

NORWAY - ECHO SOUNDERS - PROCUREMENT OF ECHO-SOUNDER SYSTEM TO ULA-CLASS SUBMARINES

234/2023

Contract or concession notice – standard regime

1. Buyer

1.1 Buyer

Official name: Norwegian Defence Materiel Agency

The buyer is a contracting entity

2. Procedure

2.1 Procedure

Title: Procurement of echo-sounder system to Ula-class submarines

Description: Pre-qualification phase

Procedure identifier: 9c38c24e-2f32-4c2b-bcc3-68c2b9942ebc

Internal identifier: 2023044142

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

The procedure is accelerated: No

2.1.1 Purpose

Nature of the contract: Supplies

Additional nature of the contract: Services

Main classification (cpv): 38114000 Echo sounders

Additional classification (cpv): 38100000 Navigational and meteorological instruments

Additional classification (cpv): 38110000 Navigational instruments

2.1.2 Place of performance

Country: Norway

Anywhere in the given country

Additional information: The installation will find place at Laksevåg, Bergen, Norway

2.1.3 Value

Estimated value excluding VAT: 10,000,000 NOK

2.1.4 General information

Legal basis:

Directive 2009/81/EC

2.1.6 Grounds for exclusion

Analogous situation like bankruptcy under national law: Analogous situation like bankruptcy under national law (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) b) Is the economic operator in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Bankruptcy: Bankruptcy (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) b)) Is the economic operator bankrupt? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract. 1. Declaration from national registry of bankruptcy Ustedt av:Brønnøysundregistrene

Corruption: Corruption (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) b)) Corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator

Arrangement with creditors: Procurement FOR-2016-08-12-974 §24-2 (3) b) Is the economic operator in arrangement with creditors? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Participation in a criminal organisation: Participation in a criminal organisation (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) a)) Participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime

Agreements with other economic operators aimed at distorting competition: Agreements with other economic operators aimed at distorting competition (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) e) / § 24-2 (3) e) Has the economic operator entered into agreements with other economic operators aimed at distorting competition? 1. The ESPD declaration II. Agreements with other economic operators aimed at distorting competition (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) e))

Breaching of obligations in the fields of environmental law: Breaching of obligations in the field of environmental law (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) c)) Has the economic operator, to its knowledge, breached its obligations in the field of environmental law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2004/18/EU 1. The ESPD declaration

Money laundering or terrorist financing: Money laundering or terrorist financing (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) e)) Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgement for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

Fraud: Fraud (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) c)) Fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995)

Child labour and other forms of trafficking in human beings: Child labour and other forms of trafficking in human beings (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) f))

Money laundering or terrorist financing, as defined in Article 2 of Directive 2011/36/EU of the

European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011)

Insolvency: . Insolvency (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) b) Is the economic operator the subject of insolvency or winding-up? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Breaching of obligations in the fields of labour law: Breaching of obligations in the field of labour law (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) c)) Has the economic operator, to its knowledge, breached its obligations in the field of labour law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2004/18/EU

Assets being administered by liquidator: Assets being administered by liquidator (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) b) Are the assets of the economic operator being administered by a liquidator or by the court? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Guilty of misrepresentation, withheld information, unable to provide required documents and obtained confidential information of this procedure: Guilty of misrepresentation, withheld information, unable to provide required documents and obtained confidential information of this procedure (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) g og h / Article § 24-2 (3) g) and h)) Can the economic operator confirm that it has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, it has not withheld such information, it has been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and it has not undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

Purely national exclusion grounds: Purely national exclusion grounds (Regulations Regarding Public Procurement FOR-2016-08-12-974 §24-2 (3) i / § 24-2 (2) a-f / Article §24-2 (3) i)) Do the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents, apply? 1. The ESPD declaration II. Purely national exclusion grounds related to grave professional misconduct (Regulations Regarding Public Procurement FOR-2016-08-12-974 §24-2 (3) i) The grounds for refusal referred to in article 24-2 (3) i, of which it is stated that the supplier in general has committed serious errors which raise doubts about his professional integrity. The rejection criteria in the ESPD applies only to grave misconduct in the profession, while the Norwegian grounds for rejection also include other grave misconduct that may cause doubts regarding the professional integrity of the supplier 1. The ESPD declaration III. Purely national exclusion grounds related to grave professional misconduct (Regulations Regarding Public Procurement FOR-2016-08-12-974 Article §24-2 (3) i)) The grounds for refusal referred to in article 24-2 (3) i, of which it is stated that the supplier in general has committed serious errors which raise doubts about his professional integrity.

The rejection criteria in the ESPD applies only to grave misconduct in the profession, while the Norwegian grounds for rejection also include other grave misconduct that may cause doubts regarding the professional integrity of the supplier

Conflict of interest due to its participation in the procurement procedure: Conflict of interest due to its participation in the procurement procedure (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) d) Is the economic operator aware of any conflict of interest as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure?

