

791925-2023 - Competition

Denmark – IT services: consulting, software development, Internet and support – Design, Build, Maintenance and Operation of the Supporting Systems (SuSy) including Equipment for S-Network (Future S-trains)

OJ S 249/2023 27/12/2023

**Contract or concession notice – standard regime
Services**

1. Buyer

1.1. Buyer

Official name: DSB

Email: mrhg@dsb.dk

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Railway services

2. Procedure

2.1. Procedure

Title: Design, Build, Maintenance and Operation of the Supporting Systems (SuSy) including Equipment for S-Network (Future S-trains)

Description: DSB seeks to acquire Supporting Systems (SuSy) for the S-network and a variety of interconnected deliverables that are needed in connection with the change of the S-network from the current GoA2 based operation (semi-automatic operation) to a future GoA4 based operation (fully automatic operation). The objective of the procurement is to provide an overall solution for Supporting Systems and to operate, maintain and support the solution that will ensure e.g. obstacle detection at the platforms as well as provide the passengers with up-date and accurate traffic information and means to get in contact with the Traffic Control Center (TCC) and Back-up TCC. The supplier shall in that regard design, build, test and deliver the solution for Supporting Systems and provide all equipment necessary. The contract has a particular focus on establishing a close cooperation between the supplier and DSB and DSB's other suppliers. The scope includes full end-to-end responsibility for delivering continuing services, including operation, maintenance and support as well as hereunder providing spares and equipment and obsolescence management. The supplier shall also deliver cross-functional services, including documentation, information security, processing of personal data, railway safety and testing. The solution comprises of systems supporting the GoA4 based operation, including the systems: - Passenger Information System (PIS)/Public Announcement System (PAS) - Video Surveillance System (CCTV) - Passenger Call Point (PCP) - ODS-P (obstacle detection and surveillance) - Platform Emergency Stop Button (PESB) and - An integrated control system (SCADA) The solution also comprises of transverse systems for supporting the operability of the systems mentioned above such as (not limited to): - Master Clock - MMS - Data communication network - Technical Object Buildings The procurement is a part of the Future S-network Programme, see the tender conditions, section 2.1. DSB will require the supplier to manage interfaces to other contracts and thereby contribute to secure successful implementation, integration and safety demonstration of the Future S-network Programme. The supplier shall ensure interoperability and TCC management of PIS/PA, CCTV and PCP equipment onboard the new trains for GoA4 based operation that are to be delivered and maintained by the rolling stock supplier.

The SCADA system shall allow DSB to monitor, control and operate functionality of all Supporting Systems via an integrated user interface from both TCC or BTCC both on platforms and from corresponding systems in trains as well as monitoring existing DSB applications requested integrated into SCADA. The supplier is responsible for the dataflow between supporting systems and relevant DSB premises such as TCC, BTCC and DSB integration platforms/datacentre. This includes establishment of LAN network at stations and the active part of a data communication network (DCN) by configuration of optical fibre provided by DSB. DSB will also provide cable routes at stations in which the supplier can pull power and relevant data cables. The supplier shall install the solution and deliver the necessary installation works at the stations as well as implementing the solution in TCC /BTCC. The supplier will be responsible for delivering and organising installation work and in that regard to minimise the need for track possessions and provide sufficient documentation to obtain installation approvals and approvals for placing in service (APIS). The solution shall comply with performance targets. Furthermore, the supplier shall - if ordered - deliver further development, consultancy services, options and standard service requests (ordered services). In addition the supplier shall deliver termination services in connection with the termination of the contract.

Procedure identifier: d7f20741-243a-44da-8325-d0de33326eca

Internal identifier: 352560

Type of procedure: Competitive dialogue

Main features of the procedure: 1) Please see the tender conditions section 8 regarding requirement categorization of the tender material. DSB has determined the Mandatory Requirements and developed some Key Requirements prior to publication of the contract notice. The purpose of the dialogue phase is, together with the tenderers, to develop tender documents, including Key Requirements and Evaluation Requirements that fulfil DSB's needs best possible so that DSB can draft the tender documents that provide the basis for the final tenders. It is emphasized that all requirements that are not Mandatory Requirements may in principle be subject to dialogue and may be changed or withdrawn according to DSB's decision. 2) It is expected that 3 dialogue rounds will be held. It is expected that the meetings in each dialogue round will be conducted in one (1) meeting day per tenderer. A dialogue round could be divided into several separate meetings with a written dialogue proposal on specific subjects to serve as basis for the dialogue at each meeting. The meetings can run in parallel. The expected dates for the first dialogue round are the 3rd, 4th and 6th of June 2024. The second dialogue round which are expected to be held on the 27th, 28th and 29th of August 2024. Dialogue round 3 is expected to be held on the 3rd, 4th, and 5th of March 2025. The dialogue topics are further described in the tender conditions section 6 and in FS.SU.TC.1 Enclosure A - Subjects for Dialogue. DSB reserves the right to change the dates, the number of meeting days and/or to request for more dialogue rounds. DSB encourages all economic operators who can comply with the Mandatory Requirements (and fulfil the minimum requirements for participation, see the sections concerning respectively minimum requirements regarding economic and financial standing and technical and professional ability) to apply for prequalification, even if the economic operator cannot comply with all Key Requirements in the tender material at time of publication of the contract notice. Please also see the tender conditions section 6 regarding expected subjects for dialogue. 3) DSB will not use the option set out in the EU Utilities Directive Article 48 (4) to reduce the number of solutions to be discussed during the dialogue phase. 4) DSB will pay no remuneration for participating in the tender process.

