

Norway – Supervision of project and documentation – Framework agreements independent inspections**OJ S 201/2024 15/10/2024****Contract or concession notice – standard regime
Services**

1. Buyer**1.1. Buyer**

Official name: Forsvarsbygg

Email: frida.lunde.uberg@forsvarsbygg.no

Legal type of the buyer: Defence contractor

Activity of the contracting authority: Defence

2. Procedure**2.1. Procedure**

Title: Framework agreements independent inspections

Description: Forsvarsbygg invites tenderers to submit tenders for framework agreements for independent inspections. The contracting authority aims at entering into identical framework agreements with up to five tenderers, provided that a sufficient number of suitable tenders are received. Tenderers will be ranked in connection with the competition based on the award criteria, see the tender documentation part I for further information.

Procedure identifier: 75b7655c-04e0-450d-a914-eeeb1271a9ac

Internal identifier: 2024/5133

Type of procedure: Open

The procedure is accelerated: no

Main features of the procedure: The framework agreement shall cover all inspection areas that are at all times in accordant with the current law and regulations and any decisions of municipal authorities. Each call-off will give a description of the need in the concrete assignment. The control assignments are pursued in the Planning and Building Act's chapter 24 and further described in the building application regulations (SAK10). The inspection includes both engineering design services and execution, and the control assignments apply to the following areas: Development class 1: 1. Humidity protection for application obliged wet rooms in residences 2. Air tightness in new residences Development classes 2 and 3: 3. Building physics 4. Structural security 5. Geotechniques 6. Fire safety

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 71248000 Supervision of project and documentation

Additional classification (cpv): 71247000 Supervision of building work

2.1.2. Place of performance

Country: Norway

Anywhere in the given country

2.1.3. Value

Estimated value excluding VAT: 30 000 000,00 NOK

Maximum value of the framework agreement: 30 000 000,00 NOK

2.1.4. General information

Legal basis:

Directive 2014/24/EU

Anskaffelsesforskriften -

2.1.6. Grounds for exclusion

Analogous situation like bankruptcy under national law: Is the supplier in a situation where he has been forced debt arrangement? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Bankruptcy: Is the tenderer in a bankruptcy situation? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Corruption: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a enforceable verdict has been convicted of corruption by a verdict handed down not more than five years ago, or a rejection period determined directly in the judgement that still applies? Corruption as defined in Article 3 of the Convention on Combating Corruption, Involving European Communities or European Union Member States (EUT C 195 of 25.6.1997, s. 1), and in Article 2, point 1, in the Council's framework decision 2003/568/RIA of 22 July 2003 on combating corruption in the private sector (EUT L 192 of 31.7.2003, p. 54). This rejection reason also includes corruption as defined in national law for the contracting authority or supplier.

Arrangement with creditors: Is the supplier in a situation where he has been forced debt arrangement? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Participation in a criminal organisation: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, at the time a legally convicted verdict of participation in a criminal organisation by a verdict handed down no more than five years ago, or a rejection period set out directly in the judgement that still applies? Participation in a criminal organisation as defined in Article 2 of the Council's framework decision 2008/841/RIA of 24 October 2008 on control of organised crime (EUT L 300 of 11.11.2008, p. 42)

Agreements with other economic operators aimed at distorting competition: Has the tenderer entered into agreement(s) with other tenderers with the intention of turning the competition?

Breaching of obligations in the fields of environmental law: Is the tenderer aware of breaches of environmental provisions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Money laundering or terrorist financing: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of money laundering or financing terrorism by a verdict handed down no more than

five years ago, or a rejection period set out directly in the judgement that still applies? Money laundering or financing terrorism As defined in Article 1 of the European Parliament and Council Directive 2005/60/EF of 26 October 2005 on preventive measures against the use of the financial system for money laundering and financing terrorism (EUT L 309 of 25.11.2005, p. 15).

Fraud: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, at the time a legally convicted of fraud has been convicted of fraud by a verdict handed down not more than five years ago, or a rejection period determined directly in the judgement that still applies? Fraud included in Article 1 of the Convention on protection of the Financial Interests of the European Communities (EFT C 316 of 27.11.1995, p. 48).

Child labour and other forms of trafficking in human beings: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body or has the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of child labour and other forms of human trafficking by a verdict handed down no more than five years ago, or a rejection period determined directly in the judgement that still applies? Child labour and other forms of human trafficking as defined in Article 2 of the European Parliament and council directive 2011/36/EU of 5. 1 April 2011 on the prevention and control of human trafficking and the protection of its victims and for compensation of the Council's framework decision 2002/629/RIA (EUT L 101 of 15.4.2011, p. 1).

