

**QUALIFICATION  
FOR  
COMPETITION  
WITH  
NEGOTIATION  
(RESTRICTED COMPETITION)**

**Project 1003701 PNN-BUT  
K919.2 – Motorized easel**

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## 1 Assignment and competition

### 1.1 Orientation to the purpose of the assignment

Statsbygg requests in connection with the project:

*Number: 1003701*

*Title: Project New National Museum, user equipment project*

to conduct a qualification of participants who may be interested in submitting offers for the tender:

#### **K919.2 – Motorized easel**

The new National Museum will become the largest art museum in the Nordic region with its gross building area of approx. 54,600 sqm. The museum will gather and present visual arts, crafts, design and architecture. The location is nearby the Town Hall Square in Oslo before the entrance to Aker Brygge.

This procurement is conducted by the Statsbygg user equipment project, which includes other procurements in addition to the construction project such as display cases, lighting, furniture in public area, furniture back of house, wayfinding signage and digital content production with more. The user equipment project is also part of the process of developing workplaces by designing and delivering solutions for the museum's dissemination areas, workshops and conservation studios etc. The user equipment project amounts to approximately 22,000 square meters and has a cost frame of NOK 590 million.

For more detailed information about the project, see

<https://www.statsbygg.no/Prosjekter-og-eiendommer/Byggeprosjekter/nasjonalmuseum/>

## 2 Contractual aspects

### 2.1 Contract period

Tentative delivery date is given in section 2.5 below.

### 2.2 Service- and maintenance contract

A "Service and Maintenance Agreement" will be applicable. The content of an agreement will be priced as part of the offer but will be subject to audit and customization after completion of the detailed design phase. The service and maintenance offer must be specified per year and according to what is listed in the suppliers response.

#### 2.2.1 Ethical requirement (applies to goods procurement)

Contractual obligations are imposed on the respect for human rights and compliance with International Labour Organization (ILO) core conventions, as well as requirements for providers follow-up and the developer's control of these. See attached contract document

## 2.3 About the qualification basis

The qualification basis consists of:

- Qualification basis (This Document)
- Electronic declaration form for the competition regarding qualification requirements, admissibility and selection criteria (ESPD)

In addition, the qualification basis consists of details concerning the final competition, including the tender document and its contracting appendix, see all attachments as listed in Table 1.

The qualification basis has been published electronically for download from the Merccell Portal. Suppliers wishing to participate in the competition are encouraged to register their interest in the Merccell Portal to receive notices about additional information, corrections and changes that Statsbygg publishes.

## 2.4 Announcement

The competition is announced through the DOFFIN and the TED database via Merccell, publishing started on the 18<sup>th</sup> of February 2019.

The competition is conducted in accordance with the Law of 17 June 2016 No. 73 (LOA) on Public Procurement (LOA) and Public Procurement Decree of 12 April 2016 No. 974 (FOA) Part I and III, as well as the provisions of this qualification basis.

The competition is conducted as a two-stage negotiation competition. Through this procedure, all interested suppliers can send a request to participate in the competition.

### 2.4.1 Offer on parts of the assignment

There is no opportunity to bid for parts of the assignment.

## 2.5 Timeline for the procurement process

<b>14.02.2019</b>	Announcement prequalification
22.03.19	Response deadline prequalification
29.03.19	Evaluation of qualification and selection of providers for negotiation
02.04.2019	Sending invitation to selected providers to submit tenders
06.05.2019	Tentative tender Deadline <i>(to be updated in final tender document)</i>
Week 19-22	Two-step rounds of negotiations, adjustment of offers
03.06.2019	Selection of offers
15.06.2019	Period of appeal / waiting period for possible complains
Week 25 2019	Signing the contract
<b>Summer/Autumn 2019</b>	<b>Production and delivery (tbd)</b>

*The above timeline is tentative after the date announced for response on pre-qualification.*

## 2.6 Additional information/ Corrections of the qualification basis

**If the providers experience limitation of the qualification basis e.g., the documents are not providing sufficient guidance, or the basis is setting requirements that the providers cannot accept, s/he may request additional information by addressing questions and requests through the Mercell portal (Only the portal shall be used for all types of inquiries regarding the qualification).**

**This also applies if it is found incorrectly information in the qualification basis.**

**It is encouraged that questions regarding the qualification basis should be addressed as early as possible to the Mercell portal and in sufficient time ahead of the deadline for submission, so that Statsbygg can assess whether the qualification documents should be changed, clarified or elaborated.**

The questions will be anonymized when published and responded on the Mercell portal by Statsbygg. Moreover, if the questions require corrections of the qualification basis these will also be published in the Mercell Portal. All those who have registered their interest, cf. 1.1 above, will receive notification by email from Mercell Portal.