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 72000000 IT services: consulting, software development, Internet and support

Additional classification (cpv): 34632000 Railways traffic-control equipment, 34632200 Electrical signalling equipment for railways, 34632300 Electrical installations for railways, 34942000 Signalling equipment, 34943000 Train-monitoring system, 45000000 Construction work, 45310000 Electrical installation work, 45311000 Electrical wiring and fitting work, 48000000 Software package and information systems, 48140000 Railway traffic control software package, 50711000 Repair and maintenance services of electrical building installations, 51500000 Installation services of machinery and equipment, 72315200 Data network management services, 72510000 Computer-related management services

2.1.2. Place of performance

Country subdivision (NUTS): Byen København (DK011)
Country: Denmark

2.1.2. Place of performance

Country subdivision (NUTS): Københavns omegn (DK012)
Country: Denmark

2.1.2. Place of performance

Country subdivision (NUTS): Nordsjælland (DK013)
Country: Denmark

2.1.3. Value

Estimated value excluding VAT: 550 000 000,00 EUR

2.1.4. General information

Additional information: 1) An economic operator may only submit one (1) application to participate. "Economic operator" shall be defined as a single economic operator or a group of economic operators (a consortium). In addition, two (2) or more economic operators who are part of the same legal group may not submit more than one (1) application to participate, unless the economic operators can demonstrate that their participation in the tender process is and continuously will be autonomous and independent. "The same legal group" shall be defined as entities covered by directive 2013/34/EU art. 22(1). The same applies if an economic operator participates in more than one (1) prequalification application, e.g. alone and in a consortium, alone and as a supporting entity or in a consortium and as a supporting entity. DSB will, where appropriate, request additional information from such applicants to verify that their participation in the tender process is and continuously will be autonomous and independent. If this cannot be verified, DSB may not take either of the applications into consideration. The same principle applies if the situation arises during the tender procedure. 2) In general, groups of economic operators, including temporary associations, may participate in the tender, just as an applicant may rely on the capacity of other economic operators (as further described elsewhere in this contract notice). It is the responsibility of the participating economic operators to ensure that the formation of such a group of economic operators / cooperation is in line with applicable legal requirements including competition law. Guidance on how to assess joint bids under competition law can be found on the Danish Competition and Consumer Authority's (Konkurrence- og Forbrugerstyrelsens) website: When companies bid jointly (www.kfst.dk). 3) The applicant must submit as its application an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras (1)-(3) of the Danish Public Procurement Act, see section 12 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors (implementeringsbekendtgørelsen - "the Danish Implementing Order"). The ESPD is available

via the electronic tendering system. It is not necessary for the applicant to sign the ESPD document. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating economic operator. Where the applicant is a group of operators, the ESPD document of each participant in the group must be signed by the participant in question. The applicant heading the group and submitting the application is not required to sign its ESPD document. If the applicant relies on the capacity of other entities, an ESPD must be submitted for and signed by each of the entities on which the applicant relies. 4) The applicant will be excluded from participation in the tendering procedure if the applicant is subject to the compulsory grounds for exclusion set out in sections 134 a, 135 and 136 of the Danish Public Procurement Act, see section 11(1), para 1 of the Danish Implementing Order, unless the applicant has submitted sufficient documentation for its reliability in accordance with section 138 of the Danish Public Procurement Act, see section 11(1), para 2 of the Danish Implementing Order. 5) DSB reserves the right, at any time during the tender procedure, to request an applicant/tenderer to provide documentary proof, see section 151 of the Danish Public Procurement Act (Act no 1564 of 15 December 2015 with amendments), see the Danish Implementation Order (Order no 1078 of 29 June 2022) section 12, if required to ensure the proper execution of the procedure. 6) Before the award decision is made, the tenderer to whom DSB intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to sections 150 and 155 of the Danish Public Procurement Act, see section 12 of the Danish Implementing Order. As an alternative to the documentation mentioned in sections 153-155, 157 and 158 of the Danish Public Procurement Act, the applicant and tenderer may submit to DSB a certificate of registration in an official list of approved economic operators, see section 156, issued by the competent authority. DSB only accepts certificates of registration in an official list from applicants and tenderers established in the country holding the official list. 7) The stated value of the contract is an estimate (incl. all options) stated solely for the purpose of giving interested parties an impression of the scope of the contract. The value of the contract takes into account the expected term of 15 years from acceptance date 2 (see no. 10) below). 8) In order to ensure sufficient competition, relevant supplies/services carried out up to five (5) years before the deadline for submission of application will be considered, see the section concerning minimum requirement regarding technical and professional ability. 9) In the event of changes in the composition of the tenderer, the principles of the provisions of section 147 of the Danish Public Procurement Act will apply in full. 10) The contract is anticipated to endure for a period of fifteen (15) years from Acceptance Date 2 and the Acceptance Date 2 is expected to be five (5) years from contract signature, i.e the total expected duration of the contract is twenty (20) years from contract signature. However, this is only an estimate and the Acceptance Date 2 can be changed due to many circumstances. The contract contains clauses on termination for convenience. 11) Regarding the section on number of candidates to be invited for the second stage of the procedure it is specified that DSB will select three (3) candidates by applying the selection criteria stated in the contract notice, unless DSB receives no more than three (3) compliant requests for participation. 12) Questions concerning the application for participation may be submitted at the question and answer section in the electronic tendering system where answers will also be made available. 13) The signing of the contract is subject to political approval, incl. final approval of the funding of the project from the Finance Committee of the Danish Parliament. 14) DSB has conducted a preliminary market consultation in order to prepare the procurement. A report summarizing DSB's findings is available at <https://www.dsb.dk/om-dsb/virkomheden/rapporter-og-regnskab/fremtidens-tog/>. 15) Attention is drawn to Article 5k in Regulation (EU) No 833/2014 as later amended which applies for the tender procedure. The provision contains a prohibition against award of contracts to Russian companies and Russian controlled companies etc. (reference is made to Article 5k, section 1,

