



FORSVARSBYGG

**TENDER DOCUMENTATION PART I - FOR PROCUREMENT
ACCORDING TO FOA PART II (For contracts pursuant to NS 8405
between NOK 1,300,000 and NOK 51,500,000 excluding VAT)**

CONTENTS:

- **Invitation to tender (competition rules)**
- **Appendices:**
 - Declaration of compliance with qualification requirements, etc.
 - Code of conduct statement
 - Statement of commitment from subcontractors
 - Authorisation to obtain an extended tax certificate
 - Price form

The above attachments, with the exception of the authorisation to obtain an extended tax certificate, shall be completed and returned together with the offer.

1 INTRODUCTION

1.1 Brief description of procurement

The Norwegian Defence Estates Agency invites the contractor to submit a tender for the following works:
Restoration of Rose Window at Akershus Castle.

The assignment is described in more detail in the Request for Tender part III.

The complete request for tender consists of the following documents:

- Part I - Invitation to tender (this document)
- Part II - The Norwegian Defence Estates Agency's contractual provisions:
 - The Norwegian Defence Estates Agency's general contractual provisions
- Part III - Assignment description:
 - Part III-A The Project
 - Part III-B1 SHA
 - Part III-D Administrative provisions
 - Part III-E Specifications

1.2 Procurement procedure

1.2.1 The regulations governing the procurement process

The competition applies to a procurement below the EEA threshold value, cf. parts I and II of the regulations on public procurement, and is carried out as competitive tendering, cf. Sections 9-2 and 9-3 of the Regulations.

1.2.2 Selected procurement procedure

The competition is carried out as open competitive tendering.

1.2.3 Planned dialogue

In accordance with Section 9-3 (3) of the Regulations, The Norwegian Armed Forces states plans to conduct dialogue through negotiations with one or more of the suppliers that submit bids in the competition. Selection will be made following an assessment of the award criteria. The dialogue may be limited to dealing with minor clarifications/corrections, but is also planned to deal with the aspects of the bids that are of significance as to how the bid will score according to the award criteria.

If, once the bids have been received, the client considers that it is most appropriate to award the contract without conducting dialogue in terms of real negotiations, the client will reserve this right. It is emphasized that no supplier can expect a dialogue about their offer.

2 INFORMATION

2.1 Site inspection

A site inspection will be held on **April 6th 2022 – at 11:00 a.m.** Meet at the main entrance to Akershus Castle. Registration for the site inspection will be sent as a notification in Merccell by 05.04.2022.

The Norwegian Defence Estates Agency recommends all bidders who plan to submit offers to participate in the inspection. Original parts for the stained glass will be displayed at the inspection.

2.2 Conference

No conference will be held in connection with the competition.

2.3 Additional information

Ungraded communication Ungraded communication shall take place via the Mercell portal so that the communication is logged.

To communicate with the Norwegian Defence Estates Agency, open the competition in Mercell, then “Communication” and select “New message”. Fill in the subject and question(s), then press send to send the message to the Norwegian Defence Estates Agency's contact person. If the question concerns all bidders, the Norwegian Defence Estates Agency will answer this anonymously by providing the answer as additional information. Additional information is available under “Communication”, and then under “Additional Information”. In the event that the Norwegian Defence Estates Agency publishes additional information, an email notification will be sent out.

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3 REQUIREMENTS FOR THE TENDER

3.1 Language requirements

The tender and the associated documentation should preferably be submitted in Norwegian, although other Scandinavian languages or English will also be accepted.

3.2 Period of validity

The contractor must honour the tender for a period of 60 calendar days from the closing date for the tender.

3.3 Submission of the tender

The tender should be delivered electronically to www.mercell.no by the tender deadline.

If you are not a Mercell user, you have questions about how to upload your tender, or how to submit a tender, please contact Mercell Support by phone + 47 21 01 88 60 or by e-mail to support@mercell.com.

3.4 Deadline for tenders

The closing date for the submission of tenders is stated in Mercell.

The tender will be deemed to have been delivered on time if it has been delivered via Mercell before the expiry of the deadline. The supplier is responsible for ensuring that the tender is submitted by the deadline.

We recommend that the tender be submitted well before the deadline.

Should additional information be provided by the client that results in you wishing to change your tender before expiry of the deadline, you can go in and open the tender, make any changes, and resubmit it right up until the expiry of the deadline for the tender.