Direct or indirect involvement in the preparation of this procurement procedure: Have the candidate cooperated in the planning phase of the competition?

Guilty of grave professional misconduct: Guilty of grave professional misconduct (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) i) Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents

Early termination, damages or other comparable sanctions: Early termination, damages or other comparable sanctions (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) f) Has the economic operator experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract?

Breaching of obligations in the fields of social law: I. Breaching of obligations in the field of social law (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) c)) Has the economic operator, to its knowledge, breached its obligations in the field of social law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2004/18/EU

Payment of social security contributions: Payment of social security contributions (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (1) b)) Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? 1. Certificate for taxes, value added tax and payment of social contributions Ustedt av: Skatteetaten

Business activities are suspended: Business activities are suspended (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (3) b) Are the business activities of the economic operator suspended? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Payment of taxes: Payment of taxes (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (1) b) / Article §§ 24-2(1)b and 24-2(3)a) / Article 24-2(1)b and 24-2(3)a) / Article 24-2(1) b) and 24-2(3) a) / Article Kapittel 24; Paragraph 24-2(1) b) and 24-2(3) a) / Article 24-2; Paragraph 24-2(1) b) and 24-2(3) a) / Article 24-2; Paragraph (1) b) and (3) a)) Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? 1. Certificate for taxes, value added tax and payment of social contributions Ustedt av: Skatteetaten

Terrorist offences or offences linked to terrorist activities: Terrorist offences or offences linked to terrorist activities (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 24-2 (2) d))

Terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council

Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision

5. Lot

5.1 Lot: LOT-0000

Title: Procurement of echo-sounder system to Ula-class submarines

Description: Pre-qualification phase

Internal identifier: 2023044142

5.1.1 Purpose

Nature of the contract: Supplies

Additional nature of the contract: Services

Main classification (cpv): 38114000 Echo sounders

Additional classification (cpv): 38100000 Navigational and meteorological instruments

Additional classification (cpv): 38110000 Navigational instruments

Options:

Description of the options: Frame agreement 1+1

5.1.2 Place of performance

Country: Norway

Anywhere in the given country

Additional information: The installation will find place at Laksevåg, Bergen, Norway

5.1.4 Renewal

Maximum renewals: 2

5.1.5 Value

Estimated value excluding VAT: 10,000,000 NOK

5.1.6 General information

Reserved participation: Participation is not reserved.

Procurement Project not financed with EU Funds.

5.1.9 Selection criteria

Criterion:

Type: Economic and financial standing

Name: Financial key figures

Description: With respect to financial key figures indicated in the notice or procurement documents, the supplier declares that the actual value(s) of the key figure(s) requested are as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Other economic and financial requirements

Description: With regard to any other economic and financial requirements that have been stated in the announcement or in the procurement documents, the supplier declares that:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Specific annual turnover

Description: Is the supplier's ("specific") annual turnover within the area to which the contract applies and specified in the announcement or in the procurement documents for the number of financial years requested is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Average turnover

Description: Is the supplier's average annual turnover within the area covered by the contract and specified in the announcement or in the procurement documents for the number of financial years requested is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: The supplier's establishment date

Description: If the turnover information (aggregate or specific) is not available for the entire period requested, please indicate the date when the business was established or the suppliers started their business:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Financial key figures

Description: With respect to financial key figures indicated in the notice or procurement documents, the supplier declares that the actual value(s) of the key figure(s) requested are as follows:

Use of this criterion: Used

Criterion:

Type: Economic and financial standing

Name: Liability insurance

Description: The insured amount in the supplier's liability insurance is as follows:

Use of this criterion: Not used

Criterion:

Type: Economic and financial standing

Name: Other economic and financial requirements

Description: With regard to any other economic and financial requirements that have been stated in the announcement or in the procurement documents, the supplier declares that:

Use of this criterion: Used

Criterion:

Type: Other

Name: Certificates issued by independent bodies for quality assurance standards

Description: Can the supplier provide certificates issued by independent bodies as documentation that the supplier meets the specified quality assurance standards, including requirements for universal design?

Use of this criterion: Used

Criterion:

Type: Other

Name: certificates issued by independent bodies for environmental management standards

Description: Is the supplier able to provide certificates issued by independent bodies as documentation that the supplier meets the specified environmental management systems or standards?

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Name: Registered in the professional register

Description: Enrolment in a relevant professional register (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 16-2) It is enrolled in relevant professional registers kept in the Member State of its establishment as described in Annex XI of Directive 2014/24/EU; economic operators from certain Member States may have to comply with other requirements set out in that Annex. 1. The Norwegian Register for Authorisation and License of Health Personell

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Name: Registered in the trade register or enterprise register

Description: I. Enrolment in a trade register (Regulations Regarding Public Procurement FOR-2016-08-12-974 § 16-2 (1)) It is enrolled in trade registers kept in the Member State of its establishment as described in Annex XI of Directive 2014/24/EU; economic operators from certain Member States may have to comply with other requirements set out in that Annex.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Only for public goods deliveries

Description: Only for public goods deliveries: In the reference period, the supplier has carried out the following important goods deliveries of the requested type, or the following important services of the requested type. The client can claim up to three years' experience and allow experience from the time before the last three years to be taken into account.