for the exact delimitation of the actors covered by the prohibition). DSB may at any time during the tender process require that the economic operators prove that they are not covered by the prohibition, for example by requiring a declaration to this effect and/or documentation regarding the economic operators' and any subcontractors' place of establishment and ownership. 16) It is noted that the procurement is subject to Regulation (EU) No. 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market. As part of their application, applicants are from 12 October 2023, obliged to submit a notification/declaration concerning any financial contributions received from third countries, see Article 29 of the Regulation. Prequalified applicants will be obliged to update the notification/declaration upon submission of tender. 17) DSB will conduct initial clarification meetings and site visits with each prequalified tenderer. The meetings are expected to be held in the period indicated in the expected time schedule in the tender conditions section 14. 18) According to Appendix FS.SU.3.D.7 BIM/3D Model of Platforms the supplier can access BIM/CAD models of stations without purchasing a service agreement under own company. This falls within the terms of services for autodesk web services/cloud products. DSB is in this project using the BIM 360 Viewer. For access inform DSB about: User ID, name, and email address. 19) Participation in the tendering procedure may only take place by electronic means via the electronic tendering system used by the contracting entity. For access to the tender documents, the candidate must be registered or register as a user. If the application contains several versions of the same document, the latest uploaded version will apply. All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system. Interested operators are requested to keep updated via the electronic tendering system. If the applicant encounters problems with the system, please contact support by e-mail, dkssupport@eu-supply.com, or telephone (+45) 70208014.

Legal basis:

Directive 2014/25/EU

Ministerial Order No. 1078 of 29 June 2022. - Ministerial Order No. 1078 of 29 June 2022 implements directive 2014/25/EU into Danish law.

2.1.6. Grounds for exclusion

Corruption: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 2, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Participation in a criminal organisation: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 1, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Money laundering or terrorist financing: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 5, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Fraud: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 3, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Child labour and other forms of trafficking in human beings: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 6, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Guilty of misrepresentation, withheld information, unable to provide required documents and obtained confidential information of this procedure: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 136, para 3, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Purely national exclusion grounds: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 134 a, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Conflict of interest due to its participation in the procurement procedure: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 136, para 1, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Direct or indirect involvement in the preparation of this procurement procedure: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 136, para 2, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Guilty of grave professional misconduct: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 136, para 4, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Payment of social security contributions: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(3), cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Payment of taxes: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(3), cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

Terrorist offences or offences linked to terrorist activities: cf. the Danish Public Procurement Act no. 1564 of 15 December 2015 with amendments section 135(1), para 4, cf. section 11(1), para. (1) of Ministerial Order No. 1078 of 29 June 2022.

5. Lot

5.1. Lot: LOT-0000

Title: Design, Build, Maintenance and Operation of the Supporting Systems (SuSy) including Equipment for S-Network (Future S-trains)

Description: DSB seeks to acquire Supporting Systems (SuSy) for the S-network and a variety of interconnected deliverables that are needed in connection with the change of the S-network from the current GoA2 based operation (semi-automatic operation) to a future GoA4 based operation (fully automatic operation). The objective of the procurement is to provide an overall solution for Supporting Systems and to operate, maintain and support the solution that will ensure e.g. obstacle detection at the platforms as well as provide the passengers with up-date and accurate traffic information and means to get in contact with the Traffic Control Center (TCC) and Back-up TCC. The supplier shall in that regard design, build, test and deliver the solution for Supporting Systems and provide all equipment necessary. The contract has a particular focus on establishing a close cooperation between the supplier and DSB and DSB's other suppliers. The scope includes full end-to-end responsibility for delivering continuing services, including operation, maintenance and support as well as hereunder providing spares and equipment and obsolescence management. The supplier shall also deliver cross-functional services, including documentation, information security, processing of personal data, railway safety and testing. The solution comprises of systems supporting the GoA4 based operation, including the systems: - Passenger Information System (PIS)/Public Announcement System (PAS) - Video Surveillance System (CCTV) - Passenger Call Point (PCP) - ODS-P (obstacle detection and surveillance) - Platform Emergency Stop Button (PESB) and - An integrated control system (SCADA) The solution also comprises of transverse systems for supporting the operability of the systems mentioned above such as (not limited to): - Master Clock - MMS - Data communication network - Technical Object Buildings The procurement is a part of the Future S-network Programme, see the tender conditions, section 2.1. DSB will require the supplier to manage interfaces to other contracts