4 CONTRACTOR REQUIREMENTS

4.1 Qualification requirements

The following requirements apply for contractors that wish to participate in the tender:

Requirements:	Documentation requirements:
General requirements:	
The contractor must be a legally registered enterprise.	Foreign contractors must submit documentation showing that the enterprise is legally registered in its country of domicile. Norwegian contractors are not required to

	document fulfilment of the requirement beyond the submission of a tax and VAT certificate, cf. below.
The contractor's payment of taxes and other public charges must be in order.	<u>Certificate for Tax and Value-Added Tax</u> (RF-1316). This certificate can be ordered through www.altinn.no . The certificate must not be older than six months, counting from the closing date for tenders. <i>(For Norwegian contractors only)</i>
Requirements concerning economic/financial standing:	
The contractor must have the financial capacity to perform the contract	The submission of accounting figures from the most recent available annual accounts showing the contractor's revenues. (Not necessary if the key figures from the accounts are stated in the credit rating.)
Requirements concerning technical and professional qualifications:	
The contractor (as an enterprise) should have substantial experience of, and expertise in, executing restoration work of a corresponding nature, size and complexity.	A list of the relevant reference projects carried out during the last 10 years, which gives a short description of the projects, their scope and relevance to this project. If necessary, the supplier can submit documentation from subcontractors such that they jointly satisfy the requirement.
The contractor must have the necessary capacity to perform the contract.	A description of the total number of personnel and the equipment that the contractor has at its disposal to fulfil the contract.

If the contractor makes reference to documentation from subcontractors to document satisfaction of the requirements concerning technical and professional qualifications, a commitment declaration must be submitted showing that the contractor has at its disposal the offered resources. A template for this declaration is included as Attachment 3 to this document.

5 CRITERIA FOR AWARDING THE CONTRACT. EVALUATION MODEL

The award is made on the basis of which tender has the best price-quality ratio, based on the following criteria:

No.:	Criterion:	Weighting:	Documentation:
1.	Price	40%	Price form, see Part I of the tender documentation, Appendix 3
2.	Competence offered	60%	<p>CV: 50%</p> <p>Expertise as conservation officer, gang foreman for bricklayers and stonemasons. Documented by submitting a CV:</p> <ul style="list-style-type: none"> • Gang foreman for bricklayers • Gang foreman for stonemasons • Stained glass conservator Project manager <p>CVs must show education and relevant experience and projects</p> <p>The term "gang foreman" means the craftsman who is an executing skilled worker and a manager at the construction site/workshop within his/her field of expertise. The gang foreman shall be part of the executing team and be responsible for quality control on site. The gang foreman shall be the one</p>

		<p>within each subject that leads, executes and monitors the entire construction period within his/her field.</p> <p>Reference project 50%:</p> <p>A memorandum shall be submitted highlighting a relevant reference project for each of the resources offered:</p> <ul style="list-style-type: none"> • Gang foreman for bricklayers • Gang foreman for stonemasons • Stained glass conservator Project manager <p>The bidder's choice of reference projects will be used to evaluate understanding of tasks and competence. The resources offered should have been the executing gang foreman/craftsman/ stained glass conservator in the chosen reference project.</p> <p>The reference projects shall be described, with particular attention to work that has transfer value for the work on the Rose Window. Furthermore, the following shall be stated: client, object, protection status, year of execution, approximate scope of the project, name of referee for the client with contact data.</p> <p>Maximum one A4 page per project, preferably with a picture of relevant work.</p>
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5.1 Evaluation of price

5.1.1 General information

The Price form and item description shows the elements that are included in the price evaluation. Tendered prices will first be adjusted for calculation errors and any obvious incorrect pricing. Thereafter, for the purposes of evaluation, prices may be adjusted for discrepancies and reservations that are not extensive enough to warrant rejection.

5.1.2 Overall price evaluation

The cheapest bidder will be awarded 10 points for price. Other bidders will be awarded points based on how far away they are from the cheapest based on the following formula, where 'Pe' is the price being evaluated and 'Pb' is the price of the cheapest tender:

$$10 - \frac{10 \times (Pe - Pb)}{Pb} = \text{point score}$$

This model only awards a point score for tenders that are less than twice as expensive as the cheapest tender.

5.2 Evaluation of competence offered

Points from 0 to 10 will be awarded for each of the subject areas covered by the award criterion. 10 points will be awarded to contractors that offer very good qualifications and 1 point will be awarded to contractors who tender very few qualifications. 0 points will be awarded if no documentation is provided of the qualifications tendered by the contractor.

The overall points score for all functions, possibly adjusted for the reciprocal weighting of the functions, is the basis for the evaluation of the criterion "competence offered".