Insolvency: Is the tenderer in an insolvency situation? Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Breaching of obligations in the fields of labour law: Is the tenderer aware of breaches of provisions on working conditions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Assets being administered by liquidator: Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Guilty of misrepresentation, withheld information, unable to provide required documents and obtained confidential information of this procedure: Have the tenderer: a) given grossly incorrect information when notifying the information required to verify that there is no basis for rejection, or of the qualification requirements being met, b) failed to provide such information, c) subject to immediately submitting the supporting documents requested by the Contracting Authority, or d) improperly affecting the Contracting Authority's decision process to acquire confidential information that could give this an unlawful advantage in connection with competition, or negligently has given misleading information that can have a significant influence on decisions on rejection, selection or award?

Purely national exclusion grounds: The contracting authority shall state that in Norway there are national rejection reasons. These shall be described in the procurement documents. Tenderers must respond to whether they are in one or more of the situations described in the national rejection reasons. Will the purely national rejection reasons, as stated in the relevant notice or in the procurement documents, apply?

Conflict of interest due to its participation in the procurement procedure: Are tenderers aware of a conflict of interest as stated in national law, the relevant notice or procurement documents?

Direct or indirect involvement in the preparation of this procurement procedure: Has the tenderer or an entity associated with the supplier advised the contracting authority or in another way been involved in the planning of the competition?

Guilty of grave professional misconduct: Has the tenderer committed serious errors in professional practice? If relevant, see the definitions in national law, the relevant notice or procurement documents.

Early termination, damages or other comparable sanctions: Has the tenderer committed significant breaches of contract in connection with the fulfilment of a previous public contract, a previous contract with a public contracting authority or a previous concession contract, where the breach has led to the cancellation of the contract, compensation or other similar sanctions?

Breaching of obligations in the fields of social law: Is the tenderer aware of breaches of provisions on social conditions as stated in national law, the relevant notice or procurement documents or Article 18 (2) of Directive 2014/24/EU.

Payment of social security contributions: Have tenderers failed to fulfil all their social security obligations in the country where they are established and in their member state, if this is a different country than what he is established in?

Business activities are suspended: Specify why, under the mentioned circumstances, one is able to carry out the contract, considering the current national provisions and measures for continuing the business activities? It is not necessary to provide this information if rejection of tenderers made mandatory in accordance with the current national law without the possibility for exceptions.

Payment of taxes: Has the tenderer not fulfilled his tax and duty obligations in the country in which he is established, and in the contracting authority's member state, if this is a different country than what he is established in?

Terrorist offences or offences linked to terrorist activities: Is the tenderer himself or a person, who is a member of the tenderer's administration, management or supervisory body, or has the competence to represent or control or make decisions in such bodies, in the event a legal verdict has been convicted of acts of terrorism or criminal acts connected to terrorist activities by a verdict handed down no more than five years ago, or a rejection period set out directly in the judgement that still applies? Acts of terrorism or criminal acts relating to terrorist activity as defined in Article 1 and 3 of the Council's framework decision 2002/475/RIA of 13 June 2002 on combating terrorism (EFT L 164, af 22.6.2002, p. 3). This rejection reason also includes incitement to, participation or attempts to commit such actions as included in Article 4 in the mentioned framework decision.

5. Lot

5.1. Lot: LOT-0000

Title: Framework agreements independent inspections

Description: Forsvarsbygg invites tenderers to submit tenders for framework agreements for independent inspections. The contracting authority aims at entering into identical framework agreements with up to five tenderers, provided that a sufficient number of suitable tenders are received. Tenderers will be ranked in connection with the competition based on the award criteria, see the tender documentation part I for further information.

Internal identifier: 2024/5133

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 71248000 Supervision of project and documentation

Additional classification (cpv): 71247000 Supervision of building work

5.1.2. Place of performance

Country: Norway

Anywhere in the given country

5.1.3. Estimated duration

Duration: 60 Months

5.1.4. Renewal

Maximum renewals: 3

The buyer reserves the right for additional purchases from the contractor, as described here:
The framework agreement period is 2 (two) years. The contracting authority can extend the contract for up to 1 (one) + 1 (one) year + 1 (one) year, maximum 5 (five) years from the actual start-up date. The maximum duration of the framework agreement is set to a maximum of 5 (five) years due to a long clearance period for some call-offs/assignments, cf. the Public Procurement Regulations § 26-1 (4).