and thereby contribute to secure successful implementation, integration and safety demonstration of the Future S-network Programme. The supplier shall ensure interoperability and TCC management of PIS/PA, CCTV and PCP equipment onboard the new trains for GoA4 based operation that are to be delivered and maintained by the rolling stock supplier. The SCADA system shall allow DSB to monitor, control and operate functionality of all Supporting Systems via an integrated user interface from both TCC or BTCC both on platforms and from corresponding systems in trains as well as monitoring existing DSB applications requested integrated into SCADA. The supplier is responsible for the dataflow between supporting systems and relevant DSB premises such as TCC, BTCC and DSB integration platforms/datacentre. This includes establishment of LAN network at stations and the active part of a data communication network (DCN) by configuration of optical fibre provided by DSB. DSB will also provide cable routes at stations in which the supplier can pull power and relevant data cables. The supplier shall install the solution and deliver the necessary installation works at the stations as well as implementing the solution in TCC /BTCC. The supplier will be responsible for delivering and organising installation work and in that regard to minimise the need for track possessions and provide sufficient documentation to obtain installation approvals and approvals for placing in service (APIS). The solution shall comply with performance targets. Furthermore, the supplier shall - if ordered - deliver further development, consultancy services, options and standard service requests (ordered services). In addition the supplier shall deliver termination services in connection with the termination of the contract.

Internal identifier: 352560

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 72000000 IT services: consulting, software development, Internet and support

Additional classification (cpv): 34632000 Railways traffic-control equipment, 34632200 Electrical signalling equipment for railways, 34632300 Electrical installations for railways, 34942000 Signalling equipment, 34943000 Train-monitoring system, 45000000 Construction work, 45310000 Electrical installation work, 45311000 Electrical wiring and fitting work, 48000000 Software package and information systems, 48140000 Railway traffic control software package, 50711000 Repair and maintenance services of electrical building installations, 51500000 Installation services of machinery and equipment, 72315200 Data network management services, 72510000 Computer-related management services

Options:

Description of the options: The contract contains: 1) an option for extension of the scope of the contract to cover the line from Høje-Taastrup to Roskilde (three (3) stations), 2) an option for extension of the scope of the contract to cover Kystbanen (nine (9) stations and additional platforms at stations shared between the S-network and the current Regional Line), and 3) an option for extension of the scope of the contract to cover up to ten (10) additional unnamed stations.

5.1.2. Place of performance

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

5.1.2. Place of performance

Country subdivision (NUTS): Københavns omegn (DK012)

Country: Denmark

5.1.2. Place of performance

Country subdivision (NUTS): Nordsjælland (DK013)

Country: Denmark

5.1.3. Estimated duration

Other duration: Unlimited

5.1.4. Renewal

Maximum renewals: 0

5.1.5. Value

Estimated value excluding VAT: 550 000 000,00 EUR

5.1.6. General information

Reserved participation:

Participation is not reserved.

The names and professional qualifications of the staff assigned to perform the contract must be given: Not required

Procurement Project not financed with EU Funds.

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

This procurement is also suitable for small and medium-sized enterprises (SMEs): no

Information about previous notices:

Identifier of the previous notice: 306971-2019

Additional information: 1) An economic operator may only submit one (1) application to participate. "Economic operator" shall be defined as a single economic operator or a group of economic operators (a consortium). In addition, two (2) or more economic operators who are part of the same legal group may not submit more than one (1) application to participate, unless the economic operators can demonstrate that their participation in the tender process is and continuously will be autonomous and independent. "The same legal group" shall be defined as entities covered by directive 2013/34/EU art. 22(1). The same applies if an economic operator participates in more than one (1) prequalification application, e.g. alone and in a consortium, alone and as a supporting entity or in a consortium and as a supporting entity. DSB will, where appropriate, request additional information from such applicants to verify that their participation in the tender process is and continuously will be autonomous and independent. If this cannot be verified, DSB may not take either of the applications into consideration. The same principle applies if the situation arises during the tender procedure. 2) In general, groups of economic operators, including temporary associations, may participate in the tender, just as an applicant may rely on the capacity of other economic operators (as further described elsewhere in this contract notice). It is the responsibility of the participating economic operators to ensure that the formation of such a group of economic operators / cooperation is in line with applicable legal requirements including competition law. Guidance on how to assess joint bids under competition law can be found on the Danish Competition and Consumer Authority's (Konkurrence- og Forbrugerstyrelsens) website: When companies bid jointly (www.kfst.dk). 3) The applicant must submit as its application an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras (1)-(3) of the Danish Public Procurement Act, see section 12 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors (implementeringsbekendtgørelsen - "the Danish Implementing Order"). The ESPD is available via the electronic tendering system. It is not necessary for the applicant to sign the ESPD document. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating economic operator. Where the applicant is a group of operators, the