### **3 General rules for qualification**

#### **3.1 Public procurement act**

The competition is conducted in accordance with the Public procurement act of 17 June 2016 No. 73 (LOA) and Public procurement decree of 12 April 2016 No. 974 (FOA) Part I and III, as well as the requirements set in this qualification basis and the following tender invitation.

The competition is conducted as a two-stage negotiation competition. Through this procedure, all interested providers can send a request to participate in the competition.

However, Statsbygg reserves the right to not conduct negotiations and to negotiate in several phases so that the first reduction of participants can take place in advance of the negotiations.

#### **3.2 Publicity**

The procurement protocol used for documenting requests for participation of the competition will not be published until after the completion of negotiations and offer evaluations.

#### **3.3 Use of consultants in the preparation of specifications**

Statsbygg shall not seek or receive advice from potential participants having economic interests in the preparation of the specifications for this procurement. Hence, a participant who has been used in such manner will be rejected, cf. section 24-2 (1) letter d of the FOA, cf. section 12-2.

#### **3.4 Competition cancellation and total rejection - rejected requests**

Statsbygg reserves the right to cancel the competition if there is a reasonable cause, for example, if planned funding is withdrawn or lack approval from political parties.

Statsbygg is obliged to reject suppliers who do not meet the required qualification requirements. Otherwise, the provisions on rejection in section 24-2 of the FOA apply in full.

Rejected and prohibited requests will not be returned.

### 3.5 The deadline for applying for a temporary injunction

The deadline to put forward a petition for a temporary injunction against Statsbygg decision to reject a request for participation in the competition, or not select a supplier, is 15 days from the day after Statsbygg has sent notification of the decision to the supplier.

## 4 Statsbygg evaluation of request for participation

### 4.1 Qualification - Selection of participants to submit offers

In order to be invited to submit an offer, the supplier must complete and submit the electronic European Single Procurement Document (ESPD), which is a self-declaration form documenting that s/he meets all the qualification requirements and selection criteria specified below. In the self-declaration form, the supplier must also confirm that there are no specified reasons for rejection.

Participants must within the deadline for submission of request, cf. 4.4 below, also document fulfilment of the qualification requirements and selection criteria according to the obligatory documentation requirements given in sections 4.2, 4.3 and 4.4.

The selection of participants invited to submit offers will be based on objective and non-discriminatory criteria and rules, cf. section 4.4 below.

Statsbygg will invite minimum 3- and maximum 5 participants to submit final offers, depending on sufficient numbers of suitable participants. However, before the invitation to submit offers is published, the selected participants will be considered in relation to the qualifications listed. Participants who are not considered to meet the qualification requirements will be rejected. These participants will consequently not be allowed to bid in the competition.

The evaluation will be based on the submitted documentation. It is therefore important that the request for participation includes all required documentation. **Participants who have submitted insufficient documentation, may be rejected.**

### 4.2 Qualification requirement for the competition

The following qualification requirements form the basis of the evaluation of participants:

Qualification criteria	Requirement	Required documentation
1. Organizational and legal position	The supplier must be a legally established company	<ul style="list-style-type: none"><li>Norwegian companies: Company certificate</li><li>Foreign companies: Compensation for the company to be registered in trade registers or business</li></ul>

		registers as prescribed by the law of the country in which the supplier is established.
2. Economic and financial position	The supplier must have sufficient financial capacity to carry out the assignment.	<ul style="list-style-type: none"> <li>The company's last three annual accounts, or extracts from these if publication of the annual report is required in the state where the supplier is established</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>Credit assessments, not older than 6 months. (Statsbygg reserves the right to collect its own credit rating).</li> </ul> <p>Under this point, Statsbygg will assess revenue, annual results and key figures in the balance sheet.</p>
3. Technical and professional qualification	a) The supplier shall have sufficient experience and skills to provide solutions that can lead to a motorized easel product.	<ul style="list-style-type: none"> <li>The supplier must enclose a description which indicates relevant technical solutions and their functionality to set up a functional motorized easel according to scope.</li> <li>Any reference project that is similar to this assignment, or partly similar, must be enclosed.</li> </ul> <p>The description may be up to 5 pages + illustrations</p>
	b) The supplier shall have a quality assurance system that is adapted and appropriate for this assignment.	<ul style="list-style-type: none"> <li>Statement regarding the supplier's quality assurance system (QAS) or a copy of system certificate or equivalent documentation. The documentation shall include a description of how the QAS is planned implemented and followed-up during this assignment.</li> </ul>
	c) The supplier shall have sufficient capacity for the completion of the contract.	<ul style="list-style-type: none"> <li>The supplier should describe the number of available technicians / installers, project managers and system integrators with relevant expertise.</li> </ul>

