



**THE NORWEGIAN ARMED FORCES**  
The Norwegian Defence Logistics Organisation

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**2018030747 – Supply and Retread of Tires**

**Invitation to pre-qualification**

**Restricted Tender Procedure  
(FOSA part II)**

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## **1. Introduction**

### **1.1 The Contracting Authority**

This procurement is conducted by The Norwegian Armed Forces, represented by the Norwegian Defence Logistics Organisation, hereinafter referred to as NDLO or «the Contracting Authority».

The Norwegian Armed Forces' responsibility is to defend Norway and Norway's values and interests. For more information, please see [www.forsvaret.no](http://www.forsvaret.no). NDLO serves to strengthen the Norwegian Armed Forces' combat ability and perseverance by way of effective logistics, and is responsible to deliver fully operative equipment as quickly and effectively as possible. NDLO Strategic procurements are responsible for framework agreements and the purchase of goods and services for the entire Norwegian Armed Forces. The department enters into new, and administers existing contracts and agreements with contractors in Norway and internationally.

NDLO is a professional services company with approximately 1,700 employees. The organisation is divided into staff and divisions within maintenance, supply and procurements.

### **1.2 User**

The Contracting Authority shall enter into this agreement on behalf of The Norwegian Armed Forces.

Representatives for all users may make call offs from the framework agreement.

### **1.3 Purpose of the procurement**

The objective of this pre-qualification of bidders is to establish a contract to cover supply and retreading of tires for air-systems to be used by the Royal Norwegian Air Force (RNoAF).

### **1.4 Scope of Work**

The Scope of Work (SoW) covers tires for the following air-systems: F-16, Sea-King, C-130 Hercules, P-3 Orion and DA-20 Jet Falcon. Some changes may occur in the SoW due to the phasing in and out of air-systems throughout the contracts duration.

The specific components and part-numbers will be part of the ITT.

### **1.5 Type of contract**

A framework agreement shall be entered into with one Contractor.

### **1.6 Exclusivity**

The framework agreement is a non-exclusive agreement. The Contracting Authority reserves the right to enter into contracts with other Contractors when the Contracting Authority finds this practical.

### 1.7 Duration

The contract will be established for a period of three [3] years. The Contracting Authority reserves the right to unilaterally prolong the framework agreement one or several times for a period of up to four [4] years. The maximum duration of the agreement including options is seven [7] years.

### 1.8 Contract value

The estimated value for the contract, including options, is NOK 5.000.000,- (five million) ex. VAT.

The estimate has been based on historic figures and/or expected future use on the basis of the Contracting Authority's best estimate.

The estimate does not serve as an upper or lower limit for what can be procured under the framework agreement nor does it entail any purchase obligations. The actual amount of call offs depends on the user's shifting needs during the term of the framework agreement. These may in particular vary depending on exercises, drafts etc. during the term of agreement.

### 1.9 The structure of the qualifying documentation

The qualifying documentation consists of the following documents:

The main document	Invitation to pre-qualification (this document)
Annex 1	Request letter (template)
Annex 2	Declaration of commitment (template)
Annex 3	Procedure for clearance for foreign individuals (...) visiting Norway
Annex 4	Caution, duty of non-disclosure and conflict of interest
Annex 5	HES self-declaration (template)
Annex 6	Corporate responsibility
Annex 7	Self-declaration of ethical commitments

## 2. Conduct of the procedure

### 2.1 Contact person

Inquiries regarding this procurement shall be made in writing by e-mail to the following contact person:

Contact person:	Birgitte Anda Olsen
E-mail:	biolsen@mil.no

All e-mails shall be marked with the following reference:

“2018030747 – Supply and Retread of Tires” as stated on the front page of this document.

The contractor must not contact or communicate with other persons with the Contracting Authority regarding this procurement.

### 2.2 Language

All written and oral communication relating to this tender shall be in Norwegian or English. The language requirement also applies to the actual tender.