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Technical personnel or technical units

Description: The supplier can dispose of the following technical personnel or technical units, in particular those responsible for quality control: For technical personnel or technical units that do not directly belong to the supplier's business, but whose capacity the supplier relies on, cf. part II, section C, must separate ESPD forms are completed

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Technical facilities and quality assurance measures

Description: The supplier uses the following technical facilities and quality assurance measures, and the supplier's examination and research facilities are as follows:

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Examination and research facilities

Description: The supplier's examination and research facilities are as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Management and tracking of the supply chain

Description: The supplier will be able to apply the following supply chain management and tracking systems when executing the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Permission to control

Description: For goods or services that are complicated, or that are exceptionally to be used for a special purpose: Will the supplier allow an inspection of the supplier's production capacity or technical capacity and, where necessary, of the examination and research facilities at the supplier's disposal, and of quality control measures? The inspection must be carried out by the client or the client can entrust it to a competent public body in the state in which the supplier is established.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Education and professional qualifications

Description: The following education and professional qualifications are held by the supplier and/or (depending on the requirements laid down in the announcement or in the procurement documents) by the leading employees:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Environmental management measures

Description: The supplier can apply the following environmental management measures in connection with the performance of the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Number of employees in management

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

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Average annual workforce

Description: The supplier's average annual workforce over the past three years has been as follows:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Tools, material and technical equipment

Description: The supplier will be able to dispose of the following tools, material and technical equipment to perform the contract:

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: Share of contract to subcontractor

Description: The supplier is considering assigning the following part (in percentage) of the contract to subcontractors. Note that if the supplier has decided to subcontract part of the contract and relies on the subcontractors' capacity to perform this part, a separate ESPD is completed for such subcontractors, see Part II, Section C, above.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: When purchasing goods: Requested samples, descriptions or photographs, which do not need to be accompanied by certificates that they are genuine

Description: When purchasing goods: The supplier provides requested samples, descriptions or photographs for the goods to be delivered, which do not need to be accompanied by certificates that they are genuine

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: When purchasing goods: Requested samples, descriptions or photographs with certificates.

Description: When purchasing goods: If requested, the supplier further declares that it will supply the requested certificates that they are genuine.

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: When purchasing goods: Certificates issued by official bodies for quality control

Description: Can the supplier provide the requested certificates issued by official quality control bodies, which can confirm that the goods, which are clearly identified by reference to technical specifications or standards, set out in the notice or in the procurement documents, are in conformity with them?

Use of this criterion: Not used

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

The procedure will take place in successive stages. At each stage, some participants may be eliminated

5.1.11 Procurement documents

Languages in which the procurement documents (or their parts) are unofficially available: ENG

Deadline for requesting additional information: 2023-12-20+01:00 00:00:00+01:00

Address of the procurement documents:

5.1.12 Terms of procurement

Terms of the procedure:

Estimated date of dispatch of the invitations to submit tenders: 2024-02-09+01:00

Security clearance is required

Deadline for obtaining security clearance: 2024-06-30+02:00

Terms of submission:

Obligatory indication of subcontracting: No subcontracting indication

Electronic submission: Required

Address for submission:

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

Electronic catalogue: Not allowed

Variants: Not allowed

Deadline for receipt of requests to participate: 2024-01-11Z 13:00:00Z

Terms of contract:

Conditions relating to the performance of the contract: stated in pre-qualification document

A non-disclosure agreement is required

Electronic invoicing: Required

Electronic ordering will be used

Electronic payment will be used

Financial arrangement: stated in pre-qualification document

Subcontracting:

The contractor must indicate any change of subcontractors during the execution of the contract.

5.1.15 Techniques

Framework agreement:

No framework agreement

Information about the dynamic purchasing system

No dynamic purchase system

Electronic auction:

5.1.16 Further information, mediation and review

Organisation receiving requests to participate: Norwegian Defence Materiel Agency

Organisation processing tenders: Norwegian Defence Materiel Agency

8. Organisations

8.1 ORG-0001

Official name: Norwegian Defence Materiel Agency

Registration number: 916075855

Postal address: Grev Wedels plass 1

Town: OSLO

Postcode: 0151

Country: Norway

Contact point: Lene Steinsbu

Email:

Telephone: +4723093003

Internet address:

Roles of this organisation:

Buyer

Organisation receiving requests to participate

Organisation processing tenders

11. Notice information

11.1 Notice information

Notice identifier/version: 505ad4af-1a18-4de1-9bbc-6e454915f786 - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice dispatch date: 2023-12-02Z 17:10:43Z

Languages in which this notice is officially available: English

11.2 Publication information

Notice publication number: 00737199-2023

OJ S issue number: 234/2023

Publication date: 2023-12-05Z