

Denmark-Esbjerg: Wood-fired power station construction work
OJ S 251/2020 24/12/2020
Contract notice – utilities
Works

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DIN Forsyning Varme A/S

National registration number: 32662498

Postal address: Ulvsundvej 1

Town: Esbjerg N

NUTS code: DK032 Sydjylland

Postal code: 6715

Country: Denmark

Contact person: Laila Juncker

E-mail: Kontrakt@tohv.dk

Telephone: +45 53643209

Internet address(es):

Main address: <http://www.dinforsyning.dk>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/269437>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=290023&B=DINFORSYNING

http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=290023&B=DINFORSYNING

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=290023&B=DINFORSYNING

Tenders or requests to participate must be submitted to the abovementioned address

I.6. Main activity

Production, transport and distribution of gas and heat

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Lot D: Wood Chips Reception and Storage for DIN Forsyning Varme A/S

II.1.2. Main CPV code

45251142 Wood-fired power station construction work

II.1.3. Type of contract

Works

II.1.4. Short description

This invitation to tender concerns the procurement of Lot D: Wood chips reception and storage for DIN Forsyning Varme A/S. The invitation to tender is implemented as a negotiated procedure in accordance with the procedure laid down in Art. 47 in The Utilities Directive, Directive 2014/25/EU of 26. February 2014 and consists of a pre-qualification phase, an initial tendering phase and a negotiation phase with subsequent submission of final tenders.

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

03413000 Fuel wood, 09111400 Wood fuels, 34312600 Rubber conveyor belts, 42417200 Conveyors, 44613110 Silos, 44614100 Storage bins, 45213221 Warehouse stores construction work, 45251250 District-heating plant construction work

II.2.3. Place of performance

NUTS code: DK032 Sydjylland

Main site or place of performance: Esbjerg.

II.2.4. Description of the procurement

DIN Forsyning Varme A/S in Esbjerg, Denmark is in the process of replacing the heat delivered from the existing coal fired power station (ESV3) which is going out of operation 2023.

DIN Forsyning Varme A/S has decided to establish new base load production capacity to replace the heat previously purchased from Ørsted A/S with new heat production facilities to be located in harbor area close to the existing peak load plant City Centralen and existing heat accumulator tank and distribution pumps.

There will be established 60 MW wood chips fired heating boiler, 50 MW heat pump and expected 30 MW of electrical boiler.

The contract is based on FIDIC Yellow Book 2017 Edition.

DIN Forsyning Varme A/S intends to enter into a contract with one contractor for the delivery of Wood chips reception and storage.

All negotiations meetings will follow the same process, see below:

1) Prior to the negotiating meeting, DIN Forsyning Varme A/S will send out a meeting agenda;
2) A short note on the assessment of the initial tender will be enclosed with the agenda. The note contains DIN Forsyning Varme A/S's assessment of relevant opportunities for improvement in the initial tender, as well as any identified reservations which DIN Forsyning Varme A/S regards as reservations;

(a) reservations means descriptions which may or must result in non-compliance if the reservation is maintained in the final tender.

3) The tenderer will at the meeting have the opportunity to comment on different views on matters stated in the forwarded assessment.

DIN Forsyning Varme A/S points out that:

- only the contents of the final tender will form the basis for the evaluation of the tender and thus the basis for awarding the contract.
- Fundamental elements will not form part of the negotiations.
- the criteria for awarding the contract and their weighting must remain stable throughout the procurement procedure, and they will consequently not form part of the negotiations.

- DIN Forsyning Varme A/S will document the entire process in the form of internal minutes of the meetings.
- DIN Forsyning Varme A/S reserves the right to add more negotiation meetings and initial tenders before final tender.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Technical solution / Weighting: 40

Quality criterion - Name: Project solution / Weighting: 20

Price - Weighting: 40

II.2.6. Estimated value

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

Start: 17/05/2021 End: 06/06/2023

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: 4 Objective criteria for choosing the limited number of candidates:

DIN Forsyning Varme A/S initiates the processing of the applications by ascertaining that they are compliant, including that the following requirements have been met:

- the application has been submitted through EU-Supply;
- the application contains the requested documentation and information;
- no reservations have been made about fundamental elements in the tender documents.

If one or more of the above requirements has or have not been met, the tender will generally not be included in the evaluation.

DIN Forsyning Varme A/S is entitled, but not obliged, to request an applicant to supplement, specify or complete the application by submitting relevant information or documentation within a reasonable deadline if this can be done in accordance with the Utilities Directive art. 76 (4).

