



## **Tender Conditions**

for Consultancy Service Agreement for the construction of a new hydroelectric power plant for  
the supply of Qasigiannguit and Aasiaat, Greenland



## Table of contents

for Consultancy Service Agreement for the construction of a new hydroelectric power plant for the supply of Qasigiannguit and Aasiaat, Greenland .....	1
1    Contracting entity .....	4
1.1    Name and address.....	4
1.2    Contact person .....	4
1.3    Consultants.....	4
2    General information .....	4
3    Procurement procedure.....	4
3.1    Open procedure.....	4
3.2    Tendering system.....	5
3.3    Timetable.....	5
3.4    Procurement documents .....	6
3.5    Questions and answers .....	6
3.6    Confidentiality.....	7
4    Submission of tenders .....	7
4.1    Electronic submission.....	7
4.2    Time limit .....	7
4.3    Language .....	7
4.4    Content of tender .....	7
4.5    Reservations .....	8
4.6    Tender validity period .....	9
4.7    Opening of tenders.....	9
4.8    European Single Procurement Document(s) .....	9
4.8.1    Part I: Information concerning the procurement procedure and the contracting authority or contracting entity.....	9
4.8.2    Part II: Information concerning the participating candidate .....	9
4.8.3    Part IV: Selection criteria.....	12
4.8.4    Part VI: Concluding statements.....	14
4.9    Processing of personal data.....	14
4.10    Statements.....	14
4.10.1    Statement concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine .....	14
4.10.2    Participation together with others.....	15
4.10.3    Participation based on other entities .....	15
5    Changes in the tenderer´s participating parties .....	16
6    Documentation of information in the ESPD .....	16
6.1    Exclusion grounds.....	16
6.2    Economic and financial standing.....	17
6.3    Technical and professional ability .....	17
7    Procedure for evaluation of tenders .....	17
7.1    Award criteria.....	17
7.2    Evaluation of price (15 %).....	17
7.3    Evaluation of qualitative criteria (85 %).....	18
7.3.1    Subcriterion "Organisation" .....	18
7.3.2    Subcriterion "Qualifications and experience of the personnel" .....	19
7.3.3    Subcriterion "Technical assistance" .....	20
8    Notification of award decision .....	20



**Page:**  
3 of 21

8.1	Standstill period.....	20
9	Additional information.....	21
9.1	Code of Conduct and Labour Clause.....	21
9.2	Remuneration and property.....	21
9.3	Cancellation of the procurement procedure.....	21



**1 Contracting entity**  
**1.1 Name and address**

**NunaGreen Construction Disko Bay A/S**  
CVR.no: 45296520  
Indaleeqqap Aqqutaa 12, kld.  
3900 Nuuk  
Greenland

For further information regarding the contracting entity please see the following website:  
<https://www.nunagreen.gl/>

**1.2 Contact person**  
Erlingur J. Leifsson  
E-mail: ejl@nunagreen.gl

**1.3 Consultants**  
**Gorrissen Federspiel**  
CVR.no. 38 05 24 97  
Axel Towers, Axeltorv 2  
1609 Copenhagen V  
Denmark

Gorrissen Federspiel

**2 General information**

NunaGreen Construction Disco Bay A/S (“NunaGreen”) is tendering for a Consultancy Service Agreement for the construction of a new hydroelectric power plant for the supply of Qasigiannguit and Aasiaat, Greenland (“the Project”).

The Service Agreement includes consultancy services in connection with the Project. The requirements for the services and contract terms are further detailed in the tender documents.

An overall description of the Project is to be found in the document ‘Scope of the Project’.

The Consultancy Service Agreement is based on FIDIC White Book.

**3 Procurement procedure**

**3.1 Open procedure**

The contracting entity will apply an **open procurement procedure**, which means that any economic operator that fulfils the minimum requirements in the tender material can submit a tender.

During the procurement procedure the contracting entity will ensure the equal treatment of all tenderers. To that end, the contracting entity will:

- not provide information in a discriminatory manner which may give some participating candidates an advantage over others,
- inform all participating candidates in writing of any changes to the technical specifications or other procurement documents.



### 3.2 Tendering system

The procurement procedure is carried out electronically via the tendering system ‘Dalux Tender’.