### 2.3 Procurement procedures

This procurement is conducted in accordance with the Act and Regulation on public procurement; the Act of 17 June 2016 no. 73 (the Public Procurement Act) and the Regulation laid down by royal decree of 4 October 2013 no. 1185 on Defence and Security Procurements ("FOSA").

The procurement is conducted according to the procedure "restricted tender competition" according to FOSA Section 5-1 first paragraph. This is a procedure consisting of two phases starting with this qualification phase. All interested contractors have the opportunity to submit a request to participate in the tender. A given number of the qualified contractors will be invited to submit their tender in the next phase of the procedure (the tender phase), see clause 5.

### 2.4 Tender notice

The procurement is published in Doffin ([www.doffin.no](http://www.doffin.no)) and Tender Electronic Daily (TED) ([www.ted.europa.eu](http://www.ted.europa.eu)).

### 2.5 Important dates

#### 2.5.1 Progress plan

The Contracting Authority plans to conduct the procurement in accordance with the progress plan below.

Please note that the progress plan is tentative, and that the Contracting Authority may make adjustments during the process. **Requests received after the deadlines will be rejected.**

ACTIVITY	DATE
Publication of notice in Doffin/TED	06.12.2018
Deadline for questions related to the pre-qualification	08.01.2019
<b>Deadline qualification requests</b>	<b>21.01.2019 at 15:00</b>
Evaluation of qualification requests	Week 4
Estimated date for submission of Invitation to Tender (ITT)	25.01.2019
Deadline for submitting questions regarding tender documents.	08.02.2019
<b>Tender deadline (estimated)</b>	<b>11.03.2019 at 15.00</b>
Evaluation of tenders	Week 11
Contract award	18.03.2019
Expiry of standstill period	29.03.2019
Signing of contract	03.04.2019
Tender acceptance period	01.08.2019

## 2.6 Questions to the qualification documentation

Any questions from contractors related to the qualification documentation must be received within the deadline stated in clause 2.5.1.

Questions must be submitted in writing per e-mail to the Contracting Authority's contact person stated in clause 2.1. All questions will be answered anonymously and made available to all those who have registered their interest in the tender in Doffin.

Interested contractors are recommended to register in Doffin, in order to automatically receive all information about this procurement, such as answers to questions, changes, etc.

## 2.7 Corrections, supplements and/or amendments to the qualification documentation

The Contracting Authority is entitled to make corrections, supplements and amendments to the qualification documentation that are not substantial. Corrections, supplements or amendments to the qualification documentation will immediately be sent out to all contractors that have registered their interest in Doffin. Any changes to the qualification documentation will be made prior to the deadline for submitting requests for participation.

## 2.8 The Contractor's costs relating to participation in the tender

Costs incurred by the contractor in connection with the preparation, submission or follow-up of the request for participation and qualification process, as well as the procurement process in other respects, will not be refunded. Participation in this procurement process will not in any way commit the Contracting Authority to enter into contract with the contractor, or impose any type of economic obligations upon the Contracting Authority towards the contractor.

### **3. General provisions**

#### **3.1 Security**

The Contracting Authority encourages all contractor to familiarise themselves with procedures concerning the security approval of the contractor and security clearance.

For more information, reference is made to the Norwegian National Security Authority's (NSM) websites:

<https://nsm.stat.no/> and  
<https://nsm.stat.no/publikasjoner/skjema/>

Applicable laws and regulations can be downloaded from the following website:  
<http://www.lovdato.no>

##### **3.1.1 Security clearance and visitor Permits**

It is the contractor's responsibility to obtain all their necessary visit permits and security clearances for meetings taking place on the premises of the Contracting Authority.

Requests for visits by the contractor foreign nationals shall be forwarded through the contractor embassy to the Norwegian Defence Staff, Annex 3 Procedures for clearance for foreign individuals (...) visiting Norway. If a valid security clearance already exists, this must be stated, and there is no need to forward a new Request for visit to the contractors embassy.

#### **3.2 Public access to documents and confidentiality**

For the general public's access to documents relating to a public procurement, the Freedom of Information Act and the Non-Disclosure Regulation in the Public Administration Act apply.

