

Tender specifications

in respect of an open procedure
pursuant to the Danish Tender Act

Invitation to tender for upgrade of Podiums and Back Drop Elevator to Electrical Drives in The Royal Playhouse

The tender specifications provide guidelines for submission of tender, communication between the tenderer and the contracting entity, and information about the tender procedure in general.

1. DESCRIPTION OF THE PROCUREMENT

The Upgrade of Podiums & Back Drop Elevator to Electrical Drives can be summarised as the provision of the following fully automated systems:

- Convert 4 No. podium elevators to electrical prime movers with new electrical drives and control.
- Convert the back drop elevator to an electrical prime mover with new electrical drive and control.
- Provide switchable spare drive(s) for the podium and back drop elevators.
- Re-use incremental and absolute encoders and other sensors where practicable.
- Integrate with the new CAT V5 control system re-using AXIO controllers, power supplies and other control equipment where practicable.
- Decommissioning, strip-out and transfer to stage level of all redundant equipment and hydraulic systems including pumps, accumulators, and pump control gear.
- Identify all equipment that has residual value and advise Employer of potential markets.

For further description of the works and services contained in the contract put out to tender reference is made to the Employer's Requirements (Appendix 1-3).

2. SUBMISSION OF TENDER

The tender must be submitted not later than **4 February 2022 at 12:00**. Tenders received after this time will be rejected.

Tenders must be in English.

Tenders must be submitted by e-mail to SONY@kglteater.dk. Aside from what is stated below tenders may not be fully or partially submitted in any other way.

Tenders should state in the subject field:

Tender – Do not open before the tender deadline expires – Upgrade of Podiums etc. in The Royal Playhouse

The tender is submitted by sending the tender as stated above.

The contracting entity will not begin the evaluation of the tenders until the tender deadline has expired.

The tenderer is only permitted to submit one tender, and the tenderer is not permitted to submit variant tenders.

The tenderer must keep open its tender for acceptance for 3 months from expiry of the tender deadline.

3. THE TENDER DOCUMENTS

The tender documents form the basis of tenderer's submission of tender. The tender documents are available via www.udbud.dk.

The tender documents consist of the following documents:

- These tender specifications
- Appendices to the tender specifications:
 - Appendix A: The evaluation of tenders (award criteria and evaluation method)
 - Appendix B: Additional information (on the tender process and preparation of tender)
 - Appendix C: Template for tender submission letter to be used by the tenderer upon submission of tender
 - Appendix D: Letter of Commitment (if relevant)
 - Appendix E: Notification of processing of personal data
 - Appendix F: Solemn Declaration
 - Appendix G: Statement on the economic and financial minimum requirements and schedule of references for the minimum requirements of the technical and professional ability
- Draft of **contract** containing the legal provisions governing the relationship between the parties to the contract.
- Draft of Appendices 1-4 of the **contract** containing detailed requirements for the works and services procured, and which will become part of the contract when the tendering procedure is concluded.
 - Appendix 1: Employer's Requirements (Specific)
 - Appendix 1.1: Drawings

- Appendix 2: Employer's Requirements (General)
- Appendix 3: Employer's Requirements (Technical)
- Appendix 4: Pricing Schedule
- Appendix 7: General conditions for design and build contracts (ABT 18)

The Employer's Requirements consists of three separate documents as stated above (Appendix 1-3). If these documents contain conflicting information regarding the requirements to the tender, Appendix 1: Employer's Requirements (Specific) takes precedence over Appendix 2: Employer's Requirements (General) which take precedence over Appendix 3: Employer's Requirements (Technical).

The Letter of Commitment (Appendix D) is attached as a template. The Letter of Commitment is only to be completed and signed by the operators who make their technical and/or financial capacity available to the tenderer in relation to fulfilment of the minimum suitability requirements. The Letter of Commitment is only to be submitted by the successful tenderer, see the procedure in paragraph 11.

If the tenderer finds elements in the contract and/or its appendices that are unacceptable or clearly inappropriate, the tenderer may propose a change of the contract/the appendices of the contract according to the procedure set out in paragraph 7. The contracting entity will decide on a case-by-case basis whether to incorporate the proposed changes.

Changes to the tender documents will be communicated to all through www.udbud.dk.

4. GROUNDS FOR EXCLUSIONS

The tenderer will be excluded from participation in the tender procedure if the tenderer is subject to the grounds for exclusion set out in sections 135, 136 and 137(1), para 2 of the Danish Public Procurement Act, unless the tenderer has submitted sufficient documentation of its reliability in accordance with the principles in section 138 of the Danish Public Procurement Act.

The information is to be stated by a solemn declaration. The tenderer may use Appendix F.

5. FINANCIAL AND ECONOMIC ABILITY

As a minimum requirement, the tenderer must show:

- a positive (above zero) equity in the most recent annual report/financial statement available. If the tenderer relies on the capacities of other entities, the equity is to be calculated as the total equity of the operator and such other entities in the most recent annual report/financial statement available. For groups of operators (e.g. a consortium), the equity

is calculated as the total equity of the operators in the most recent annual report/financial statement available. The information is to be stated in Appendix G.

- a total annual turnover of at least DKK 30 million in each of the three (3) latest annual reports/financial statements available. If the tenderer relies on the capacities of other entities, the turnover is to be calculated as the total turnover of the tenderer and such other entities in each of the 3 latest annual reports/financial statements available. For groups of operators (e.g. a consortium), the turnover is calculated as the total turnover of the operators in each of the 3 latest annual reports/financial statements available. The information is to be stated in Appendix G.