All correspondence with the contracting entity must take place via Dalux Tender, including any questions regarding the procurement procedure and/or procurement documents.

Participating candidates shall refrain from contacting the contracting entity in any other way.

For technical support or information regarding the use of Dalux Tender, please refer to the technical help desk via the button in the lower left corner in Dalux Tender or contact the technical support by email ([support@dalux.com](mailto:support@dalux.com)) or telephone +45 53 72 73 00.

### 3.3 Timetable

The procurement process is expected to be finalised according to the following schedule:

Date	Milestone
23 September 2025	Contract notice sent for publication
14 October 2025	Deadline for the submission of questions
21 October 2025	Deadline for publication of answers to questions
28 October 2025	Time limit for receipt of tenders
28 October 2025	Deadline for submission of ESPD documentation
18 November 2025	Notification of award decision
28 November 2025	Expiry of standstill period
05 December 2025	Conclusion of Consultancy Services Agreement

The timetable may be subject to changes, and the contracting entity will notify of any changes via Dalux Tender.

All indications of time are according to Central European Time (CET) in Denmark.



### 3.4 Procurement documents

The procurement documents are available at Dalux Tender:

<https://build.dalux.com/client/da-dk/public/tender/TID-355695301610186512>

The procurement documents consist of the following:

- Tender material
  - Tender Conditions (this document)
  - Scope of the Project
  - Template for European Single Procurement Document (ESPD)
  - Notification of processing of personal data
  - Statement regarding Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (template)
  - Statement of joint participation (template)
  - Statement of support (template)
- Technical/other tender material
  - See 01.1\_Document list
- Consultancy Services Agreement, including,
  - Particular Conditions – Part A
  - Particular Conditions – Part B
  - Schedule A – Confidentiality and Non-Disclosure Agreement
  - General Conditions
  - Appendix 1 – Scope of Services
  - Appendix 2 – Personnel, Equipment, Facilities and Services of Others to be provided by the Client
  - Appendix 3 – Remuneration and Payment
  - Appendix 4 – Programme
  - Appendix 5 – Tender Form Sheet
  - Client's Code of Conduct
  - Client's Labour Clause

### 3.5 Questions and answers

If a participating candidate requires any clarification in relation to the tender procedure or the procurement documents, the participating candidate is asked to submit written questions in English via Dalux Tender.

The participating candidates are encouraged to submit all questions as soon as possible and before the deadline for submission of questions.

The contracting entity will only answer questions submitted later than the deadline for submission of questions if it is possible to answer no later than 6 calendar days before the time limit for receipt of tenders.

The contracting entity will publish the questions and answers in anonymous form and any amendments to the procurement documents, if considered relevant, in Dalux Tender.



### **3.6 Confidentiality**

The participating candidates shall observe unconditional confidentiality regarding any information of a confidential nature that may come to their knowledge in connection with the procurement procedure, including, but notwithstanding, the procurements documents.

Therefore, the participating candidates must withhold all such confidential information from unauthorized persons regarding matters which may arise from their knowledge of this procurement procedure.

## **4 Submission of tenders**

### **4.1 Electronic submission**

Any tender must be submitted electronically via Dalux Tender and cannot be submitted by any other means.

Participating candidates are encouraged to test the submission process in Dalux Tender well in advance of the time limit for receipt of tenders.

The contracting entity will only have access to the tenders after the time limit for tenders.

### **4.2 Time limit**

The tender must be submitted no later than **28 October 2025 at 12:00 UTC+1**.

A tender cannot be submitted after the expiry of the time limit.

### **4.3 Language**

The tender must be submitted in English.