The contractor must submit one copy of the request for participation where the contractor censors what the contractor considers to be trade secrets according to Norwegian law. Examples of such confidential information can be information about employees, reference descriptions, information about collaborating partners, etc. This shall be noted separately as per clause 6.1 Structure of the request.

In connection with requests for access to information, the Contracting Authority must independently of the view of the contractor, assess whether the information is of such a nature that the Contracting Authority is obliged to give access.

The contractor shall protect information of a confidential nature, which is made available to them in connection with the procurement.

#### **3.3 Code of ethics and general requirements for the case handling**

Employees in the defence sector and contractor participating in the tender shall act in accordance with good business practice and ensure a high business ethical standard in their case handling in all phases of the procurement process.

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A further review on this appears from Annex 4 – Caution, confidentiality and legal qualification. By submitting tenders, the contractor confirms that Annex 4 is read and accepted, and that any information according to Annex 4 appears from the request.

Furthermore, the contractor must fulfil a set of minimum ethical and social requirements, clause 4.7 Social and Ethical Requirements.



## **4. Qualification requirements**

### **4.1 Introduction**

The contractor must fulfil all of the qualification requirements listed below in order to qualify for participation in the tender.

The contractor is responsible to submit all of the below requested documentation as documentation of the fulfilment of the set requirements. Lacking and/or deviating documentation may entail rejection.

The tender documentation and an invitation for further participation in the tender will only be sent to qualified contractors.

### **4.2 Reliance on the capacity of other entities**

The contractor can choose to rely on the capacity of other entities in order to fulfil the requirements to the contractor's economic and financial capacity and to technical and professional qualifications. Other entities include parent companies, collaborating partners, subcontractor etc.

If the contractor relies on the capacity of other entities to fulfil the qualification requirements to economic and financial capacity and/or for technical and professional qualifications, a signed declaration of commitment shall be enclosed, see Annex 2 – Declaration of commitment.

If the contractor relies on other entities to fulfil one or more of these qualification requirements, the entity shall provide sufficient documentation to prove that the qualification requirement is fulfilled.

#### 4.3 Mandatory requirements

REQUIREMENT	DOCUMENTATION REQUIREMENT
The contractor shall ensure that it properly fulfils its obligations regarding the payment of tax and VAT	<p>Tax certificate which is not older than 6 months calculated from the application deadline. Tax certificate means:</p> <p><u>For Norwegian contractors:</u></p> <ol style="list-style-type: none"> <li>1. Certificate issued by a tax collector or the Norwegian Tax Administration regarding: <ul style="list-style-type: none"> <li>○ Value added tax</li> <li>○ Tax</li> <li>○ Payroll tax</li> </ul> </li> </ol> <p><u>For foreign contractors:</u></p> <ul style="list-style-type: none"> <li>• Foreign contractor must submit corresponding certificates from their countries, documenting proper fulfilment of their obligations regarding the payment of taxes and duties.</li> <li>• If the authorities in the relevant country do not issue such certificates, the contractor must submit a declaration which confirms that all taxes and duties are paid. The declaration must be approved and signed by the contractor's CFO/financial manager.</li> </ul>
The contractor must fulfil all statutory requirements in Norway relating to Health, Environment and Safety (HES).	Filled in and signed HES self-declaration pursuant to FOSA, appendix 2. Alternatively, use the attached template, see Annex 4 – HES self-declaration.

#### 4.4 Requirements to the Contractor's registration, authorisation etc.

REQUIREMENT	DOCUMENTATION REQUIREMENT
The contractor must be registered in the Central Coordinating Register of Legal Entities or the Chamber of Commerce in the state where the contractor is established.	<p>Norwegian contractor:</p> <ul style="list-style-type: none"> <li>• Certificate of Registration</li> </ul> <p>Foreign contractor:</p> <ul style="list-style-type: none"> <li>• Confirmation that the contractor is registered in the Central Coordinating Register of Legal Entities or a Chamber of Commerce in the state where the contractor is established.</li> </ul>