ESPD document of each participant in the group must be signed by the participant in question. The applicant heading the group and submitting the application is not required to sign its ESPD document. If the applicant relies on the capacity of other entities, an ESPD must be submitted for and signed by each of the entities on which the applicant relies. 4) The applicant will be excluded from participation in the tendering procedure if the applicant is subject to the compulsory grounds for exclusion set out in sections 134 a, 135 and 136 of the Danish Public Procurement Act, see section 11(1), para 1 of the Danish Implementing Order, unless the applicant has submitted sufficient documentation for its reliability in accordance with section 138 of the Danish Public Procurement Act, see section 11(1), para 2 of the Danish Implementing Order. 5) DSB reserves the right, at any time during the tender procedure, to request an applicant/tenderer to provide documentary proof, see section 151 of the Danish Public Procurement Act (Act no 1564 of 15 December 2015 with amendments), see the Danish Implementation Order (Order no 1078 of 29 June 2022) section 12, if required to ensure the proper execution of the procedure. 6) Before the award decision is made, the tenderer to whom DSB intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to sections 150 and 155 of the Danish Public Procurement Act, see section 12 of the Danish Implementing Order. As an alternative to the documentation mentioned in sections 153-155, 157 and 158 of the Danish Public Procurement Act, the applicant and tenderer may submit to DSB a certificate of registration in an official list of approved economic operators, see section 156, issued by the competent authority. DSB only accepts certificates of registration in an official list from applicants and tenderers established in the country holding the official list. 7) The stated value of the contract is an estimate (incl. all options) stated solely for the purpose of giving interested parties an impression of the scope of the contract. The value of the contract takes into account the expected term of 15 years from acceptance date 2 (see no. 10) below). 8) In order to ensure sufficient competition, relevant supplies/services carried out up to five (5) years before the deadline for submission of application will be considered, see the section concerning minimum requirement regarding technical and professional ability. 9) In the event of changes in the composition of the tenderer, the principles of the provisions of section 147 of the Danish Public Procurement Act will apply in full. 10) The contract is anticipated to endure for a period of fifteen (15) years from Acceptance Date 2 and the Acceptance Date 2 is expected to be five (5) years from contract signature, i.e the total expected duration of the contract is twenty (20) years from contract signature. However, this is only an estimate and the Acceptance Date 2 can be changed due to many circumstances. The contract contains clauses on termination for convenience. 11) Regarding the section on number of candidates to be invited for the second stage of the procedure it is specified that DSB will select three (3) candidates by applying the selection criteria stated in the contract notice, unless DSB receives no more than three (3) compliant requests for participation. 12) Questions concerning the application for participation may be submitted at the question and answer section in the electronic tendering system where answers will also be made available. 13) The signing of the contract is subject to political approval, incl. final approval of the funding of the project from the Finance Committee of the Danish Parliament. 14) DSB has conducted a preliminary market consultation in order to prepare the procurement. A report summarizing DSB's findings is available at <https://www.dsb.dk/om-dsb/virksomheden/rapporter-og-regnskab/fremtidens-tog/>. 15) Attention is drawn to Article 5k in Regulation (EU) No 833/2014 as later amended which applies for the tender procedure. The provision contains a prohibition against award of contracts to Russian companies and Russian controlled companies etc. (reference is made to Article 5k, section 1, for the exact delimitation of the actors covered by the prohibition). DSB may at any time during the tender process require that the economic operators prove that they are not covered by the prohibition, for example by requiring a declaration to this effect and/or documentation

regarding the economic operators' and any subcontractors' place of establishment and ownership. 16) It is noted that the procurement is subject to Regulation (EU) No. 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market. As part of their application, applicants are from 12 October 2023, obliged to submit a notification/declaration concerning any financial contributions received from third countries, see Article 29 of the Regulation. Prequalified applicants will be obliged to update the notification/declaration upon submission of tender. 17) DSB will conduct initial clarification meetings and site visits with each prequalified tenderer. The meetings are expected to be held in the period indicated in the expected time schedule in the tender conditions section 14. 18) According to Appendix FS.SU.3.D.7 BIM/3D Model of Platforms the supplier can access BIM/CAD models of stations without purchasing a service agreement under own company. This falls within the terms of services for autodesk web services/cloud products. DSB is in this project using the BIM 360 Viewer. For access inform DSB about: User ID, name, and email address. 19) Participation in the tendering procedure may only take place by electronic means via the electronic tendering system used by the contracting entity. For access to the tender documents, the candidate must be registered or register as a user. If the application contains several versions of the same document, the latest uploaded version will apply. All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system. Interested operators are requested to keep updated via the electronic tendering system. If the applicant encounters problems with the system, please contact support by e-mail, dksupport@eu-supply.com, or telephone (+45) 70208014.

5.1.9. Selection criteria

Criterion:

Type: Economic and financial standing

Name: Documentation requirement - Economic and financial standing

Description of selection criterion: The applicant must submit a completed version of the European Single Procurement Document (ESPD), including Part IV, section B, which shall contain information concerning the financial ratios, total annual turnover and balance sheet total as described below (A — D) for the last three (3) financial years. DSB can ask the applicants to provide documentation for their fulfilment of the minimum requirements concerning financial and economic standing at any time during the tender process. Further information is provided in the tender material. The documentation shall consist of audited financial statements or excerpts thereof for the three (3) latest financial years, depending on the date on which the applicant's undertaking was set up, or the applicant started trading, where publication of financial statements is required under the law of the country in which the applicant is established, or any other form of documentation which DSB deems appropriate, where the applicant is unable to present audited financial statements for a valid reason. By 'financial year' is meant either a calendar year (1 January - 31 December) or a season (e.g., 1 July – 30 June).