Among the compliant applicants which meet the above suitability and documentation requirements, up to four (4) applicants, which are selected on an objective, impartial and factual basis, are requested to submit tenders if four (4) compliant and suitable applications are received.

If the above number of compliant and suitable applications are not received, DIN Forsyning Varme A/S will select the Applicants which are compliant and suitable, as long as DIN Forsyning Varme A/S finds that the number of selected Applicants can ensure adequate competition on the assignment.

The selection is made based on both economic and financial standing and technical and professional ability, where in particular the number of and relevance of the references will be of importance.

DIN Forsyning Varme A/S will regard it as positive, that the Applicant has:

- the highest possible number of comparable references in relation to size and functionality and, has documented experience with delivery of own technique/management, Own commissioning/building management, real-time measurement, primary/secondary steel constructions, conveyors and Silo,
- low accident statistics in the references stated,
- solid average annual manpower in the relevant divisions attached to projects comparable to this tender,
- solid economy,
- prioritizing of 'The 17 Sustainable Development Goals' in projects comparable to this tender.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Option 1: Service Contract

As an option, the tenderer shall quote for a 5-year service and maintenance agreement of the permanent works. The service contract will start at taking-over.

The tenderer shall propose the draft conditions of such service contract based on the agreement's compliance with the following requirements.

The service contract shall be based on and include the following:

- delivery of all goods and materials.
- delivery of qualified and experienced manpower for engineering, planning, inspection, supervision, maintenance, repair and replacement works.
- inspection and maintenance of the works during the summer to be coordinated with DIN Forsyning Varme A/S.
- execution of inspections, maintenance, repair and/or replacement works.
- that the tenderer is available for on-call technical support and trouble-shooting on a 24/7 basis.
- that the tenderer from time of notification by DIN Forsyning Varme A/S will arrive at the plant within 24 hours, and that the Tenderer without any delay will execute required maintenance, repair and/or replacement works.
- Certificates, reports and other documentation covering the executed maintenance works, repair and/or replacement works.

Option 2: Subtraction price wood chip sampling/analysis equipment

The contractor shall as an option offer a solution based on a subtraction price if DIN Forsyning Varme A/S instead of a real-time fuel analysing station selects an automatic biomass sampling system with carousel type sample container system.

The analysing equipment shall be positioned upstream of equipment positioned within the screening building. This in order for DIN Forsyning Varme A/S to analyse the fuel before e.g. metals are discarded from the fuel in the downstream positioned metal separation system.

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

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

'General yearly turnover' for the financial statements for each of the last three (3) closed financial years at the time of the application deadline.

'Solvency Ratio' for each of the last three (3) closed financial years at the time of the application deadline.

— 'Solvency Ratio' must be calculated/determined in accordance with the Danish Financial Statements Act:

'solvency ratio' = 'Shareholder's equity' / Total assets * 100

Minimum level(s) of standards possibly required:

It is a minimum requirement that the 'General yearly turnover' amounts to minimum DKK 100 million for each of the three (3) closed financial years.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The applicant must provide up to five (5) references which the tenderer finds most comparable with this invitation to tender.

If more references are provided, DIN Forsyning Varme A/S will only assess the five (5) latest references. Latest references mean not-concluded references or references with termination closest to the application deadline. If more references are not-concluded, DIN Forsyning Varme A/S will (where relevant) assess the references with the latest commencement date. The references must have been issued within the last five (5) years calculated from the date of expiry of the application deadline for this tender.

DIN Forsyning Varme A/S will disregard references concluded more than five (5) years before the application deadline.

For references with an older commencement date, but where services (part assignments) have been concluded within the last five (5) years, DIN Forsyning Varme A/S will only assess the services (part assignments) which the applicant has performed within the last five (5) years calculated from expiry of the application deadline. The Applicant is responsible for specifying the contents of the reference, so that the services (part assignments) in question are clearly stated.

The references must contain the following:

- 1) Description: description of the reference(s) with focus on the elements which make the reference comparable to this tender exclusive options and compliant with the minimum requirements. The description may also contain information about the period(s) in which the assignment has been performed (start and conclusion dates);
- 2) Amount: the value of the assignment(s) in EUR, i.e. the amount paid by the customer for the performance of the assignment(s);
- 3) Date: date for start-up (commencement date) and date for completion (conclusion date) of the most recent assignment listed under 'Description'. For references which have not yet been concluded, the field 'conclusion date' is left blank/empty;
- 4) Recipients: customer name incl. contact person and contact person's telephone number. The applicant has the opportunity, to attach a supplement to the answers that cannot be contained in ESPD, for example in the form of photographs and illustrations, etc. If the applicant chooses to do so, please clearly indicate reference in both ESPD and attachment. The applicant must state 'Average annual manpower' for each division attached projects comparable to this tender.