5.3 Overall evaluation

The points for both criteria will then be weighted according to their respective weightings. The bidder with the highest total score after weighting will be ranked the winner of the competition.

6 OTHER INFORMATION FOR SUPPLIERS

The procurement is not subject to requirements stipulated in, or pursuant to, the National Security Act.

6.1 Use of persons with a background from the defence sector

Caution must be exercised when using former defence personnel in assignments for the defence sector. Former employees here mean persons who have been employed within the last two years calculated from the tender deadline.

The supplier must, as far as possible, avoid using former employees from the defence sector in direct contact with the client during the procurement process. If the contractor is unable to satisfy this requirement, this must be stated in the tender.

6.2 Tenders from a consortium of contractors – joint and several liability

Contractors that submit a joint tender must attach an agreement on binding cooperation and joint and several liability signed by all the participants in the consortium. The consortium shall submit a joint tender. The tender must state who will represent the consortium in its contact with the client.

If there are any ambiguities or omissions in tenders with regard to the submission of such a cooperation and joint and several liability agreement, the Norwegian Defence Estates Agency reserves the right to obtain additional information from the consortium.

6.3 Processing of personal data

When submitting an application for qualification or a bid, we ask the suppliers to ensure that there is no confidential or sensitive personal data beyond what is expressly requested. The supplier is responsible for ensuring that they have permission to provide CVs and other documents with personal data and that they are adequately informed about what is being shared. The CVs must be suitable for publication and must contain no more information than is necessary for the evaluation of applications for qualification and bidding.

For more information about the processing of personal data, see the Norwegian Defence Estates Agency's Privacy Statement at <https://forsvarsbygg.no/no/om-oss/personvern/>.

7 CODE OF CONDUCT STATEMENT AND DECLARATION REGARDING CRIMINAL OFFENCES

The contractor should submit a "Code of Conduct Statement" as part of its tender. The template attached to this document should be used. The statement should be signed. If the contractor answers in the affirmative to one or more of the points in Section 3 of the Statement, the contractor should give an account of the matter (s) in the covering letter to the tender.

8 COOPERATION WITH THE NORWEGIAN TAX ADMINISTRATION - AUTHORISATION TO THE NORWEGIAN DEFENCE ESTATES AGENCY

The Norwegian Defence Estates Agency has entered into a cooperation with the Norwegian Tax Administration for the purpose of preventing and combating work-related crime. In this regard, the Norwegian Defence Estates Agency requires that the supplier recommended to be awarded the contract must submit a signed authorisation, prior to the signing of the contract, which provides the Norwegian Defence Estates Agency with the extended and unlimited right to obtain information about the contractor's tax and fiscal matters. The authorisation is attached to this document.

The requirement for signed authorisation also applies to the bidder's subcontractors. The bidder should regulate by contract the signature obligation down the supplier chain. Prior to signing the contract, however, a signed authorisation is only required from the bidder, unless subcontractors are used to fulfil a qualification

requirement in the tender. If this is the case, the signed authorisation should be provided by both the bidder and subcontractors. However, signed authorisations from other contractors must be provided and approved by the client before they can be used in the contract/assignment. This applies throughout the contract period.

The Norwegian Defence Estates Agency points out that it may be appropriate to reject the bidder and any subcontractors that are recommended as the winner of the tender in the notification letter, if after notification, but prior to signing the contract, information is received from the Tax Administration regarding the non-fulfilment of tax and fiscal obligations etc. The awarding of the contract can therefore not be considered final until there is an assessment of the information obtained that does not change the client's award decision. It is also pointed out that if a signed authorisation is not received from the bidder and any subcontractors which have been relied upon to comply with the qualification requirements, this will be deemed a significant reservation to the contract that would result in the bidder being rejected from the tender.

The contract may be subject to follow-up throughout the contract period. The follow-up entails that the contractor submits monthly summary lists to the Norwegian Defence Estates Agency with the birth number or D number for all employees who perform work as part of the contract fulfilment. The lists will be checked by the Tax Administration.

9 CLIENT RESERVATIONS

The client reserves the right to cancel the competition if there is reasonable and proper cause for doing so, for example, if the planned funding is no longer available or there is a lack of approval from political or military quarters.

10 CONTENT AND ORGANISATION OF TENDER

The Norwegian Defence Estates Agency requests that the tender includes the following documentation:
(The contractors are asked to use the table below as a checklist.)