Use of this criterion: Used

Criterion:

Type: Economic and financial standing

Name: Minimum requirement - Economic and financial standing

Description of selection criterion: The applicant must meet all the minimum requirements below: The applicant must meet the following minimum requirements at the time of prequalification as an average for each of the last three (3) financial years prior to the deadline for submission of application for prequalification: (A) An annual turnover of at least EUR 750

million. (B) A balance sheet total of at least EUR 1,250 million. (C) An EBIT margin of at least 4.5% - calculated by dividing EBIT with annual turnover (EBIT/annual turnover*100) or A Net Income Margin of at least 3.5% - calculated by dividing Net Income with annual turnover (Net Income/ annual turnover *100) (by Net Income is understood income after tax and net interest). (D) A debt ratio of under 4 – calculated by dividing net (interest bearing) debt with EBITDA (net interest-bearing debt/EBITDA) or A solvency ratio of at least 20 % – calculated by dividing equity with total assets (equity/total assets*100). If the applicant is the parent company of a group of companies (i.e. the same legal group), or the applicant is relying on the economic and financial capacity of such an parent company, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio may be based on the financial figures of the consolidated financial statement of the group of companies. ‘The same legal group’ shall be defined as entities covered by directive 2013/34/EU (directive on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings) art. 22(1). If the applicant is an intermediate parent company (i.e. the parent company of a "sub group" of companies), or the applicant is relying on the economic and financial capacity of such an intermediate parent company, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio may be based on the financial figures of the consolidated financial statement of the “sub group” of companies. If the applicant is relying on the capacity of one (1) or more other entities, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be calculated as an average of the financial figures for the applicant and the supporting entities for each of the last three (3) financial years. This means, e.g., in relation to solvency ratio, the calculation will use the combined financial figures for the applicant and the supporting entities for each of the last three (3) financial years. The solvency ratio is then calculated as an average of three (3) solvency ratios based on the combined financial figure for the applicant and the supporting entities and rounded to two (2) decimal places. If the applicant and the supporting entity/entities have consolidated financial statements, the calculations of the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be based on such consolidated financial statements; in this case, the applicant and supporting entities should provide the information necessary in the ESPD to allow for correct calculations. The applicant must prove that the necessary resources from the supporting entity/entities will be made available to the applicant, e.g. by producing an undertaking on the part of those entities to that effect, see FS.SU.TC.3 Enclosure C - Letters of Commitment to the tender conditions. If the applicant is awarded the contract, the supporting entity/entities shall undertake joint and several liability and co-sign the contract. If the applicant is a group of economic operators (e.g. a consortium), the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be calculated in the same manner as applicants with one (1) or more supporting entities, i.e. on the basis of the combined financial figures of the participating economic operators. If any of the participating economic operators (in the consortium) have consolidated financial statements, the calculations concerning these economic operators will be made based on such consolidated financial statements. Please see FS.SU.TC.4 Enclosure D - Request for Prequalification and Guide for ESPD for examples.

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Documentation requirement - Technical and professional ability

Description of selection criterion: The applicant must submit the ESPD part IV.C including the following information regarding references for minimum requirements 1-4 and a possible selection of qualified applicants: For minimum requirement 1-4, the description should include: Recipient name and contact information (in the "Recipients" section), duration of the contract (start date, i.e. the effective date of the contract, and end date) (in the "Start date" and "End date" sections), value of contract (EUR) (in the "Amount" section). Further for minimum requirement 1, the description should include the following (in the "Description" section): 1) Description of the solution including type of supporting systems, 2) number of stops, stations etc. 3) provider name and role in the delivery (e.g. sole supplier, consortia member, sub-supplier etc.), and 4) information on which minimum requirements each reference covers (1a, 1b, 1c and 1d). Further for minimum requirement 1, the description should include the following (in the "Description" section): A description of the anticipated purpose of the solution, the sensor type(s) applied, the integration with algorithms or other form of intelligence build into associated software, detection criteria, area of interest, the event(s) triggered and the status and maturity level of the solution (such as in test lab/bench, shadow mode, field test /pilot, in commercial operation etc.). Further for minimum requirement 4 the description should include the following (in the "Description" section): 1) Description of the solution including type of supporting systems, 2) number of stops, stations etc. 3) provider name and role in the delivery (e.g., sole supplier, consortia member, sub-supplier etc.), 4) scope of services such as onsite fault finding, technical operation of systems, management and execution of maintenance and if it included safety management (e.g. safety assurance, safety assessment or safety approval) including cooperation with accredited safety assessor, and 5) information on which minimum requirements each reference covers (4a, 4b, 4c and 4d). Only references relating to supplies/services carried out at the time of submission of the application will be taken into account in the evaluation of which applicants have documented the most relevant deliveries, see the section concerning the selection criteria and in the evaluation of whether the minimum requirements in respect of technical and professional capacity have been complied with, see below. Hence, in the case of an ongoing task, only the part of the supplies /services already performed at the time of application will be included in the evaluation of the reference. If a contract for a public transport supporting systems solution or maintenance services has a duration that covers more than five (5) years before the deadline for submission of application, the applicant should state which part of the contract has been performed within the last five (5) years before the deadline for submission of application. The applicant may state up to twelve (12) references in total. Each reference may only concern one (1) project. A reference may include one or more services if it is the same recipient and the services in the reference relate to the same solution as the reference. It is possible for an applicant with one (1) reference to show fulfilment of more than one (1) minimum requirement. If the applicant is a group of economic operators (e.g., a consortium), the consortium may as a whole submit twelve (12) references in total. If the applicant relies on the capacity of one (1) or more other entities, a maximum of twelve (12) references must be submitted for the applicant and the supporting entities together. If more than twelve (12) references are submitted, DSB will take the twelve (12) newest references into consideration. If it cannot be determined which twelve (12) references are the newest, DSB will draw lots among all references submitted. The references will also be used in the assessment for choosing the limited number of applicants, see the section concerning the selection criteria. If the tenderer has references that do not fulfil the minimum requirements, such references may still be submitted to support the selection of the tenderer, as long as the tenderer's total number of references does not exceed the above stated. Before prequalification DSB may validate the references, incl. by contacting the

recipients stated in the submitted references. After prequalification DSB does not intend to ask the applicants to provide further documentation for their fulfilment of the minimum requirements concerning technical and professional ability.

