

**PRE-QUALIFICATION
FOR
TENDER COMEPETITION
WITH
NEGOTIATIONS**

(LIMITED TENDERING PROCEDURE)

**Project: 1107304/05 Ocean Space Center
Contract: K663-01 Wave absorption systems (OB)**

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1 General information

1.1 Invitation and guidance

Statsbygg is the Norwegian government's building commissioner, property manager and developer. Statsbygg also advise the Norwegian government in construction and property affairs: <https://www.statsbygg.no/about-statsbygg>. Statsbygg invites you to seek pre-qualification for the following:

- Project no. and name: 117304/05 Ocean Space Centre
- Contract no. and name: K663-01 Wave absorption systems (OB)

The pre-qualification documents are:

- Electronic self-evaluation form for the competition with qualification criteria, disqualification criteria and selection criteria.
- Invitation to Tender with appendices
- NDA

The qualification documents are available for download at the Mercell portal.

Suppliers who consider applying for pre-qualification should register their interest at www.mercell.com to be sure to receive additional information and any changes published by Statsbygg.

1.2 Announcement

The procurement is announced in the Norwegian national notification database for public procurement (Doffin), and in the online version of the 'Supplement to the Official Journal' of the EU (TED).

1.3 Additional information/correction to the pre-qualification documents

If the participant in the pre-qualification finds the qualification documents insufficient or unsatisfactory, the participant may send questions to Statsbygg through Mercell as the only possible channel for communication. The participant is requested to send the questions well in advance of the due date for submitting the pre-qualification application.

Statsbygg will submit all received questions anonymized with corresponding answers through Mercell, available for all interested and registered suppliers to this competition

2 General rules for the pre-qualification

2.1 Public Procurement Act

Norwegian legislation on public procurement is, to a large extent, based on and implements European Union (EU) directives in accordance with Norway's obligations under the European Economic Area (EEA) Agreement. The procurement is regulated by The Norwegian Procurement Act dated June 17th, 2016, no. 73 (LOA) and The Public Procurement Regulation dated August 12th, 2016, no. 974 (FOA). This competition will be carried out in accordance with the above-mentioned regulations and the rules set out in this pre-qualification document and the following invitation to tender documents.

This tendering process is conducted to the procedure for "competition with negotiations" according to FOA part III § 13-2, b and c, and FOA §18-1 (1) c. In the negotiating phase, the tenderers will be encouraged to present improvements in their proposed solutions, in compliance with the evaluation criteria.

Statsbygg reserves the right to reduce the number of tenderers prior to the negotiations according to FOA § 23-11 (2) and reserves the right not to carry out negotiation according to FOA § 23-7 (5). Statsbygg also reserves the right to sign a contract without competition, provided that the conditions in FOA § 13-4 are fulfilled.

2.2 Publicity

The tender opening is not public. The evaluation protocol including information about the participants in the competition will be made available for the tenderers when the negotiations and evaluation is completed, and the contract is announced.

2.3 Use of advisors to prepare specifications

Statsbygg shall not seek or receive advice that may be used during the preparation of specifications for this procurement from someone who may have financial interests in the procurement when this happens in a way that could exclude competition. A tenderer who has been used as an adviser during the preparation of specifications in a way that could exclude competition as mentioned above will be rejected.

2.4 National reasons for disqualifications of tenders

Cf. ESPD part III: Exclusion grounds, section D: "Other exclusion grounds that may be foreseen in the national legislation of the contracting authority's or contracting entity's Member State." The Norwegian procurement regulations has stricter regulations than the EU regulations. In addition to the EU regulations, the following are purely national grounds for rejection, according to FOA § 24-2:

1. FOA § 24-2 (2) - This provision states that the client shall reject a supplier when he is aware that the supplier has been legally convicted or has accepted a penalty notice for the criminal offenses specified in the provision. The requirement that the client must reject suppliers who have adopted fines for the specified criminal offenses is a special

Norwegian requirement.