5.1.5. Value

Estimated value excluding VAT: 30 000 000,00 NOK

Maximum value of the framework agreement: 30 000 000,00 NOK

5.1.6. General information

Reserved participation: Participation is not reserved.

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): no

5.1.9. Selection criteria

Criterion:

Type: Economic and financial standing

Name: 'Total' annual turnover

Description: The tenderer's ("total") annual turnover for the number of financial years requested in the tender notice or in the procurement documents is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Average annual turnover

Description: The tenderer's average annual turnover for the number of years requested in the notice or in the procurement documents is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: "Specific annual turnover"

Description: Are the tenderer's ("specific") annual turnover within the area that the contract applies to and specified in the notice or in the procurement documents for the number of accounting years requested is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Average set-up

Description: Is the tenderer's average annual turnover within the area requested by the contract and specified in the notice or in the procurement documents for the number of financial years requested:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: The tenderer's establishment date

Description: If the information about the turnover (combined or specific) is not available for the entire requested period, please state the date the company was established, or the tenderers started their business:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Financial key figures

Description: For financial key figures stated in the notice or in the procurement documents, the tenderer declares that the actual value(s) of the requested key figures are as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Liability insurance

Description: The insured amount in the tenderer's liability insurance is the following:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Other economic and financial requirements

Description: Regarding any other economic and financial requirements that have been stated in the notice or in the procurement documents, the tenderer declares that:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Creditworthiness

Description: Tenderers shall be credit worthy. Minimum qualification requirements

Use of this criterion: Used

Criterion:

Type: Other

Name: Certificates issued by independent bodies for quality assurance standards.

Description: Can tenderers submit certificates issued by independent bodies that document that the tenderer fulfils the stated quality assurance standards, including universal design requirements?

Use of this criterion: Not used

Criterion:

Type: Other

Name: Certificates issued by independent bodies for environmental management standards.

Description: Is the tenderer able to submit certificates issued by independent bodies as documentation that the tenderer fulfils the stated environmental management systems or standards?

Use of this criterion: Not used

Criterion:

Type: Suitability to pursue the professional activity

Name: Registered in a trade register

Description: Tenderers are registered in a professional register in the member state in which the tenderer is established. As described in annex XI of directive 2014/24/EU; suppliers from certain member states may have to fulfil other requirements in the mentioned annex.

Use of this criterion: Not used

Criterion:

Type: Suitability to pursue the professional activity

Name: Registered in a trade register or company register.

Description: Tenderers are registered in a company register or a trade register in the member state in which the tenderer is established. As described in annex XI of directive 2014/24/EU; suppliers from certain member states may have to fulfil other requirements in the mentioned annex.

Use of this criterion: Not used

Criterion:

Type: Suitability to pursue the professional activity

Name: In the case of service contracts: Authorisations from a particular organisation required

Description: Is a specific authorisation required from a particular organisation to provide the service in the tenderer's home country?

Use of this criterion: Not used

Criterion:

Type: Suitability to pursue the professional activity

Name: In the case of service contracts: Membership in a particular organisation is required

Description: Is it necessary to have a particular membership in a particular organisation in order to provide the service in the tenderer's home country?

Use of this criterion: Not used

Criterion:

Type: Suitability to pursue the professional activity

Name: Legally registered company

Description: The tenderer shall be a legally registered company.

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Name: The certificate must not be more than 6 months old.

Description: The tenderer shall have the tax and duty payments in order (only for Norwegian tenderers).

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Services only

Description: Only for services: In the reference period, the tenderer has carried out the following important goods deliveries of the requested type, or the following important services of the requested type. The contracting authority can require up to three years experience and allow experience from the previous three years to be taken into consideration.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Technical personnel or technical units

Description: Tenderers can use the following technical personnel or technical units , particularly those who are responsible for quality control: For technical personnel or technical units that do not directly belong to the tenderer's business, but if the capacity the tenderer will use, cf. part II, section C, separate ESPD forms shall be supplemented.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Technical facilities and quality assurance measures

Description: The tenderer utilises the following technical facilities and quality assurance measures and the tenderer's survey and research facility is as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Investigation and research facilities

Description: The tenderer's survey and research facilities are as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Management and tracing of the supply chain

Description: The tenderer will be able to use the following management of the supply chain and tracing systems for the execution of the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Control Permission

Description: For goods or services that are complicated, or that in exceptional cases shall be used for a particular purpose: Will the tenderer allow checks of the tenderer's production capacity or technical capacity and, where necessary, of the survey and research facilities that the tenderer has at its disposal and of quality control measures? The inspections shall be undertaken by the contracting authority or the contracting authority can leave it to a competent public body in the country where the tenderer is established.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Education and professional qualifications

Description: The following education and professional qualifications are possessed by the tenderer and/or (depending on the requirements set in the notice or in the procurement documents) of the leading employees:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Environmental management measures

Description: Tenderers can employ the following environmental management measures in connection with the execution of the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Number of employees in the management

Description: The tenderer's number of employees in the management during the last three years was as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Average workforce

Description: The tenderer's average annual workforce in the last three years has been as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Tools, materials and technical equipment.