No.:	What must be delivered?	Check box
Tender letter		
	The tender letter should be signed. Non-conformities and reservations of any type in relation to the tender documentation should be clearly, unambiguously and exhaustively stated in the tender letter, with reference to where in the tender the reservation is made (page and section number).	
Documentation of the award criteria (see Part I, section Feil! Fant ikke referansekinden.)		
	Signed and fully completed Price Form . Attached to Part I of the tender documentation (this document)	
	Skills - CVs and reference projects	
Documentation of qualification requirements 4.1		
	Documentation of general requirements	
	Documentation of economic/financial position	
	Documentation of technical and professional qualifications	
Other documents		
	Code of conduct statement Attached to Part I of the tender documentation (this document)	
	Declaration of joint and several liability (if applicable). See section 6.2	
Item descriptions		
	Fully completed item descriptions . Attached to Part III-E of the tender documentation	

The contractor should organise its tender based on the sequence specified above.

It is extremely important that the contractor submits all of the requested documentation. If it does not, it risks being rejected from the tender. If you are unsure of what needs to be submitted, please contact the Norwegian Defence Estates Agency's contact person, see section 2.3.

If the contractor becomes aware of errors, ambiguities or omissions, etc. in the tender documentation, it has a duty to notify the client as soon as possible so that such matters can be rectified before

Appendix 2 – Code of Conduct Statement

As a contractor to the Ministry of Defence (MD) or underlying agencies, it is hereby conscientiously declared:

1. That the enterprise has familiarised itself with the code of conduct that applies to business contact between contractors and employees of the MD or underlying agencies. The code of conduct that applies to business relations between suppliers and employees at the MD and underlying agencies can be found at <https://www.regjeringen.no/no/tema/forsvar/forsvarsindustri/etikk/id528590/>.
2. The contact between the MD or underlying agencies must be exclusively professional and based on good business practices. This means, for example, that it is not permitted to offer any benefits to an employee or other parties who perform work for the MD or underlying agencies, which may influence their official duties. This applies regardless of whether the benefit is offered directly or through an intermediary.
3. In connection with the submission of a tender, together with the tender information must be provided on the extent to which:
 - a. the enterprise, or other parties who can be identified with the enterprise, have participated in the preparation of the specifications for this procurement,
 - b. the enterprise has hired, or affiliated itself with, anyone who has been an employee of the MD or underlying agencies during the past two years, calculated from the closing date for tenders,
 - c. the enterprise is undergoing liquidation, debt settlement or winding-up procedures, has ceased operations, or if the enterprise finds itself in a similar process pursuant to national acts and regulations,
 - d. the enterprise is subject to an insolvency petition, debt settlement proceedings or compulsory dissolution or other similar process pursuant to national acts and regulations,
 - e. the enterprise, employees or other parties who can be identified with the enterprise, have by an enforceable judgement been found guilty of criminal offences concerning professional conduct, such as the violation of national or international regulations relating to the export of defence and security materials,
 - f. the enterprise, employees or other parties who can be identified with the enterprise, have been convicted with final and enforceable effect for participation in a criminal organisation, corruption, fraud, money laundering, terrorist acts or the financing of terrorist acts, or
 - g. the enterprise, employees or other parties who can be identified with the enterprise, have in their professional life been found guilty of serious negligence concerning professional or ethical requirements in the industry in question, for example by breaching obligations relating to information security or security of supply in a prior contract.
4. Conduct in violation of section 2 of this Code of Conduct Statement, or grossly misleading or incorrect information, or the omission of this information in accordance with section 3 of this Code of Conduct Statement, may result in refusal to submit tenders to the MD or underlying agencies.

Dato: _____

Signature and title

Appendix 3 - Subcontractors' Statement of Commitment

The declaration applies to:

Contract	
Assignment no. and name:	Contract no. and name:
Bidder/Primary Contractor	
Company name:	Enterprise no.:
Independent Contractor/Subcontractor	
Company name:	Enterprise no.:
Address:	

We declare that we will place our resources at the disposal of the bidder/main contractor in the event of implementation of the above contract.

Place/Date: _____

Signature of subcontractor

Appendix 4 - Authorisation to obtain an extended tax certificate

Only the bidder who is supplier recommended to be awarded the contract shall submit a signed authorisation before entering into a contract. See the item above on "Cooperation with the Norwegian Tax Administration - authorisation to the Norwegian Defence Estates Agency" for further information.

Double-click on the image of the authorisation to open in PDF format.