### **4.4 Content of tender**

Tenders must contain the following:

- European Single Procurement Document(s) (ESPD), cf. clause 4.9, below including documentation on the information given in the ESPD, cf. clause 6 below.
- Notification of processing of personal data, cf. clause 4.10 below
- Statement regarding Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, cf. clause 4.11.1 below
- Statement of joint participation (if relevant), cf. clause 4.11.2 below
- Statement(s) of support (if relevant), cf. clause 4.11.3 below
- Completed Tender Form Sheet Appendix 5
- Description of the tenderer's project organisation for the Project
- CVs for the tenderer's following key personal:



- Project manager, minimum 10 years' experience in infrastructure project management- Proven leadership in similar EPC tender processes. Familiarity with FIDIC Yellow Book contracts
  - Electrical design manager, degree in Electrical or Power Engineering. At least 10 years experience with hydropower electrical systems and grid integration. Familiarity with EPC and FAT/SAT processes
  - Mechanical design managers, degree in Mechanical Engineering. At least 10 years' experience in hydropower or large-scale infrastructure projects. Proven expertise in design of hydro-mechanical systems such as turbines, gates, valves, penstocks, hoists, and steel liners.
  - Civil design manager, degree in Civil or Hydraulic Engineering- At least 8 years' experience in hydropower projects- Knowledge of dam, intake, and waterway structures
  - Quality manager, degree in Engineering, Quality Management, or related discipline. Minimum 10 years' professional experience, with at least 5 years in quality management on hydropower or energy infrastructure projects. Proven record in implementing and maintaining ISO 9001-compliant Quality Management Systems.
  - ICT manager, Degree in Information Technology, Computer Science, or related field. At least 8–10 years of ICT management experience, preferably in engineering or infrastructure projects. Demonstrated ability to establish and maintain project ICT systems including data management, communications, and cyber-security.
- Description of quality assurance processes, resources and systems

### **Alternative or subsidiary tenders**

No alternative or subsidiary tenders are accepted.

A tenderer may only submit one tender. If a tenderer submits more than one tender, the contracting entity will only take the latest submitted tender into consideration.

However, individual entities may participate as part of different consortia or groups of Tenderers, provided that the entity itself does not submit more than one tender as a Tenderer.

If the tender contains more than one version of the same document, the contracting entity will only take the latest uploaded version (according to the time-log in Dalux Tender) into consideration.

### **4.5 Reservations**

Tenderers are encouraged not to include reservations, prerequisites or standard terms and conditions (unless specifically requested) in tenders. Instead, tenderers are encouraged to



submit questions if they identify provisions in the procurement documents which prevent them from submitting tenders without reservations or prerequisites.

The contracting entity may not award the contract to any tenderer based on a tender with reservations relating to the following:

- essential elements of the tender material, or
- non-essential elements of the tender material if the contracting entity cannot fix the price of the reservations without sufficient certainty

### **Tender validity period**

Tenders must remain valid and open for acceptance by the contracting entity for 3 months from the time limit for receipt of the tender.

Tenderers are released from their tenders at the following:

- the expiry of the tender validity period,
- the cancellation of the procurement procedure, or
- the publication of a contract award notice (but not at the notification of award decision).

### **Opening of tenders**

Tenders will be opened after the time limit for tenders.

Tenderers will not be entitled to attend the opening.

### **4.6 European Single Procurement Document(s)**

Every tenderer must fill out the ESPD as part of their tender. If the tenderer consists of more than one legal entity a separate ESPD must be filled out by each legal entity of the tenderer.

The following explains how the different parts of the ESPD form must be filled out by the candidate requesting to participate in the tender procedure.

#### **4.6.1 Part I: Information concerning the procurement procedure and the contracting authority or contracting entity**

In **Part I** the tenderer is not required to fill in any information.

#### **4.6.2 Part II: Information concerning the participating candidate**

In **Part II.A** the tenderer must fill in all parts concerning the identification of the legal entity.

The tenderer must answer whether it is a Micro, a Small or a Medium-Sized Enterprise.

The tenderer is not required to answer whether it:

- is a sheltered workshop, a social business or if it will provide for the performance of the contract in the context of sheltered employment programmes,



- is registered on an official list of approved participating candidates or has an equivalent certificate (e.g. under a national (pre)qualification system), and
- will be able to provide a certificate regarding the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtain it directly by accessing a national database in any Member State that is available free of charge.