2. FOA § 24-2 (3) letter i - The reason for rejection in the standard form for ESPD only applies to serious errors in professional practice, while the Norwegian reason for rejection also includes other serious errors that may lead to doubts about the supplier's professional integrity.

2.5 Cancellation of the competition

Statsbygg reserves the right to cancel the competition based on an objective reason, for example in case of loss of planned funding or lack of approval by the ministry. Statsbygg may also decide to discard all Suppliers if the result of the competition gives objective reasons for doing so.

Rejected and discarded tenders will not be returned.

2.1 Deadline for requesting a temporary injunction

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

3 Information on the project and the contract

3.1 General

The Ocean Space Centre (OSC) will be located at Tyholt in Trondheim, Norway, and will house research and higher educational institutions operating under one roof, seamlessly integrating fundamental and applied research areas within the Marine Engineering and Life Science fields. When completed, the OSC will consist of a unique range of laboratories with simple and robust student labs, highly advanced laboratories for fundamental research, some of the world's largest hydrodynamic laboratories for large-scale and industrial research, and finally full-scale field laboratories in the fjord and ocean areas outside Trondheim. All of this combined with advanced computational and numerical facilities. The new laboratories will replace the existing facilities that are currently located at Tyholt in Trondheim.

Statsbygg is responsible for implementation of the Ocean Space Centre project, which will be executed in close cooperation with End-user, SINTEF and NTNU. For more general information on the project and key stakeholders, please visit the following websites:

- Statsbygg: <https://www.statsbygg.no/about-statsbygg>
- SINTEF Ocean: <https://www.sintef.no/en/ocean/>
- NTNU, department of marine technology: <https://www.ntnu.edu/imt>
- Ocean Space Centre: <https://www.ntnu.no/norskhavteknologisenter>

3.2 Scope of work for this contract

The scope of work for this contract is described in the “Scope of Work” document in B1 OSC-30-H004-M-SP-00013 Scope of Work description, wave absorption system OB. Includes design, manufacturing, delivery, installation, and commissioning of new wave absorption system to the Ocean Basin – OB - at the new hydrodynamic laboratories – Ocean Space Center - at Tyholt, Trondheim.

The new wave absorption system shall be delivered complete with motor drives, local control system and interfaces to the centralized control system of the hydrodynamic laboratories.

SINTEF have the hydrodynamic responsibility and are therefore responsible for how the wave absorption system meets the requirements with respect to reflection ratio. The contractor will be responsible for the mechanical design and the rest of the scope.

3.3 Confidential information

The tender documents are confidential and contain trade secrets. The tenderers will therefore be requested to sign a non-disclosure agreement (NDA) prior to receiving the tender documents. If the tenderer refuses to sign the NDA, the tenderer will be disqualified from the competition.

3.4 Time schedule

The tentative plan for this specific contract is as follows. All dates indicated may be changed by Statsbygg during the procurement process.

	Planned contract process
Announcement of the pre-qualification	16.06.2023
Due date for submitting application for pre-qualification	01.08.2023 12:00 CET
Submission of Invitation to Tender to pre-qualified tenderers	09.08.2023
Tender due date	11.09.2023 12:00 CET
Planned date for contract award	06.10.2023

4 Statsbygg’s evaluation of the applications for pre-qualification

4.1 Pre-qualification

Statsbygg intends to pre-qualify 3-5 best qualified suppliers for this contract in compliance with FOA § 16-12. The tenders will be evaluated in relation to the pre-qualification criteria listed below. The evaluation will be based only on the received documentation. It is therefore important that the offers contain all requested documentation. Suppliers who do not submit all requested documentation may be rejected.

The supplier must fill in an electronic self-declaration form for the competition (ESPD) in the

Merccell portal. In the self-declaration, the suppliers must also confirm that there are no specific stated reasons for rejection. The supplier or suppliers who are nominated for the contract must, before entering a contract, document fulfillment of all qualification requirements.