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Minimum requirements - Technical and professional ability

Description of selection criterion: The applicant must meet all the minimum requirements below: 1. The applicant has minimum four (4) references for delivery of public transport supporting systems. By public transport supporting systems is understood solutions including both central backend systems with associated work stations for operators as well as wayside equipment placed on site at stops, stations etc. integrated into a solution containing one (1) or more of the following systems: Passenger Information System (PIS)/Passenger Announcement System (PAS), Platform Emergency Stop Button (PESB), Passenger Call Point (PCP), Industrial Control System (ICS) and/or Supervisory Control and Data Acquisition system (SCADA), Closed Circuit Television (CCTV)/Video Surveillance, Obstacle Detection System (ODS), and data communication network – all including both hardware and software. Of the four (4) references: 1.a) At least one (1) reference shall cover integration of at least three (3) of the mentioned supporting systems into an overall solution. 1.b) at least one (1) reference shall include a PIS solution. 1.c) at least one (1) reference shall include a CCTV and /or Video surveillance solution. 1.d) at least one (1) reference shall include an ICS and/or SCADA solution. Deliveries in minimum requirement 1 shall have been made within the past five (5) years prior to the deadline for submission of application for prequalification. By “delivered” is understood when a system is under production for or taken over and put in commercial service by an external customer within the past five (5) years prior to the deadline for submission of the application for prequalification. 2. The applicant has one (1) reference documenting experience with safety management (e.g. safety assurance, safety assessment or safety approval), including cooperation with an accredited safety assessor in relation to electric trainsets for metro, commuter, or regional services, or in relation to advanced signaling onboard system integration applying the framework of CSM-RA and/or EN 50126 or equivalent. Experience in minimum requirement 2 shall have been obtained within the past five (5) years prior to the deadline for submission of application for prequalification. 3. The applicant has one (1) reference documenting experience with development and/or applying sensor technology (such as radar, lidar, various camera types, etc., or a combination thereof) in combination with algorithms or built into associated software for automatically triggering one (1) or more events such as alarms, warnings etc. when detection criteria are fulfilled within the defined area(s) of interest. The experience shall be within the transportation sector (meaning road traffic, tramways, metro systems or railways, onboard or wayside) and may be achieved through an in-house development project(s), a pilot project(s) with an external customer, and delivery project(s) to external customer(s), hence the applied solution may be in testing state or in commercial operation. Experience in minimum requirement 3 shall have been obtained within the past five (5) years prior to the deadline for submission of application for prequalification. 4. The applicant has minimum three (3) references for maintenance services for public transport Supporting Systems. By public transport Supporting Systems is understood solutions including both central backend systems with associated work stations for operators as well as wayside equipment placed on site at stops, stations etc. integrated into a solution containing one (1) or more of the following systems: Passenger Information System (PIS) /Passenger Announcement System (PAS), Platform Emergency Stop Button (PESB), Passenger Call Point (PCP), Industrial Control System (ICS) and/or Supervisory Control and

Data Acquisition system (SCADA), Closed Circuit Television (CCTV)/Video Surveillance, Obstacle Detection System (ODS), and data communication network. Of the three (3) references: 4.a At least one (1) reference shall include minimum three (3) of the supporting systems referred to under public transport Supporting Systems. 4.b At least one (1) reference shall include maintenance of both software (incl. software updates) and hardware. 4.c At least one (1) reference shall include obsolescence management. Deliveries in minimum requirement 4 shall have been made within the past five (5) years prior to the deadline for submission of application for prequalification. By this is understood that a contract is signed by an external customer and is under operational delivery to an external customer (hence is active) or the contract with an external customer has ended due to the expiry of contract within the past five (5) years prior to the deadline for submission of application for prequalification. If the application is submitted by a joint group of economic operators or the applicant is relying on the capacity of one (1) or more other entities, the minimum requirements must be fulfilled by the joint group/the applicant and the supporting entity/entities as a whole. If the applicant is relying on the capacity of one (1) or more other entities, the applicant must prove that the necessary resources from the supporting entity/entities will be made available to the applicant, e.g. by producing an undertaking on the part of those entities to that effect, see FS.SU.TC.3 Enclosure C - Letters of Commitment. In relation to services the applicant may only rely on the capacity of another entity with regard to technical and professional ability where the latter will perform the services for which these capacities are required.

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Selection criteria

Description of selection criterion: The selection of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant services, see the sections concerning the documentation requirements and minimum requirements both regarding technical and professional ability, in relation to the services put up for tender, see the section concerning the description of the tender. The evaluation of the most relevant deliveries will be made on the basis of the extent to which the references document experience with delivery of comparable services. In the evaluation of which candidates have documented the most relevant deliveries of comparable services, the extent to which the references, in total, document relevant experience in delivering the services specifically required will be considered.

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: 3

Maximum number of candidates to be invited for the second stage of the procedure: 3

5.1.10. Award criteria

Criterion:

Type: Price

Name: Price

Description: Reference is made to FS.SU.TC.5 Enclosure E - Contract Award Criteria.