The tenderer must answer whether it is participating in the procurement procedure together with others (e.g., in consortia or joint venture). When the entity is participating together with others, the following shall apply:

- all entities participating in the procurement procedure together must submit a separate ESPD form,
- each entity must indicate its role in the group,
- each entity must identify the other entities participating in the procurement procedure together,
- the participating candidates may state the name of the participating group,
- the participating candidates must altogether meet the selection criteria, as described in Part IV: Selection criteria,
- the participating candidates are subject to joint and several liability for the performance of the contract,
- the specific parts of the contract must be performed by the participating candidates with the required technical and professional abilities (i.e., the participating candidates shall perform the specific parts of the contract that correspond to their documented technical and professional abilities in Part IV.C, Technical and professional ability),
- A separate statement of joint participation must be filled out and submitted with the tender.

In **Part II.B** the tenderer must fill in all parts concerning the identification of the person(s) empowered to represent the tenderer for this procurement procedure.

In **Part II.C** the tenderer must answer whether it relies on the capacities of other entities to meet the selection criteria of the contract notice. When the tenderer relies on the capacities of other entities, the following shall apply:

- all supporting entities must submit a separate ESPD form,
- each supporting entity must only provide information in **Part IV: Selection criteria** concerning the specific capacities that the supporting entity will make available for the tenderer (e.g., if the participating candidate relies only on an entity's technical and professional ability, the entity must not provide information regarding its economic and financial standing),
- the tenderer and the supporting entities must altogether meet the selection criteria, as described in **Part IV: Selection criteria**,
- the tenderer and the supporting entity are subject to joint and several liabilities for the performance of the contract when the tenderer relies on the economic and financial standing of the supporting entity, and
- the specific parts of the contract must be performed by the supporting entities with the required technical and professional abilities when the tenderer relies on the technical and professional abilities of other entities (i.e., the supporting entities shall perform the



- specific parts of the contract which correspond to their documented technical and professional abilities in Part IV.C, Technical and professional ability)
- Separate statement(s) of support must be filled out and submitted with the tender.

In **Part II.D**, Information concerning subconsultants on whose capacity the tenderer does not rely is not required.

### **Part III: Exclusion grounds**

If the tenderer is not subject to an exclusion ground, it should answer "No" in the ESPD.

If the tenderer is subject to an exclusion ground, it:

- must answer "Yes",
- must provide information regarding the exclusion,
- must answer whether it has taken measures to demonstrate its reliability ("Self-Cleaning"), and
- may describe the measures taken (if any).

The tenderer is not required to answer whether the information regarding an exclusion ground is available at no cost to the authorities from an EU Member State database.

In **Part III.A**, Grounds relating to criminal convictions, the tenderer must answer whether the tenderer itself (the legal entity) or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been the subject of a conviction by final judgment rendered in the past five years or in which an exclusion period set out directly in the conviction continues to be applicable for:

- participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime,
- corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector, in the laws of Greenland, or in the national law of the participating candidate,
- fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests,
- terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism, including inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision,
- money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, or
- child labour and other forms of trafficking in human beings, as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA.

In **Part III.B**, Grounds relating to the payment of taxes or social security contributions, the tenderer must answer whether it has breached its obligations relating to:



- the payment of taxes, both in the country in which the tenderer is established and in Greenland, or
- the payment of social security contributions, both in the country in which the tenderer is established and in Greenland.

In **Part III.C**, Grounds relating to insolvency, conflicts of interests or professional misconduct, the tenderer must answer whether it in the past three years:

- has breached its obligations in the field of environmental law,
- has breached its obligations in the field of social law,
- has breached its obligations in the field of labour law,
- has been bankrupt,
- has been the subject of insolvency or winding-up,
- has been in arrangements with creditors,
- has been in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations,
- has had assets being administered by a liquidator or by the court,
- has suspended its business activities,
- has entered into agreements with other participating candidates aimed at distorting competition,
- has been guilty of grave professional misconduct, which renders its integrity questionable,
- is aware of any conflict of interest, as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure,
- has experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract,
- has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, has withheld such information or is not able to submit the required supporting documents,
- has undertaken to unduly influence the decision-making process of the contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

The tenderer is excluded from the procurement procedure if it is subject to any of the exclusion grounds above unless it has provided sufficient documentation to the effect that measures taken by the participating candidate are sufficient to demonstrate its reliability despite the existence of a relevant ground for exclusion. If such documentation is considered as sufficient, the tenderer concerned shall not be excluded from the procurement procedure.