#### 4.5 Regarding requirements for the Contractor' economic and financial capacity

REQUIREMENT	DOCUMENTATION REQUIREMENT
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<p>The contractor shall have sufficient economic and financial capacity to complete the delivery, including satisfactory liquidity, equity share or operating margin.</p>	<p>The Contractor's financial statements (including notes with director's report and auditor's statement) from the past 2 years shall be provided.</p> <p>If the financial statements for the previous year are not completed upon expiry of this tender, the preliminary financial statements for the previous year shall also be enclosed.</p> <p>If a contractor relies on the capacity of other businesses in order to fulfil this requirement, Annex 2 – Declaration of commitment shall be filled out and enclosed. The Contracting Authority can, in addition, require that they shall be jointly and severally liable for the execution of the contract.</p>
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If the contractor has justifiable reason not to submit the documentation requested by the Contracting Authority, the contractor can document its economic and financial capacity by submitting any other document which the Contracting Authority deems suitable.

#### 4.6 Requirements to the Contractor's technical and professional qualifications

REQUIREMENT	DOCUMENTATION REQUIREMENT
<p>The contractor shall have the sufficient capacity to execute the contract.</p>	<p>Contractor's own company: A short description of the organisation, including:</p> <ul style="list-style-type: none"> <li>• A description of the company's business idea and core competence</li> <li>• A description of the company's history, how it is organised and their ownership, in addition to a description of current activities.</li> </ul> <p>Collaborating partners / subcontractor: If any collaborating partners / subcontractor are offered as part of the pre-qualification, the contractor shall submit a description of the following:</p> <ul style="list-style-type: none"> <li>• Name, address, scope of responsibility and parts in the relationship, the formality of the relationship, and whether the contractor has the intention of including the subcontractor as an active party in this tendering process.</li> <li>• The way in which the commercial affiliation with collaborating partners is secured, or will be secured, i.e. contract or statement of commitment</li> </ul> <p>If the contractor chooses to change subcontractor, the contractor shall notify the Contracting Authority immediately. The Contracting Authority reserves the right to deny approval of any subcontract if there are factual and objective grounds for such refusal.</p>

	<p>Contractor's organisation and approvals: An organisation chart shall be provided with names of managers for all units and for all special positions below. The organisation chart shall be part of the tender and the names may be updated during contract performance.</p>
<p>The contractor shall have good experience from similar deliveries.</p>	<p>Overview of the contractor's 1-3 most relevant assignments during the past 3 years shall be submitted. In order to secure sufficient competition, documentation for deliveries performed by the contractor more than 3 years ago may also be taken into consideration. The overview must include a specification of:</p> <ul style="list-style-type: none"> <li>• The value of the assignment</li> <li>• Time</li> <li>• Recipient (name, telephone and e-mail)</li> <li>• Brief description of the delivery</li> </ul> <p>It is the contractor's responsibility to document relevance through the description.</p>
<p>The contractor shall fulfil the requirements of the necessary Quality Assurance certificates.</p> <p>The Contractor shall have the following valid QA certificates applicable to this Contract:</p> <ul style="list-style-type: none"> <li>• AQAP 2120 or AQAP 2110 Ed. D vers. 1</li> <li>• EASA Part 145 or FAR 145</li> </ul> <p>A summary of the company's overall quality assurance system used for the execution of the contract.</p>	<p>The contractor shall submit a copy of their relevant Quality Assurance Certificate(s), or alternative documentation which unequivocally proves compliance with the relevant standards.</p> <p>If the contractor requires the help from a collaborating partner to fulfil these requirements, full undertakings from said partner shall be included in the contractor's request for pre-qualification specifically.</p>

#### 4.7 Social and Ethical Requirements

REQUIREMENT	DOCUMENTATION REQUIREMENT
<p>The contractor shall take sufficient social and ethical responsibility</p>	<ul style="list-style-type: none"> <li>• The contractor shall by a self-declaration accept the requirements to human rights, environment and employee rights as they appear in Annex 6 Corporate Responsibility and Annex 7 Self-declaration of ethical commitments.</li> </ul>

## **5. Assessment qualification**

### **5.1 Implementation of the qualification phase**

The Contracting Authority will consider whether the qualification requirements in clause 4 are fulfilled on the basis of the documentation delivered by the contractor together with the request for participation in the tender.