Fullmakt

Fullmaktsgiver

Navn på leverandert/underleverandør	org. nr.
e-post	

gir herved

Fullmaktshaver

Navn på oppdragsgiver	org. nr.
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Fullmakt til å innhente taushetsbelagte opplysninger om:

- skatte- og avgiftsmessige forhold, begrenset til opplysninger som til enhver tid fremgår av Opplysninger om skatt og avgift (bestillingsskjema RF-1507 i Altinn)
- innrapporteringer i Oppdrags- og arbeidsforholdsregisteret på RF-1199 vedrørende oppdraget og RF-1198 vedrørende arbeidstakere på oppdraget
- hvilke arbeidstakere som er innmeldt gjennom a-meldingen

Fullmakten opphever fullmaktsgivers taushetsrett etter skatteforvaltningsloven § 3-1, skattebetalingsloven § 3-2, forvaltningsloven § 13, a-opplysningsloven § 7 og folkeregisterloven § 9-1. Endringer i disse bestemmelsene medfører ikke at fullmakten oppheves.

Fullmakten gjelder i 4 år fra signerings tidspunktet og gir rett til å innhente opplysninger et ubegrenset antall ganger. Fullmakten kan tilbakekalles. Dette skal skje skriftlig. Kontraktbestemmelser kan gjøre unntak for dette.

Fullmakten gjelder ikke forhold som reper taushetsbelagte opplysninger om andre enn fullmaktsgiveren.

Den private oppdragsgiver som blir gjort kjent med nevnte taushetsbelagte opplysninger, har selv plikt til å bevare taushet om disse opplysningene. Opplysninger som Fullmaktshaver har innhentet om underentreprenører kan likevel meddeles virksomhetene over i kontraktskjeden. Opplysninger som Fullmaktshaver har hentet inn kan også meddeles innenfor egen virksomhet eller i eget konsern.

Innsyn i opplysninger hos offentlig oppdragsgiver reguleres av offentleglova.

Skatteetaten får fullmakt til å sende taushetsbelagte opplysninger i kryptert e-post til fullmaktshaver. Dette gjelder også der kun vedlegget til e-posten er kryptert.

Den som signerer fullmakten må legge ved fargekopi av gyldig legitimasjon, enten av pass, bankkort, førerkort (kun nordiske land) eller nasjonalt ID-kort (sistnevnte for statsborgere innen EU/EØS/EFTA) Kopien må tydelig vise bilde, navn, fødselsdato (6 siffer) og signatur. Fødselsnummerets siste 5 siffer og evt. bankkontonummer kan sladdes før det sendes over.

Innsenders signatur

Den som signerer må ha rett til å signere på vegne av virksomheten.

Navn i BLOKKBOKSTAVER	
Sted / Dato	Underskrift

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Appendix 5 - Price Form

ABOUT THE PRICE FORM

General information:

The Price Form contains various prices. All the open fields on this form must be filled in/priced by the contractors.

Unless otherwise is evident from the context, all prices should be quoted in Norwegian kroner, exclusive of VAT.

Section 1:

The tender sum should be entered in section 1. This will normally represent the compensation for the performances that are ordered on entering into the contract.

Section 2:

In section 2, state the prices of the options described in the tender documentation. The options entail the right, but no obligation, to order optional services. The Norwegian Defence Estates Agency is free to decide whether or not these works will be executed, or possibly outsourced to other contractors.

Section 3:

Section 3 contains prices for other services it may be relevant for the Client to order, either upon signing the contract or during the performance of the contract. These sections may contain quantity estimates. These have solely been set to provide a basis for comparing tenders in the competition. The estimates are non-binding and should not be cited in support of such work being executed.

1. TENDER SUM

Code NS 3451	Description in the building elements table (Sum from chapter transferred from item description)	Price
1	RIGGING AND OPERATION	
2	MASONRY AND SOAPSTONE WORK	
3	STAINED GLASS (excl. options)	
	Tender sum excl. VAT	
	VAT	
	Tender sum incl. VAT	*

** Amount is included in the evaluation of the award criterion 'price'*

2. PRICE OPTIONS

No.	Description in the building elements table	Price
1	1 OPTION - Full reconstruction/re-creation of stained glass	
2	2 OPTION - Coloured leaded glass	
	Tender sum excl. VAT	
	VAT	
	Tender sum incl. VAT	*

** 100% of the amount is included in the evaluation of the award criterion 'price'*

3. RATES COST PLUS PRICING

Crew

Category	Unit price (per hour)	The Norwegian Defence Estates Agency's estimated quantity (hours)	Total
Gang foreman for bricklayers		150	
Gang foreman for stonemasons		150	
Stained glass conservator		150	
Skilled workers, bricklayers		100	
Skilled workers, stonemasons		100	
Project manager		150	
Total excl. VAT			
VAT			
Total incl. VAT			*

** Amount is included in the evaluation of the award criterion 'price'*