#### **4.6.3 Part IV: Selection criteria**

In **Part IV.B** the tenderer must state the following information:

- Its average yearly turnover for the past three financial years,
- its equity for the past financial year,
- its assets for the past financial year,
- its current assets for the past financial year, and
- its current liabilities for the past financial year.



The tenderer is required to have minimum:

- an average yearly turnover of DKK 40,000,000.00 in the past two financial years,
- a solvency ratio (equity / assets) of 20 % in the past financial year, and
- a liquidity ratio (current assets / current liabilities) of 100% in the past financial year.

When the tenderer participates together with others, cf. Part II.A, or relies on the economic and financial capacities of other entities, cf. Part II.C, the contracting entity will calculate the total amounts of the involved entities which must fulfil the minimum requirements (e.g., the contracting entity will calculate the solvency ratio based on the total equity and total assets of all relevant entities).

In **Part IV.C** the tenderer must state maximum 5 performed consultancy service agreements comparable with the tendered Consultancy Service Agreement where the performed services must have been completed within the past 10 years.

The description of the services can be made in separate document to the ESPD, where every description must not exceed two A4 pages.

When the tenderer participates together with others, cf. Part II.A, or relies on the technical and professional capacities of other entities, cf. Part II.C, the number of consultancy service agreements is calculated based on the total number from all relevant entities.

If a tenderer has listed more than 5 consultancy service agreements, the contracting entity will only read and assess the 5 most recent service agreements (first based on end date, and then based on start date).

Each listed consultancy service agreement must include the following information:

- ‘Description’, the tenderer must specify the performed services, including whether specific parts were performed by subconsultants engaged by the tenderer,
- ‘Amount’, the tenderer must state the contract sum that the tenderer has received for the performance of the services,
- ‘Start date’, the tenderer must state when the consultancy service agreement was entered into,
- ‘End date’, the tenderer must state when the consultancy service agreement was completed, and
- ‘Recipient’, the tenderer must state the name of the client and contact information for the client’s project manager or contact person.

The tenderer is encouraged to describe the performed consultancy service agreements with as much detail as possible and how they are relevant in relation to the minimum requirements below.

The tenderer is required to have performed minimum the following (minimum requirements):

- one consultancy agreement regarding consultancy in connection with construction and civil engineering works for the establishment of a hydroelectric power plant within the last 10 years, and
- one consultancy service agreement regarding consultancy in connection with construction and civil engineering works in Greenland or in the Arctic (e.g., in Iceland, Finland (Northern Ostrobothnia, Kainuu and Lappi), Sweden (Västerbotten, Norrbotten and Lapland), Norway (Nordland, Troms, Finnmark, Svalbard and Jan Mayen),



Canada (Yukon, Northwest Territories, Nunavut), and the United States (Alaska) within the past 10 years.

The minimum requirements can be fulfilled in one consultancy service agreement or in separate consultancy service agreements.

The tenderer is not required to answer whether the information regarding any of the selection criteria is available at no cost to the authorities from an EU Member State database.

#### **4.6.4 Part VI: Concluding statements**

In **Part IV** the tenderer must provide the date and place of the completion of the European Single Procurement Document, by which the tenderer:

- formally declares that the information stated under Parts II-IV is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation,
- formally declares to be able, upon request and without delay, to provide documentary evidence of the information that has been provided in Part III and Part IV, and
- formally consents to the contracting entity, gaining access to documents supporting the information, which has been provided in Part III and Part IV for this procurement procedure.

#### **4.7 Processing of personal data**

The contracting entity will ensure that processing of personal data provided by a participating candidate during the pre-qualification phase will be carried out in accordance with the EU General Data Protection Regulation (GDPR) and the Greenlandic Personal Data Act (decree no. 1238 of 14 October 2016).

In connection with the submission of tender, personal data will be collected and processed within the meaning of the personal data legislation, as the tender will contain information about the tenderer's contact persons as well as contact persons listed in the references submitted in the tender.

To ensure that persons, who are subject to the contracting entity's processing of information, are notified thereof, the tenderer are obliged to provide all persons, whose personal data are included in a tender, with the information stated in the notification of processing of personal data.

The tenderer must include a signed version of the notification in tender.