Description: Tenderers can use the following tools, material and technical equipment to carry out the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Portion of the contract to sub-suppliers.

Description: The tenderer is considering to outsource the following part (as a percentage) of the contract to sub-suppliers. Note that if the tenderer has decided to outsource a part of the contract to sub-suppliers and will use the sub-suppliers' capacity to carry out this part, a special ESPD will be supplemented for such sub-suppliers, see part II, section C, above.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Fulfil the conditions for the right to be responsible

Description: Tenderers shall have the qualifications equivalent to what is required to fulfil the conditions for the right to be responsible within all control areas and enterprise classifications.

Minimum qualification requirements

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Delivery capacity

Description: Tenderers shall have sufficient delivery capacity within each inspection area.

Minimum qualification requirements

Use of this criterion: Used

5.1.10. Award criteria

Criterion:

Type: Price

Name: Hourly rate

Description: Completed hourly rate in the price form.

Weight (percentage, exact): 70

Criterion:

Type: Quality

Name: Quality, including assignment comprehension and organisation.

Description: • Tenderers shall give an account of routines for following-up the framework agreement and call-offs against the Norwegian Defence Estates Agency. • Tenderers shall give an account of the organisation of the necessary inspectors by call-offs. • Tenderers shall give an account of how they will ensure the preparation of a realistic budget for fees and optimum performance during the execution of the inspection. The response shall not exceed 1000 words. If a reply exceeds the word limit, only the first 1,000 words will be evaluated.

Weight (percentage, exact): 30

5.1.11. Procurement documents

Languages in which the procurement documents are officially available: Norwegian

Deadline for requesting additional information: 07/11/2024 11:00:00 (UTC)

Address of the procurement documents: <https://permalink.mercell.com/240316612.aspx>

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://permalink.mercell.com/240316612.aspx>

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

Electronic catalogue: Not allowed

Advanced or qualified electronic signature or seal (as defined in Regulation (EU) No 910/2014) is required

Variants: Not allowed

Tenderers may submit more than one tender: Not allowed

Deadline for receipt of tenders: 15/11/2024 11:00:00 (UTC)

Deadline until which the tender must remain valid: 61 Days

Information about public opening:

Opening date: 15/11/2024 11:00:00 (UTC)

Terms of contract:

The execution of the contract must be performed within the framework of sheltered employment programmes: No

Electronic invoicing: Required

Electronic ordering will be used: yes

Electronic payment will be used: yes

5.1.15. Techniques

Framework agreement: Framework agreement, without reopening of competition

Justification for the duration of the framework agreement: The maximum duration of the framework agreement is set to a maximum of 5 (five) years due to a long clearance period for some call-offs/assignments, cf. the Public Procurement Regulations § 26-1 (4).

Information about the dynamic purchasing system: No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Oslo Tingrett

8. Organisations

8.1. ORG-0001

Official name: Forsvarsbygg

Registration number: 975950662

Postal address: Grev Wedels plass 5

Town: OSLO

Postcode: 0151

Country subdivision (NUTS): Oslo (NO081)

Country: Norway

Contact point: Frida Lunde Uberg

Email: frida.lunde.uberg@forsvarsbygg.no

Telephone: 95493549

Internet address: <http://www.forsvarsbygg.no>

Roles of this organisation:

Buyer

8.1. ORG-0002

Official name: Oslo Tingrett

Registration number: 926725939

Town: Oslo

Country: Norway

Email: oslo.tingrett@domstol.no

Telephone: 22035200

Roles of this organisation:

Review organisation

11. Notice information

11.1. Notice information

Notice identifier/version: 0fc413d0-47f9-45b4-8f77-6524ea4efeff - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice subtype: 16

Notice dispatch date: 11/10/2024 12:44:33 (UTC)

Notice dispatch date (eSender): 11/10/2024 13:49:57 (UTC)

Languages in which this notice is officially available: English

11.2. Publication information

Notice publication number: 623333-2024

OJ S issue number: 201/2024

Publication date: 15/10/2024