If a contractor does not fulfil one or more qualification requirements, they will be excluded from the tender.

## 6. Preparation of request for participation in the tender

### 6.1 Structure of the request

The request shall contain the following documentation, and shall be structured as follows:

Section number	Document
1.	Completed request letter
2.	Documentation of the qualification requirements 2.1. Tax certificates, clause. 4.3 Mandatory Requirements. 2.2. HES-statement, clause 4.3 Mandatory Requirements. 2.3. Requirements on the contractor's registration, authorisation, etc, clause 4.4. 2.4. Requirements for the contractors economic and financial capacity, clause 4.5 2.5. Requirements on the contractors technical and professional qualifications, clause 4.6 2.6. Social and ethical requirements, clause 4.7
3.	A declaration of commitment if the contractor is assisted by other entities in order to fulfil qualification requirements to economic and financial capacity and/or technical and professional qualifications
4.	Any censored request
5.	Other relevant information

In order to simplify the review and evaluation in the qualification phase, the Contracting Authority requests that the tender be prepared as follows:

1. The pre-qualification documents, including all relevant documentation and Annexes, shall be compiled into, and delivered in, separate hard cover ringbinders.
2. Each ringbinder shall have the structure and content with the same numbering, and be divided into sections according to the structure set out in Clause 6.1 Structure of the request.
3. There shall be separating sheets between each section.
4. Pages shall not be stapled.
5. The front of each ringbinder must be labelled with the name of the contractor, and "2018030747 - Supply and Retread of Tires".

### 6.2 Format of the request

The request shall be submitted in two original print copies. In addition, an electronic version of the complete request shall be submitted on two memory sticks.

As for the electronic version, the Contracting Authority requests that:

- Files containing signed documents must be in PDF format
- Other files must be in PDF format or be able to be read by MS Office 2010 or newer versions

- The files must be named so that the name of the file refers to the content of the file

The paper version takes precedence over the electronic version in the event of deviation/or conflict.

### **6.3 Request for participation in the entire or parts of the tender**

It is not possible to submit requests for participation relating only to parts of the procurement. Contractors can only submit tenders for the parts of the procurements for which they are invited to submit a tender.

## **7. Submission of request for participation in the tender**

### **7.1 Delivery address**

The request for participation shall be submitted to the address indicated below. Submission shall be agreed in advance with the contact person stated in clause 2.1.

**Delivery address:**

The Norwegian Defence Logistics Organisation  
Contracting Section Air Systems  
Att.: Birgitte Anda Olsen  
Fetveien 80-84  
2007 Kjeller

### **7.2 Wrapping and marking**

The request shall be sealed twice in closed and neutral packaging and must be clearly marked.

The inner packaging shall be labelled with the following:

The front: Tender “2018030747 - Supply and Retread of Tires”  
Attention: Birgitte Anda Olsen  
The back: The bidder’s address.

The outer packaging shall be labelled with the postal address in clause 7.1 Delivery Address.



## **8. Closing of the qualification phase**

### **8.1 Notice of exclusion and rejection**

The Contracting Authority will inform all contractors in writing if their request for participation in the tender is excluded as a consequence of under-fulfilment of the qualification requirements or is rejected for being a surplus qualified contractor.

The notice will include a justification for why the contractor is not considered as qualified or did not reach the qualification phase.

If the Contracting Authority finds that exclusion or rejection does not correspond to the qualification requirements or the selection criteria, the Contracting Authority can reverse its decision and let the contractor participate in the tender.

### **8.2 Deadline for request for interim injunction**

Request for an interim injunction against the Contracting Authority's decision to exclude or reject a request for participation in the tender must be put forward to the District Court within 15 days calculated from the day after the notice of exclusion or rejection was submitted.

### **8.3 Return of requests for participation**

The Contracting Authority will not return the contractor's requests for participation.