#### **4.8 Statements**

##### **4.8.1 Statement concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

The tenderer must submit a statement to declare that there is no Russian involvement, cf. Article 5k(1) of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, in relation to a tender from the participating candidate.

The tenderer is encouraged to use the template in the procurement documents.



#### **4.8.2 Participation together with others**

When a tenderer is participating in the procurement procedure together with others (e.g., in consortia or joint venture), cf. Part II.A of the European Single Procurement Document, the tenderer must with the tender submit a statement of joint participation which:

- Identifies the name of the legal entity that is empowered to act as an agent on behalf of the participating candidates participating together with mandate to establish a legal obligation in relation to the contracting entity,
- proves that the group of participating candidates is entitled to rely on the capacity of each other for the performance of the contract,
- establishes a legal obligation for each participating candidate to make available their economic and financial standing for the other entities,
- establishes that the group of participating candidates are subject to joint and several liability for the performance of the contract,
- establishes a legal obligation for each participating candidate to make available their technical and professional ability for the other entities, and
- establishes that the specific parts of the contract will be performed by the participating candidates with the required technical and professional abilities (i.e., the participating candidates shall perform the specific parts of the contract which correspond to their documented technical and professional abilities in Part IV.C, Technical and professional ability).

The statement must be signed by all participating candidates participating in the procurement procedure together.

The tenderer is encouraged to use the template in the procurement documents.

#### **4.8.3 Participation based on other entities**

When the tenderer relies on the capacity of other entities, cf. Part II.C of the European Single Procurement Document, the tenderer must submit statement(s) of support which:

- Proves that the tenderer is entitled to rely on the capacity of the supporting entity for the performance of the contract,
- establishes a legal obligation for the supporting entity to make available their economic and financial standing for the tenderer and that the supporting entity is subject to joint and several liability for the performance of the contract (only if the participating candidate relies on the supporting entity's economic and financial capacities), and
- establishes a legal obligation for the supporting entity to make available their technical and professional ability for the tenderer and that the supporting entity will perform the stated, specific parts of the contract (i.e., the supporting entity shall perform the specific parts of the contract which correspond to their documented technical and professional abilities in Part IV.C, Technical and professional ability, only if the tenderer relies on the supporting entity's technical and professional capacities).

Each statement must be signed by the relevant supporting entity.

The tenderer is encouraged to use the template in the procurement documents.



## 5 Changes in the tenderer's participating parties

The contracting entity can only accept changes to a tenderer if the changes are not deemed to have had a decisive impact on the tenderer.

Regarding the composition of consortium or joint ventures, it is only acceptable for a participant to withdraw from the consortium or joint venture if the withdrawing participant has not had a decisive impact on the assessment in relation to the fulfilment of the minimum eligibility requirements.

A participant in a consortium can only be replaced due to circumstances that are demonstrably beyond the control of the other participants. A participant cannot be replaced when the participant has had a decisive influence on the assessment in relation to the fulfilment of the minimum requirements for participation.

A tenderer may only replace a company on which the participating candidate has based its economic and financial capacity or technical and professional ability when this is due to circumstances that are demonstrably beyond the participating candidate's control. A participating candidate may not replace a company on which the participating candidate relies when the company has played a decisive role in the assessment in relation to the fulfilment of the minimum requirements for participation.

## 6 Documentation of information in the ESPD

Within the deadline for submission of tenders, the contracting entity requests any tenderer that fulfil the minimum requirements for participation to present documentation of the information provided in the European Single Procurement Document.

When the tenderer is participating in the procurement procedure together with others (e.g., in a consortium or joint venture), and/or when the tenderer relies on the capacity of other entities (e.g., subconsultants), each involved entity must present documentation of the information provided in their European Single Procurement Document.

The contracting entity will accept documentation in the language of the country where the tenderer is established. However, the tenderer must also present (unofficial) translations into English of the documentation.

If a tenderer cannot provide the sufficient documentation the contracting authority may exclude the tenderer from the further tender process and disregard the submitted tender.

### 6.1 Exclusion grounds

The contracting entity will accept the following documentation in relation to the exclusion grounds (in order of priority):

- 1) Extracts from the relevant register or similar documents issued by a competent judicial or administrative authority or certificates issued by the competent authority.
- 2) A declaration on oath (only if such extracts, certificates or similar documents are not issued in the country where the tenderer is established, or where the documentation does not cover all the grounds for exclusion entirely).



