

## 759175-2024 - Competition

### Norway – Construction-related services – Purchase of construction management assignments

OJ S 242/2024 12/12/2024

Contract or concession notice – standard regime

Services

## 1. Buyer

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### 1.1. Buyer

Official name: Statens vegvesen

Email: [tatiana.liknes@vegvesen.no](mailto:tatiana.liknes@vegvesen.no)

Legal type of the buyer: Public undertaking, controlled by a central government authority

Activity of the contracting authority: General public services

## 2. Procedure

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### 2.1. Procedure

Title: Purchase of construction management assignments

Description: The contracting authority would like tenders for the main construction manager for the E136 Breivika-Lerstad- Lerstad tunnel in a 100% position. The assignment will start as soon as possible and at the latest by 01.05.2025. The assignment will be for 3 years with an option for 6mnd+6mnd+6mnd+6mnd. The deadline for triggering options is 01.06.2027. The option price is included in the tender sum when evaluating the tenders, but will not be a part of the contract sum.

Procedure identifier: f19bbbc1-a5fc-4533-8826-7792b61619d3

Internal identifier: 24/327785

Type of procedure: Open

#### 2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 71500000 Construction-related services

#### 2.1.4. General information

Additional information: The Norwegian Public Roads Administration will, based on our assessment, use the exclusion provisions in the procurement regulations § 7-9 fifth paragraph, as the procurement is justified as a climate footprint and an environmental impact that is immaterial. The Norwegian Public Roads Administration is therefore exempt from the obligations to weight the environment 30% or to prioritise the environment among the three highest prioritised award criteria.

#### Legal basis:

Directive 2014/24/EU

#### 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?

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

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### 5.1. Lot: LOT-0000

Title: Purchase of construction management assignments

Description: The contracting authority would like tenders for the main construction manager for the E136 Breivika-Lerstad- Lerstad tunnel in a 100% position. The assignment will start as soon as possible and at the latest by 01.05.2025. The assignment will be for 3 years with an option for 6mnd+6mnd+6mnd+6mnd. The deadline for triggering options is 01.06.2027. The option price is included in the tender sum when evaluating the tenders, but will not be a part of the contract sum.

Internal identifier: 24/327785

#### 5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 71500000 Construction-related services

##### Options:

Description of the options: The assignment will be for 3 years with an option for 6mnd+6mnd+6mnd+6mnd.

#### 5.1.2. Place of performance

Additional information: E136 Breivika-Lerstad-Lerstad tunnel

#### 5.1.3. Estimated duration

Duration: 3 Years

#### 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): yes

Additional information: The Norwegian Public Roads Administration will, based on our assessment, use the exclusion provisions in the procurement regulations § 7-9 fifth paragraph,

as the procurement is justified as a climate footprint and an environmental impact that is immaterial. The Norwegian Public Roads Administration is therefore exempt from the obligations to weight the environment 30% or to prioritise the environment among the three highest prioritised award criteria.

#### **5.1.9. Selection criteria**

Criterion:

Type: Economic and financial standing

Name: B2 2.5 The tenderer's economic and financial capacity.

Description: Tenderers shall have the request economic capacity to fulfil the contractual obligations. This includes the tenderer being credit worthy.

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Name: B2 2.3 The tenderer's registrations, authorisations, etc.

Description: Tenderers shall be registered in a company register, professional register or a commerce register in the country where the tenderer is established.

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: B2 2.4 The tenderer's technical and professional qualifications.

Description: Tenderers shall have relevant experience with work of the same nature, scope or degree of difficulty.

Use of this criterion: Used

#### **5.1.10. Award criteria**

Description of the method to be used if weighting cannot be expressed by criteria: The contract will be awarded to the tenderer who has the best relationship between price and quality and therefore achieves the lowest tender sum. The tender sum for each individual tender is a tender sum, less the value of the other award criteria. Competition sum  $S = T - K2 - K3$  where • T Tender Sum, based on the price in the tender form. • K2 Offered competence in the project • K3 Personal suitability Documentation for the award criteria shall be given with the editing and structure stated in the tender documentation chapter E.

#### **5.1.11. Procurement documents**

Deadline for requesting additional information: 07/01/2025 11:00:00 (UTC+00:00) Western European Time, GMT

Address of the procurement documents: [https://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=419459&B=](https://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=419459&B=)

#### **5.1.12. Terms of procurement**

**Terms of submission:**

Electronic submission: Required

Address for submission: [https://eu.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=419459&B=](https://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=419459&B=)

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

Electronic catalogue: Not allowed

Variants: Not allowed

Tenderers may submit more than one tender: Not allowed

Deadline for receipt of tenders: 15/01/2025 11:00:00 (UTC+00:00) Western European Time, GMT

**Information about public opening:**

Opening date: 16/01/2025 11:00:00 (UTC+00:00) Western European Time, GMT

**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:**

No framework agreement

**Information about the dynamic purchasing system:**

No dynamic purchase system

Electronic auction: no

**5.1.16. Further information, mediation and review**

Review organisation: Oslo tingrett

## 8. Organisations

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**8.1. ORG-0001**

Official name: Statens vegvesen

Registration number: 971032081

Department: Fellesfunksjoner

Postal address: Skoggata 19

Town: Moss

Postcode: 1500

Country: Norway

Contact point: Tatiana Maia Pinto Liknes

Email: [tatiana.liknes@vegvesen.no](mailto:tatiana.liknes@vegvesen.no)

Telephone: +47 41521827

Internet address: <https://www.vegvesen.no>

Buyer profile: <https://eu.eu-supply.com/ctm/company/companyinformation/index/249176>

**Roles of this organisation:**

Buyer

**8.1. ORG-0002**

Official name: Oslo tingrett

Registration number: 926725939

Postal address: C.J. Hambros plass 4

Town: Oslo

Postcode: 0125

Country: Norway

Email: [oslo.tingrett@domstol.no](mailto:oslo.tingrett@domstol.no)

Telephone: +47 22035200

**Roles of this organisation:**

Review organisation

## Notice information

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Notice identifier/version: 2ca6c5bc-9fe3-4357-8545-1f477045a279 - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice subtype: 16

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