



QUALIFICATION DOCUMENT - FOR PROCUREMENTS PURSUANT TO FOA PART II

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1 INTRODUCTION

The Norwegian Defence Estates Agency (NDEA) invites the supplier to submit an application for prequalification for a limited tender that applies to the following services/projects: New organ for Akershus Castle.

The tender applies to procurement under the EEA threshold value, cf. Sections I and II of the Regulations relating to public procurement.

The procurement has been announced publicly on Doffin. In addition to the public announcement and this qualification documentation, the complete tender documentation consists of the following documents:

- Part I - Invitation to tender
- Part II - The Norwegian Defence Estates Agency's contractual provisions
- Part III - Assignment description

The tender documentation is expected to be ready for dispatch: Week 7 2022.

Site visits are expected to be carried out in week 10 2022.

Only those suppliers invited to submit a tender will receive the tender documentation. Which suppliers will be invited to submit a tender will depend on the response to this qualification documentation.

2 INFORMATION

2.1 Description of the assignment

The Norwegian Defence Estates Agency (NDEA) directs you to refer to "Part III – A – About the assignment" for a preliminary description of the assignment.

2.2 Information meeting

No information meeting will be held in connection with the tender.

2.3 Additional information

Ungraded communication in the process will take place via the Merccell portal, www.merccell.no. This is to keep all communications logged.

When you enter the tender, you should select the Communication tab. Then click on the icon "New Message" in the menu bar. Enter information to send to the client and then click on the icon "Send". The client will then receive your message. If the question concerns all bidders, the client will answer this anonymously by providing the answer as additional information. Additional information is available under the Communication tab, and then under the Additional Information tab. You will also receive an email with a link to the additional information.

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3 APPLICATION REQUIREMENTS

3.1 Language requirements

Applications with accompanying documentation must preferably be submitted in Norwegian, another Scandinavian language or English. Product data sheets etc. can be delivered in English.

3.2 Submitting the application

Applications for prequalification must be submitted electronically to www.mercell.no by the application deadline.

If you are not a Merccell user, you have questions about how to upload your application, or how to submit an application, please contact Merccell Support by phone on + 47 21 01 88 60 or by email at support@merccell.com.

For public tenders, an electronic signature (BankID, Commfides or Buypass) is required, if you have any questions regarding this please contact Merccell support. **NB! If you have not previously used an electronic signature, it is advisable to clarify its use well before the submission deadline!**

Please note that it may take a few days to obtain an electronic signature. Therefore, this process should be started as quickly as possible.

Merccell recommends testing the signing with the certificate you have available as soon as possible (well in advance of the submission deadline). The test functionality is located in the registration-/tender submission steps.

Electronic signature outside Norway.

We would inform you that the Merccell portal supports the following electronic signatures from Sweden and Denmark:

Sweden: Svensk Bank ID, Nordea

Denmark: Nem ID, TDC/OCES

Within the EU, Merccell uses a service provided by Unizeto (<http://unizeto.eu/>) through an agreement with DIFI and the EU assignment PEPPOL (www.peppol.eu). This supports most X. 509 certificates.

3.3 Application deadline

The deadline for submitting an application is stated in Merccell.

It is recommended to submit the application well in advance of the deadline.

4 CONTRACTOR REQUIREMENTS

4.1 Qualification requirements

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

Requirements:	The documentation that must be submitted:
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 (RF-1316)</u> . This certificate can be ordered through www.altinn.no . The certificate must not be older than 6 months from the application deadline. <i>(For Norwegian contractors only)</i>
Requirements concerning economic/financial standing:	