- 3) A solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body (only if there is no provision for declarations on oath in the country where the tenderer is established).

The tenderers can identify the relevant documentation using the online platform [e-Certis](#).

The contracting authority will not accept documentation issued more than 3 months prior to the deadline for submission of tenders.

#### **6.2 Economic and financial standing**

The contracting entity will accept either official audited annual reports or excerpts hereof or relevant statements from a bank or certified accountant as documentation of the economic and financial standing stated in Part IV.B of the European Single Procurement Document.

#### **6.3 Technical and professional ability**

The tenderers are not required to present additional documentation of the performed service agreements stated in Part IV.C of the European Single Procurement Document.

Instead, the contracting entity reserves the right to contact the recipients of the services or require statements from the recipients confirming that the tenderer has performed the stated service agreements.

### **7 Procedure for evaluation of tenders**

The contracting entity will award the contract based on the weighted evaluation of the tender as outlined below.

#### **7.1 Award criteria**

The contracting entity will award the Consultancy Services Agreement to the most economically advantageous tender, identified based on the best price-quality ratio, which will be assessed based on the following criteria and sub-criteria:

- Price 15 %
- Quality 85 %
  - Organisation 40 %
  - Qualifications and experience of the personnel 40 %
  - Technical assistance 20 %

#### **7.2 Evaluation of price (15 %)**

The contracting entity will evaluate the criterion “Price” based on the technical price stated in the tenderer’s completed Tender Form Sheet (Appendix 5).



The tender prices received are awarded points on a scale from 1 to 10 (with two decimals) based on the following point model.

The tender with the lowest tender price will receive 10 points.

Incoming prices plus 50% of the lowest price are awarded 1 point.

If the incoming prices cannot be accommodated within the price range, the range will be increased by 5% at a time until all prices can be accommodated within the range.

Other prices are converted to points in between these specified extremes on a linear basis in proportion to deviations from the lowest price.

### **7.3 Evaluation of qualitative criteria (85 %)**

The contracting entity will evaluate the qualitative criteria “Organisation”, “Qualifications and experience of the personnel” and “Technical assistance” and award a numerical score on a scale from 1 to 10 to each criterion depending on the assessed level of performance using the following scores:

<b>Score</b>	<b>Description</b>
10	Exceptional (i.e. a tender with the best possible performance with no or a few insignificant exceptions)
9	Excellent
8	Very good
7	Good
6	Above expectations
5	Satisfactory
4	Below expectations
3	Poor
2	Very poor
1	Inadequate (i.e. a tender which only meets the minimum requirements)

The points will be awarded individually. Therefore, it is possible that no tender will be awarded maximum points, just as two or more tenders may be awarded the same number of points.

The contracting entity will evaluate the qualitative criteria “Organisation”, “Qualifications and experience of the personnel” and “Technical assistance” as set out below. However, the factors mentioned as important by the contracting entity are not the only ones to be considered in the evaluation (i.e. the listed factors are not exhaustive). Other factors, that are generally recognized as relevant to the specific criterion may also be considered.

The point given for a sub-criterion will be multiplied with the specified weighting of the sub-criterion in question and will be given a final point score with two decimals.

#### **7.3.1 Subcriterion “Organisation”**

The evaluation will be based on the tenderer’s description of its project organisation throughout the assignment, including the following:



- An organisational chart indicating the tenderer's core organisation, the tenderer's overall project organisation, and links to the contracting entity
- The tenderer's core organisation and key personnel
- How and how often the tenderer's key personnel will be available to the contracting entity
- The tenderer's overall project organisation

In the evaluation, the contracting entity will attach positive weight to:

- The core organisation being effective and functional, with the number of key personnel adapted to the scope of services in the individual phases
- The use of consistent key personnel by the tenderer
- The key personnel of the tenderer being easily accessible to the contracting entity
- The overall project organisation of the tenderer being robust and including multiple employees with relevant qualifications, including the ability to handle peak workloads and access to staff with relevant specialist knowledge not possessed by the key personnel

### **7.3.2 Subcriterion “Qualifications and experience of the personnel”**

The evaluation will be carried out based on the CVs of the tenderer's project manager, electrical/mechanical design managers, civil design manager, quality manager, ICT manager. See section 4.4.