Category of award weight criterion: Weight (percentage, exact)

Award criterion number: 40

Criterion:

Type: Quality

Name: Quality

Description: Reference is made to FS.SU.TC.5 Enclosure E - Contract Award Criteria.

Category of award weight criterion: Weight (percentage, exact)

Award criterion number: 60

5.1.11. Procurement documents

Access to certain procurement documents is restricted

Justification for restricting access to certain procurement documents: Tools, devices, or file formats not generally available

Languages in which the procurement documents are officially available: English, Danish

Deadline for requesting additional information: 02/02/2024 23:55:00 (UTC+01:00) Central European Time, Western European Summer Time

Information about restricted documents is available at: https://admin.b360.autodesk.com/login?hq_return_url=%2Faccounts%2Fhtml_index

Address of the procurement documents: https://eu.eu-supply.com/app/rfq/rwentrance_s.asp?PID=388313&B=

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: https://eu.eu-supply.com/app/rfq/rwentrance_s.asp?PID=388313&B=

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

Electronic catalogue: Not allowed

Variants: Not allowed

Tenderers may submit more than one tender: Not allowed

Deadline for receipt of requests to participate: 16/02/2024 13:00:00 (UTC+01:00) Central European Time, Western European Summer Time

Terms of contract:

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

Conditions relating to the performance of the contract: - Please note, that DSB's rights and obligations according to the contract may be transferred to one (1) or more companies ultimately owned by DSB. - DSB has assessed that the conclusion of the contract may be subject to the authorization requirement pursuant to the Danish Investment Screening Act. See further in the tender conditions, section 13. - The contract has incorporated corporate social responsibility considerations (Code of conduct). - The contract lays down requirements on compliance with the law on processing of personal data, including section 3(9) of the Danish Data Protection Act (databeskyttelsesloven). - The contract lays down requirements pursuant to ILO Convention no. 94 on labor clauses in public contracts and Circular no. 9471 of 30 June 2014. - The contract furthermore includes social clauses on the use of trainees.

Electronic invoicing: Required

Electronic ordering will be used: no

Electronic payment will be used: yes

Financial arrangement: - The supplier is expected to provide a parent company guarantee as well as an advance payment guarantee and a performance and warranty guarantee; however, DSB's requirements regarding these guarantees may be subject to dialogue during the tender process. Thus, the requirements for the guarantees may be changed or withdrawn entirely according to DSB's decision. - Reference is made to the tender material with regard to the payment terms.

5.1.15. Techniques

Framework agreement:

No framework agreement

Information about the dynamic purchasing system:

No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Danish Complaints Board for Public Procurement (Klagenævnet for Udbud)

Information about review deadlines: Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act. In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of: 1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published. 2) 30 calendar days calculated from the day after the day when the contracting entity has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision. 3) 6 months after the contracting entity entered into a framework agreement calculated from the day after the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of the Act. Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see section 12(1) of the Act. The e-mail address of the Complaints Board for Public Procurement is kflu@naevneneshus.dk. The Complaints Board's own complaints procedure is available at <https://naevneneshus.dk/start-din-klage/klagenavnet-for-udbud/vejledning/>.

Organisation providing additional information about the procurement procedure: DSB

Organisation providing more information on the review procedures: Danish Competition and Consumer Authority (Konkurrence- og Forbrugerstyrelsen)

Organisation receiving requests to participate: DSB

Organisation processing tenders: DSB

TED eSender: Mercell Holding ASA

8. Organisations

8.1. ORG-0001

Official name: DSB

Registration number: 25050053

Postal address: Telegade 2
Town: Taastrup
Postcode: 2630
Country subdivision (NUTS): Københavns omegn (DK012)
Country: Denmark
Email: mrhg@dsb.dk
Telephone: +45 24684677
Internet address: <http://www.dsb.dk>
Buyer profile: <https://eu.eu-supply.com/ctm/company/companyinformation/index/63264>

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: Danish Complaints Board for Public Procurement (Klagenævnet for Udbud)
Registration number: 37795526
Postal address: Toldboden 2
Town: Viborg
Postcode: 8800
Country subdivision (NUTS): Vestjylland (DK041)
Country: Denmark
Email: kfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://naevneneshus.dk/start-din-klage/klagenævnet-for-udbud/>

Roles of this organisation:

Review organisation

8.1. ORG-0003

Official name: Danish Competition and Consumer Authority (Konkurrence- og Forbrugerstyrelsen)
Registration number: 10294819
Postal address: Carl Jacobsens Vej 35
Town: Valby
Postcode: 2500
Country subdivision (NUTS): Byen København (DK011)
Country: Denmark
Email: kfst@kfst.dk
Telephone: +45 41715000
Internet address: <https://www.kfst.dk/>

Roles of this organisation:

Organisation providing more information on the review procedures

8.1. ORG-0004

Official name: Merzell Holding ASA
Registration number: 980921565
Postal address: Askekroken 11
Town: Oslo
Postcode: 0277
Country subdivision (NUTS): Oslo (NO081)

Country: Norway
Contact point: eSender
Email: publication@mercell.com
Telephone: +47 21018800
Fax: +47 21018801
Internet address: <http://mercell.com/>

Roles of this organisation:

TED eSender

Notice information

Notice identifier/version: be48b3c3-8805-4866-a3f9-e172d659780c - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice subtype: 17

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