The applicant must state in 'Supply chain management' the total lost time injury for the references stated.

— lost time injury is defined as an incident in which the victim has at least one sick day in addition to the day of the injury. Lost time injury is calculated as:

$(\text{Number of lost time injuries}) / (\text{Number of full-time employees}) * 1000$

The applicant must state in 'Environmental management measures' how 'The 17 Sustainable Development Goals' there are included in project comparable to this tender.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:

The application for pre-qualification must consist of the European Single Procurement Document (ESPD), in which the requested information, cf. section VI.3) Additional information, must be provided. The ESPD is a self-declaration form which serves as initial documentation that the applicant, other entities or the association meets the criteria for exclusion, suitability and selection. This information must subsequently be verified.

The application for pre-qualification must be submitted via the link in section I.3) communication.

III.1.6. Deposits and guarantees required

- template for performance guarantee,
- contract agreement, security.

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

The terms of payment must be in accordance with contract agreements payments schedule.

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.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 135-333336](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 12/01/2021 Local time: 10:00

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

Date: 19/01/2021

IV.2.4. Languages in which tenders or requests to participate may be submitted

Danish

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)

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

The application must consist of the European Single Procurement Document (ESPD).

The applicant fills in the ESPD electronically in the system EU-Supply:

- Section A: information about the economic operator,
- Section B: information about the economic operator's representatives,
- Section C: information about reliance on the capacities of other entities,
- Section D: information concerning subcontractors on whose capacity the economic operator does not rely.

Exclusion grounds:

- Section A: grounds relating to criminal convictions,
- Section B: grounds relating to the payment of taxes or social security contributions: if there are any outstanding payments, click 'Yes' and state the outstanding amount,
- Section C: grounds relating to insolvency, conflicts of interest or professional misconduct:

The applicant must confirm that the applicant is not covered by the mandatory exclusion grounds laid down in section 135(1)-(3) and section 136 of the Danish Public Procurement Act. Otherwise, the contracting authority is obliged to exclude the applicant, see, however, section 135(4) and (5) of the Danish Public Procurement Act.

The applicant must further confirm, that the applicant is not covered by the following optional exclusion grounds cf. section 137 (1) of the Danish Public Procurement Act:

- breach of certain obligations cf. No 1,
- conditions concerning insolvency/bankruptcy or the like cf. No 2,
- serious negligence cf. No 3,
- agreement for distortion of competition cf. No 4,
- breach of previous public contract cf. No 5,
- improper influence of the purchaser's decision making cf. No 6.

In this connection, reference is made to the European Commission's guide for ESPD, which can be found under the following website: https://ec.europa.eu/isa2/solutions/european-single-procurement-document-espdc_en

In continuation of the notification of pre-qualification, the tenderer, other entities and association must, at the contracting authority's request, submit documentation in accordance with sections 144 and 152 of the Danish Public Procurement Act for the information provided in the ESPD in connection with the pre-qualification. How this documentation must be submitted is described in the tender conditions.

The contracting authority is entitled, but not obliged, to request the tenderer, the association's participants or other entities to supplement or specify the received documentation, see the Utilities Directive art. 76 (4).

If the tenderer, the association's participants or other entities are from Denmark, the documentation is presented in the form of a service certificate from the Danish Business Authority. The service certificate must contain information from:

- the probate court under the Danish District courts,
- the Danish Customs and Tax Administration,
- the Danish Labour Market Supplementary Pension Fund (ATP),
- the Police (the Danish Central Crime Register) Please note that a 'declaration of consent' must be filled in, signed and uploaded when ordering the service certificate.

The service certificate must be maximum six (6) months old calculated from the deadline for submission of the service certificate as stated by the contracting authority in the letter of request.

The processing time with the Danish business authority is approximately 2 weeks from when the order of the service certificate has been received.

If the tenderer, one or more of the participants in the association or other entities are not from Denmark, they must, as a general rule, submit the types of documentation stipulated in eCertis. eCertis is an online information system which must be used to find the right documentation to be used by EU member states in connection with invitations to tender. The applicant/tenderer is requested to seek to clarify any unclear points and uncertainties by asking questions to the tender procedure. All questions must be submitted in EU-Supply.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 35291000

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Complaints regarding the tender procedure must be submitted to the Danish authority 'Danish Complaints Board for Public Procurement' ('Klagenævnet for udbud') according to the Act on the Danish Complaints Board for Public Procurement (available on www.retsinfo.dk), paragraph 7. Please observe that the act is not translated.

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: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

21/12/2020