When preparing CVs, the tenderer is encouraged to clearly and explicitly describe the key person's role on the executed projects and the specific tasks which the key person has performed and/or has been responsible for.

The tenderer is encouraged to limit the length of each completed CV to a maximum of five A4 pages.

In the evaluation, the contracting entity will attach positive weight to:

- the key personnel having qualifications and experience within the roles they are to perform in the tenderer's project organisation.
- the key personnel having previously performed corresponding roles.
- the key personnel collectively have documented experience with the following:
  - consulting on hydropower plants (preferably with bored penstocks in lakes, then with tunnel works in rock, then other hydropower types)
  - client consultancy on major construction and civil engineering works (preferably with a client responsible for the subsequent operation of an electrical facility, then with a public client)



- preparation of tender documents and conducting tenders based on FIDIC contract models
- handling disputes between client and turnkey contractor on major construction and civil engineering works under FIDIC based contracts
- regulatory processing (preferably in Greenland, then in Denmark, then in Nordic countries and the EU)
- design of major construction and civil engineering works under equivalent conditions (preferably in Greenland, then in Arctic regions, then in remote areas)
- language requirements:
  - One (or more) of the key personnel speak Danish (preferably minimum at C1 level)
  - One (or more) of the key personnel speaks English (preferably minimum at C1 level)
  - One (or more) of the key personnel speaks Greenlandic (preferably minimum at B2 level)

#### **7.3.3 Subcriterion “Technical assistance”**

The evaluation will be conducted on the basis of the following documents:

- Description of quality assurance processes, resources, and systems

In the evaluation, the contracting entity will attach positive weight to:

- the tenderer has well-defined and effective quality assurance processes, resources, and systems to ensure high quality in the services

### **8 Notification of award decision**

The tenderers will be notified simultaneously via Dalux Tender of the award decision made by the contracting entity. The contracting entity will subsequently publish the award decision on the contracting entities homepage.

Notification of the award decision does not mean that a contract has been or will be concluded.

#### **Standstill period**

After the notification of the award decision, a standstill period of 10 calendar days will apply during which the contracting entity cannot enter into a contract.

The date of expiry of the standstill period will be specified in the notification of the award decision.



## 9 Additional information

### 9.1 Code of Conduct and Labour Clause

The contracting entity notes that any consultant and any sub-consultants are obliged to show social responsibility as stipulated in the conventions that form the basis of the UN's 10 Global Compact-principles.

In addition, the consultant and any sub-consultants must comply with the Danish and Greenlandic acts in force at the time in question, as well as relevant municipal regulations and guidelines regarding human rights, labour rights, working environment, environment, and business ethics. Any consultants outside Denmark's borders must follow the guidelines of ILO.

The consultant must ensure that employees employed with the consultant and any subconsultants and the subconsultants' subconsultants, and throughout a chain, if any, who contribute to the performance of the service agreement in Greenland are ensured pay (including special payments/benefits), working hours and other employment conditions which are not less favourable than those applicable to work of the same nature under a collective agreement entered into by the most representative labour market parties in Greenland within the industrial area in question, and which applies to the entire Greenlandic area. In addition, the consultant must ensure the employees' terms, which are no less favourable than those determined by arbitration, national laws or administrative regulations in Greenland. The consultant must also ensure that employees employed with the consultant and any subconsultants, and the subconsultants' subconsultants, and throughout a chain, if any, are informed about the applicable employment conditions.

The consultant must also ensure employment of trainees during the performance of the contract.

Reference is made to the Client's Labour Clause and Code of Conduct, which are annexes to the Consultant Service Agreement.

### 9.2 Remuneration and property

The tenderers shall bear all costs incurred in relation to the tender procedure.

The submitted tender will be deemed to be the property of the contracting entity and will not be returned to the tenderers.

### 9.3 Cancellation of the procurement procedure

While observing the principles of equal treatment, transparency, and proportionality, the contracting entity reserves the right to cancel the procurement procedure, without incurring liability towards any tenderer and without the tenderers being entitled to claim any compensation.