The supplier must be creditworthy.	<p>The credit rating of the supplier that is not older than 6 months calculated from the expiry of the application deadline. The rating must be issued by a company with a credit information licence from the Norwegian Data Protection Authority, see www.datatilsynet.no. The credit rating must include an assessment of the supplier's payment history/-reliability. The result of the credit rating must be presented as a graded value (letters or numbers) on a defined scale.</p> <p>If the contractor cites guarantees furnished by other enterprises (such as a parent company) to satisfy this requirement, a corresponding credit rating must be submitted for this company. In addition, legally binding confirmation from this company that it shall be jointly and severally liable for any liability under the contract must be presented.</p>
The supplier must have the financial capacity to perform the contract.	The submission of accounting figures from the most recent available annual accounts showing the supplier's revenues. (Not necessary if the key figures from the accounts are stated in the credit rating.)
Requirements concerning technical and professional qualifications:	
The Supplier's experience from similar assignments /deliveries.	<p>The Supplier's experience from similar assignments:</p> <p>Bidders must document their experience as an organ builder for instruments of similar or greater complexity in terms of location adaptation and sound quality. Attach a list of the three most important relevant assignments from the last 10 years.</p> <p>Relevant assignments are considered to be the design and construction of instruments that are adapted to historic buildings or projects where the location of the instrument in the building has set special requirements for an aesthetic adaptation of the instrument.</p> <p>It is a requirement that the supplier must document that the organ has been delivered in similar climatic conditions, with large variations in humidity and temperature.</p> <p>Relevant reference instruments are organs with a good sound quality and which have a good reputation as a concert instrument.</p> <p><u>At a minimum, the reference list must contain:</u></p> <ul style="list-style-type: none"> • Brief description of the instrument with image documentation • Size • Location • Date of execution • Contract value • Name of the client with contact person and contact details • Justification for why the reference assignment is relevant
Key personnel offered: Intonator	<p>The intonator specified in the bid is evaluated according to experience and results obtained from equivalent organs.</p> <p><u>At a minimum, the reference list must contain:</u></p> <ul style="list-style-type: none"> • Type of organ • Size • Location

	<ul style="list-style-type: none"> • Date of execution • Brief explanation of why the reference assignment is relevant (keywords)
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Please note that further qualification and documentation requirements may be evident from the actual public announcement.

It is important that the supplier reads the above qualification and documentation requirements carefully. In the event of ambiguities, incompleteness, deficiencies, etc. in the submitted documentation, the Norwegian Defence Estates Agency (NDEA) will assess whether the supplier is given the opportunity to clarify, elaborate, correct, submit, etc. these weaknesses in the documentation.

4.2 Requirements for collaborating suppliers

4.2.1 Use of subcontractors

If the supplier 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 Appendix 2 to this document.

4.2.2 Applications from a consortium of suppliers – joint and several liability

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

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

5 NUMBER OF SUPPLIERS. SELECTION CRITERIA

The Norwegian Defence Estates Agency (NDEA) intends to invite between three and five suppliers that will be given an opportunity to submit a tender, as long as enough qualified suppliers apply. If the number of qualified suppliers exceeds the Norwegian Defence Estates Agency's limit, we will select those suppliers that best satisfy the technical and professional qualifications requirements.

6 OTHER INFORMATION FOR SUPPLIERS

6.1 Security restrictions

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

6.2 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.

6.3 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

As part of the application, the supplier must submit a "Code of conduct statement". The template attached to this document must be used. The statement must be signed. If the supplier answers yes to one or more of the points in section 3 of the statement, the contractor must provide an account of the matter(s) in the application covering letter.

8 DEADLINE FOR DEMANDING AN INTERIM INJUNCTION

In connection with any communication of a decision to reject or refuse an application for qualification, the client may set a deadline of 15 days for demanding an interim injunction against the decision, cf. sections 8-16 of the Regulations relating to public procurement.

9 COOPERATION WITH THE NORWEGIAN TAX ADMINISTRATION - AUTHORISATION TO THE NORWEGIAN DEFENCE ESTATES AGENCY (NDEA)

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 authority is an appendix to Part I Invitation to tender.

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.

10 CLIENT RESERVATIONS

The client reserves the right to cancel the tender 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.

11 CONTENT AND ORGANISATION OF THE APPLICATION

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

No.:	What must be delivered?	Check box
1.	Application covering letter	
	The application covering letter must be signed.	
2.	Documentation of the qualification requirements (see Part I, section 4.1).	
	Certificate for Tax and Value-Added Tax	
	Documentation of qualification requirements 4.1	
3.	Other documents	
	Code of conduct statement Is enclosed with this document	
	Declaration of commitment cf. Section 4.2.1 of the Regulations (if applicable). Is attached to this document	
	Declaration of joint and several liability (if applicable). See Section 4.2.2	

The supplier must organise its tender based on the order specified above.

It is extremely important that the supplier 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 2.2.

Appendix 1 – 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.

Date: _____

Signature and title

Appendix 2 - Statement of commitment from subcontractors

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