements B+C+2 are met in at least one reference). In addition, scored spares supply reference are: 6) G is fulfilled in more than one reference (10 points if requirement G is met in at least two references), and 7) G is fulfilled in more than two references (20 points if requirement G is met in three references). If the application is made as a group of economic operators, the members of the group may meet the requirement together. If a tenderer relies on the resources of other entities (supporting entities) to meet the requirement, the tenderer may meet the requirement together with its supporting entities. The resources of other entities may be used as proof of technical and professional ability only if those other entities perform all or part of similar services to be procured during the contract period.

Use of this criterion: Used

The criteria will be used to select the candidates to be invited for the second stage of the procedure

Information about the second stage of a two-stage procedure:

Minimum number of candidates to be invited for the second stage of the procedure: 4

Maximum number of candidates to be invited for the second stage of the procedure: 4

5.1.10 Award criteria

Criterion:

Type: Price

Description: The initial comparison criteria for tenders are described in more detail in Annex 4 "Initial award criteria" of the Invitation to participate. The weight of the price is 30 - 50. Price will be evaluated according to LCC model. The numerical value 50 stated below is the highest possible value of the weight value mentioned above.

Criterion:

Type: Quality

Description: The initial comparison criteria for tenders are described in more detail in Annex 4 "Initial award criteria" of the Invitation to participate. The weight of the quality is 50 - 70. The quality is divided in four categories which will be further specified in the final Invitation to tender: 1. Technical solution 2. Spares supply and service 3. RAM, and 4. Project execution. The numerical value 70 stated below is the highest possible value of the weight value mentioned above.

5.1.11 Procurement documents

Languages in which the procurement documents are officially available: ENG

Deadline for requesting additional information: 2023-10-24+03:00 23:59:00+03:00

Address of the procurement documents: [<https://tarjouspalvelu.fi/hkl?id=474245&tpk=ddf56037-b02a-4d5e-832b-4455f9f8292c>] ---

5.1.12 Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://tarjouspalvelu.fi/hkl?id=474245&tpk=ddf56037-b02a-4d5e-832b-4455f9f8292c>

Languages in which tenders or requests to participate may be submitted: English

Electronic catalogue: Not allowed

Variants: Not allowed

Description of the financial guarantee: [As stated in the agreements.] ---

Deadline for receipt of requests to participate: 2023-11-13+02:00 15:00:00+02:00

Terms of contract:

Conditions relating to the performance of the contract: The agreements will enter into force once they have been signed (the contract period will start at the earliest after the procurement decision has become final or the court has allowed the execution of the procurement decision and the agreements have been signed).

A non-disclosure agreement is required

Additional information about the non-disclosure agreement : If the tenderer is selected for the negotiation phase, the tenderer must sign a non-disclosure agreement for negotiations. In addition, every person participating in the negotiations must sign a non-disclosure agreement. Persons who have not signed the non-disclosure agreement cannot participate in the negotiations.

Electronic invoicing: Required

Electronic ordering will be used

Electronic payment will be used

Financial arrangement: City Transport is owned by city of Helsinki and city of Vantaa and the procurement is financed by the owners.

Information about review deadlines: The organisation providing more information on the deadlines for appeal procedures: Pääkaupunkiseudun Kaupunkiliikenne Oy.

5.1.15 Techniques

Framework agreement:

None

Information about the dynamic purchasing system:

None

5.1.16 Further information, mediation and review

Review organisation: [Markkinaoikeus] ---

Organisation providing additional information about the procurement procedure: [Pääkaupunkiseudun Kaupunkiliikenne Oy] ---

Organisation receiving requests to participate: [Pääkaupunkiseudun Kaupunkiliikenne Oy] ---

Organisation processing tenders: [Pääkaupunkiseudun Kaupunkiliikenne Oy] ---

8. Organisations

8.1 ORG-0001

Official name: Pääkaupunkiseudun Kaupunkiliikenne Oy

Registration number: 3251002-1

Postal address: PL 100 (Hämeentie 86)

Town: KAUPUNKILIIKENNE

Postcode: 01022

Country subentity: Helsinki-Uusimaa (FI1B1)

Country: Finland

Contact point: Miikka Pelkonen

Email: kilpailutus@hansel.fi

Telephone: +358 93101071

Internet address: <https://kaupunkiliikenne.fi/>

Roles of this organisation:

Buyer

Organisation providing additional information about the procurement procedure

Organisation receiving requests to participate
Organisation processing tenders

8.1 ORG-0002

Official name: Markkinaoikeus
Registration number: 3006157-6
Postal address: Radanrakentajantie 5
Town: Helsinki
Postcode: 00520
Country subentity: Helsinki-Uusimaa (F11B1)
Country: Finland
Email: markkinaoikeus@oikeus.fi
Telephone: +358 295643300
Internet address: <http://www.oikeus.fi/markkinaoikeus>
Roles of this organisation:
Review organisation

8.1 ORG-0003

Official name: Hansel Oy (Hilma)
Registration number: 0988084-1
Postal address: Mannerheiminaukio 1a
Town: Helsinki
Postcode: 00100
Country subentity: Helsinki-Uusimaa (F11B1)
Country: Finland
Contact point: eSender
Email: tekninen@hankintailmoitukset.fi
Telephone: 029 55 636 30
Internet address: <http://hankintailmoitukset.fi>
Roles of this organisation:
TED eSender

11. Notice information

11.1 Notice information

Notice identifier/version: 581ee754-637c-4574-958c-e9023360c93b - 01
Form type: Competition
Notice type: Contract or concession notice – standard regime
Notice dispatch date: 2023-10-05Z 07:30:08Z
Languages in which this notice is officially available: English

11.2 Publication information

Notice publication number: 00605331-2023
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