4.2 Qualification criteria in this competition

Qualification criterion	Qualification requirements	Documentation
Organizational and legal position	It is required that the participant has a legally established company	Company certificate, for foreign companies a corresponding certificate is required determined by the law of the country where the company is registered, alternatively StartBANK ID
Economic and financial capacity	It is required that the provider has satisfactory financial capacity. The size of the turnover, in relation to the value of the contract, can be emphasized.	<p>Statsbygg will carry out a credit assessment of the participant.</p> <p>The participant shall submit the latest auditor-confirmed annual accounts, or alternatively StartBANK ID and a financial rating from a well-established rating company, not older than 3 months old.</p>
Technical and professional qualifications	It is required that the provider has sufficient capacity, competence to deliver the scope of work and sufficient experience from deliveries with transfer value.	<p>A description of provider's</p> <ul style="list-style-type: none"> - Organization chart - Engineering competence and capacity (number and types of engineers) - Manufacturing facilities, including locations - Manufacturing capacity <p>A description of minimum 3 relevant references with transfer value to this project. The information shall contain:</p> <ul style="list-style-type: none"> - Client, and project name - Short description of the scope of work - Type of contract and contract value (ex. VAT)

		<ul style="list-style-type: none"> - Tenderer's tasks/role in the project, and scope of supply - Client contact person with contact information (name, e-mail, and telephone number) - Start-up and completion time (year). If not completed – current project status. <p>The references shall not be more than 5 years old.</p>
Quality control system	The supplier must document a quality control system	Relevant certificates documenting the quality control system (e.g., ISO 9001 or similar). If the supplier does not have a certification, a description of the quality system in the company must be submitted.
Environmental management system	The supplier must document an environmental management system	Relevant certificates documenting the environmental management system /e.g., ISO 14001 or similar). If the supplier does not have a certification, a description of the environmental management system in the company must be submitted.

Suppliers registered in StartBANK can provide StartBANK ID or submit a copy of registration certificate in StartBANK instead of submitting parts of the documentation (see which documentation in the table above).

4.3 Cooperating partners

If a supplier relies on the capacity of other companies to meet the pre-qualification requirements with reference to

- Economic and financial capacity and/or
- Technical and professional qualifications,

both companies are jointly and severally liable for the performance of the contract, in accordance with FOA §16-10.

The supplier must submit:

1. Signed agreement between the parties, stating the joint liability for the contract
2. Documentation for cooperating partner's capacity to meet the pre-qualification requirements on the above-mentioned criteria.
3. ESPD documentation for the cooperating partner

4.4 Certificate regarding taxes and VAT

Norwegian registered suppliers shall submit a certificate confirming fulfilment of the supplier's obligations regarding payment of taxes, social securities, and VAT ("skatteattest"), no more than 6 months old. This certificate can be ordered through Altinn.

5 Requirements to the pre-qualification documents

5.1 Electronic tendering

The application for pre-qualification must be delivered in its entirety electronically via the Mercell portal; www.mercell.com. **Applications submitted in another way will be rejected. Infected and encrypted files be rejected in the Mercell portal / Statsbygg's computer system, and the offer evaluated as if such files had not been delivered.**

5.2 Language

The completed pre-qualification documents shall be in English. The contract language will also be English.

5.3 Pre-qualification content

The application for pre-qualification shall be delivered in the following format:

1. Pre-qualification letter signed by authorized person on behalf of the supplier
2. Company Certificate
3. Latest approved auditor-confirmed annual accounts and financial rating from well-established rating company, not older than 3 months
4. Description of provider's organization, competence, manufacturing facilities, and manufacturing capacity
5. Three relevant reference projects, not more than 5 years old
6. Certificates or description of the Quality Control system
7. Certificates or description of the Environmental Management system
8. In addition to the above-mentioned documentation, the ESPD form shall be completed at the Mercell portal.
9. Norwegian registered suppliers shall submit a certificate confirming fulfilment of the supplier's obligations regarding payment of taxes, social securities, and VAT ("skatteattest"), not more than 6 months old.

Any pre-qualification not containing all requested information and documentation or is not fulfilling the pre-qualification requirements given by Statsbygg, may be rejected.