**Statsbygg sets requirements to suppliers who are relying on the capacity of other businesses to meet the requirements for economic and financial capacity, they are jointly and severally accountable for the performance of the contract. Providers who want to rely on other companies' economic and financial capacity in order to qualify must prove that they are actually disposing of the resources in question through a solidarity statement, cf. the Procurement Regulations section 16-10.**

**Providers who rely on the technical or professional capacity of other enterprises to qualify, must demonstrate that they have available access to resources e.g., a front page of a signed agreement between the parties or self-declaration from the subcontractor stating that cooperation has been agreed upon, cf. the Procurement Regulations section 16-10.**

**Enterprises who are offering support are required to provide their own ESPD, cf. above.**

### 4.3 Certificate for tax and value added tax

Norwegian suppliers must provide a joint certificate of tax (tax, advance payment, deduction, employer fee) and value added tax.

Certificate of Tax can be ordered in Altinn. The certificate shall not be older than 6 months from the deadline for submission of participation in the competition.

### 4.4 Selection criteria in this competition

Criteria / Rules for selection:

*The best qualified on selection criteria "Technical and professional qualifications» no.3 section a) and c) will be invited to bid on the final tender, see paragraph 4.2 Qualification requirements in this competition.*

Requests for documentation:

*The documentation **specified** in paragraph 4.2, paragraph 3, points a) and c) above will be used as the basis for the **selection**.*

In addition to the above-mentioned documentation, any reference project/deliveries from assignments with transfer value (including particularly deliveries to art museums/cultural institutions) can be submitted.

## 5 Requests for participation in the competition

### 5.1 Electronic request

The request for participation shall be delivered electronically via the Merccell portal; [www.merccell.no](http://www.merccell.no). The same applies if changing the content of the request. **Request delivered otherwise will be rejected.**

The following file formats are accepted. The files must be virus free and not encrypted:

Text document: PDF / A, XML, TIFF or Word

Tables: Excel

Image files: JPEG or TIFF

Map: TIFF

Video: MPEG 2

Audio: MP3, PCM or PCM-based Wave

Infected and encrypted files, as well as files in a format other than above, will be rejected in Merccell Portal / Statsbygg's computer system, and the request evaluated as if such files were not delivered.

### 5.2 The request's language

The request and all related documents shall be given in Norwegian or English.



### **5.3 What should be delivered - what file structure should be used?**

#### **1.1 Request Letter**

**2** The requested documentation according to all the qualification requirements, see section 4.2

**2-1** Electronic self-declaration form for the competition regarding qualification requirements, grounds for rejection and any selection criteria (ESPD), cf. 4.1-4.4) (appendix)

#### **2.2 Company certificate**

**2.3** Additional selection criteria – references (if available)

**2-4** Certificate of Tax and Value Added Tax, cf. 4.3

#### **3.1 List of contents**

Participants request to follow the above numbering to facilitate archiving and retrieval of documentation upon their request offerings and name the files as shown above in bold. Documentation should be titled with the number first without using subfolders.

**Requests lacking information and documents as requested in this qualification basis or requests which do not meet the qualification requirements as specified may be rejected.**

### **5.4 Location for submission and deadline**

The request must be delivered electronically via Merzell Portal. [www.mercell.no](http://www.mercell.no).

The deadline for submission of requests is **22th of March 2019, 12:00 o'clock.**

**Requests arriving too late may be rejected.**

### **5.5 About the Merzell portal**

Providers need user login in order to submit a request via the Merzell Portal.

It is recommended that requests are delivered in appropriate time, at least 1 hour before the expiry of the deadline. Delivered requests can be changed until the deadline expires. The last request is considered the final request.

Requests require electronic signature upon delivery. Electronic signatures can be obtained from different suppliers, e.g., [www.commfides.com](http://www.commfides.com), [www.buypass.no](http://www.buypass.no) or [www.bankid.no](http://www.bankid.no).

We have noted that it may take a few days to receive electronic signature so this process should be initiated as soon as possible.

Statsbygg recommends that you test the signature with the certificate you have available as soon as possible (in due time before the deadline). Test functionality is in the registration / offer submission steps.

If you have questions about the functionality of the portal or if you are having trouble getting a request, please contact Merzell Support on phone: 21 01 88 60 or e-mail: [support@mercell.com](mailto:support@mercell.com) in appropriate time before the expiry of the deadline.