6. TECHNICAL AND PROFESSIONAL ABILITY

As a minimum requirement, the tender must show details of one or more (up to 5) references regarding delivery of comparable services that the tenderer has completed in the latest 7 years before the deadline for the tender submission. The (combined) value of the reference(s) must be at least EUR 3 million. The information is to be stated in Appendix G.

For the reference(s) to be regarded as being reference(s) regarding delivery of comparable services, the reference(s) shall, individually or combined, include examples of all of the following:

- provision of wire rope suspended stage elevators with electric prime movers or the conversion of existing elevators to wire rope suspension with electric prime movers;
- provision of large Serapid LinkLift driven elevators (dynamic load (self-weight + payload) > 30 tons)
- provision of elevator drive suites with switchable spare drives.

Only references relating to services carried out at the time of tender submission will be given importance in the evaluation of whether the minimum requirement is fulfilled. In the case of an ongoing task, only the part of the services already performed at the time of tender submission will be included in the evaluation of the reference.

Each reference shall include a brief description of the deliveries made. It should include a clear description of the services listed above to which the delivery is related and the tenderer's role(s) in the performance of the delivery. The reference shall include the financial value of the delivery, the date of delivery and the name of the customer and details of the customer's contact person.

When indicating the date of delivery, the tenderer is requested to indicate the date of commencement and finalisation of the delivery. If this is not possible, e.g. if the tasks were performed on a continuous basis, the tenderer should indicate how the date is specified.

No more than 5 references may be stated, irrespective of whether the tenderer is a single operator, relies on the technical capacity of other entities, or is a group of operators (e.g. a consortium).

If the tenderer relies on the professional experience of other entities for the performance of specific parts of the services comprised by the contract, such specific parts of the services under the contract must be performed by the entity on which the tenderer relies.

7. COMMUNICATION AND QUESTIONS

All communication in connection with the tender procedure, including questions regarding the tender documents, must be in English and must be submitted via e-mail to SONY@kglteater.dk.

The written questions of the tenderers, and the contracting entity's answers, will be regularly communicated in anonymised form through www.udbud.dk. The tenderers should check www.udbud.dk on a regular basis for any updates on the tender material regarding this tender procedure.

Questions should be asked not later than 1 February **2022 at 4 pm**. See Appendix B for further information.

8. THE CONTENT OF THE TENDER

A tender consists of the following documents:

- (a) Tender submission letter (Appendix C)
- (b) Completed or finalised appendices
- (c) Signed solemn declaration (Appendix F)
- (d) Duly completed appendix G

The tenderer does not have to include the contract and the appendices of the contract that are not supposed to be completed/finalised by the tenderer. The contract and such appendices are deemed accepted by the tenderer.

Re (a) Tender submission letter

The tenderer should enclose in its tender, a tender submission letter (Appendix C) which should include the following information:

- Name of the operator or group of operators submitting the tender.
- Contact details (e-mail address and telephone number) for the contracting entity's use in connection with the procedure.

Re (b) Appendices

The tenderer is requested to provide or complete the following appendices:

- Appendix 4: Pricing Schedule
- Appendix 5: Response to Tender Submissions A1-A8, cf. App. 1: Employer's Requirements (Specific), sec. 5.1
- Appendix E: Notification of processing of personal data
- Appendix G: A template to state the financial and economic minimum requirements and a schedule of references to fulfil the minimum requirements on the tenderers technical and professional ability, see section 6

When submitting Appendix 4: Pricing Schedule, the template included in the tender documents must be used. The template provides guidelines explaining how to complete or finalise the appendix.

The tenderer is to provide the response to the Tender Submissions A1-A8, cf. App. 1: Employer's Requirements (Specific), sec. 5.1, in a separate document. No template is provided for Appendix 5.

The tenderer is to provide a statement that the tender fulfils the minimum requirements as stated in section 5 and a schedule of references to fulfil the minimum requirements as stated in section 6. The tenderer may use the template in Appendix G.

Re (c) Solemn declaration

The tenderer should enclose in its tender a solemn declaration as preliminary documentation:

1. That the tenderer is not subject to any of the grounds for exclusion, see section 4

For groups of operators (e.g. a consortium), a separate solemn declaration should be submitted for each participating economic operator. If the tenderer relies on the capacities of other entities, a solemn declaration should be submitted for each of the entities on which the tenderer relies.

9. EVALUATION OF TENDERS

The tenders are evaluated as stated in Appendix A.

10. NEGOTIATION

The contracting entity reserves the right to carry out negotiations with up to 3 (or fewer) compliant tenderers, cf. section 11 of the Tender Act.

The contracting authority will, at the latest at the commencement of the negotiations, indicate to the selected tenderers with whom the contracting authority has reserved the right to negotiate, which procedure will be followed. If negotiations are carried out, the contracting authority may choose that the tenderers who are negotiated with are given the opportunity to submit a revised (final) tender after the negotiations.

The contracting authority is thus free to choose whether negotiations are to be carried out after receipt of the tenders, or whether the award is made without negotiations.

11. FINALISATION OF THE TENDERING PROCEDURE

Before the award of the contract, the contracting entity reserves the right to require documentation of the information stated in the solemn declaration.

When the contracting entity has selected the tender with the best price-quality ratio, see Appendix A, the contracting entity will decide on the award of the contract.

The contracting entity is not obliged to award the contract and reserves the right to cancel the tendering procedure.

Even though the contract has been awarded to another tenderer, the tenderer is bound by its tender until the contracting entity has signed the contract, but no longer than the date specified for the tenderer to keep open its tender.

The notification of the tenderers of the award decision does not mean that the contract has been concluded. The contract is only considered to have been concluded when the contract is signed.

The contracting entity does not consider the tendering procedure completed until the contract has been signed.

12. TENDER FEE

Tenderers do not receive participation fees.