



NORWEGIAN DEFENCE MATERIEL AGENCY

Tender Specifications DL2026012491

P1223 – Navigation training vessels

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1 INTRODUCTION

1.1 Invitation

The Norwegian Defence Materiel Agency (NDMA) hereby invites candidates to pre-qualification for the procurement of training navigation training vessels for the Royal Norwegian Navy.

The procurement will be carried out as a negotiated procedure with pre-qualification of a minimum of three (3) and a maximum of five (5) candidates.

This document describes the rules and procedures for the procurement process.

1.2 The Contracting Authority

NDMA is the contracting authority and is responsible for carrying out the procurement procedure.

NDMA is an agency in the Norwegian Defence Sector, directly subordinate to the Norwegian Ministry of Defence (MoD). NDMA shall ensure that the Norwegian Armed Forces (Armed Forces) and other agencies in the defence sector shall have access to cost-efficient and safe materiel in accordance with adopted long-term plans. NDMA's main tasks are planning, procurement, management, and disposal of materiel for the Armed Forces and other MoD agencies.

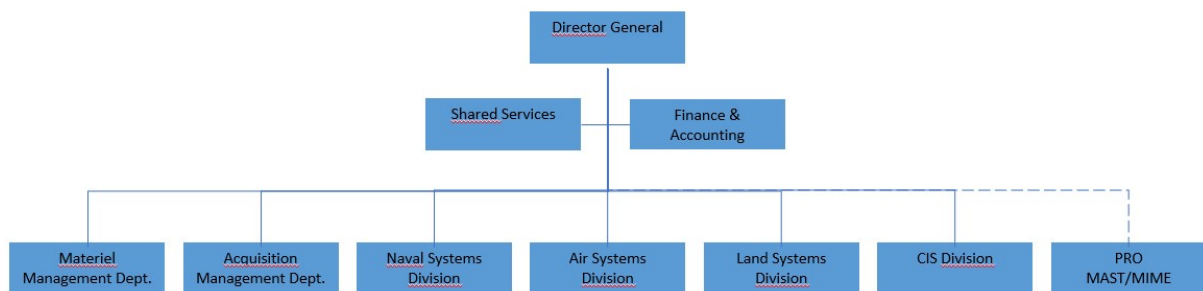


Figure 1 NDMA Organisation

More information is available at www.fma.no/en

1.3 The Users of the Contract

The contracting authority enters into this agreement on behalf of the MoD and its underlying agencies

The MoD's underlying agencies are currently the following:

- the Norwegian Armed Forces
- the Norwegian Defence Estates Agency
- the Norwegian Defence Materiel Agency
- the Norwegian Defence Research Establishment

In addition, the procurement is entered into on behalf of the Norwegian National Security Authority.

The contracting authority may transfer the contract to the Armed Forces. If so, all the rights and obligations of the contracting authority are transferred to the Armed Forces.

2 THE PROCUREMENT

2.1 Scope of the Procurement

The scope of the procurement includes the following:

The purpose of this procurement is to meet the Norwegian Armed Forces' need for increased training capacity for navigators in the Royal Norwegian Navy.

This procurement covers the design, construction and delivery of two identical training vessels, with an option for two additional vessels (1 + 1), to the Norwegian Armed Forces. The vessels shall be used for education and training in military practical navigation, in order to ensure that the required competence of future navigators in the Royal Norwegian Navy is maintained and further developed.

The training concept is based on a recurring cycle of theoretical instruction, simulator training and practical navigation. The main teaching platform is the navigation system, which must be as close to identical as possible in the simulator and on board the vessels. In this context, the training vessels serve as a platform for bringing the navigation system to sea.

The vessels shall be modern, reliable and representative of current standards, with primary emphasis on safe navigation, energy-efficient operation and pedagogical suitability. The vessels shall be built in accordance with civil (DNV) class. They shall be serially built, with a high degree of standardised civil components and subsystems, in order to ensure effective competition and keep operating costs at a low level.

Each vessel shall have a length of less than 24 metres, be capable of achieving a minimum speed of 22 knots, and have a total installed engine power of less than 750 kW. The vessels shall be delivered fully equipped, including navigation systems and sensors, as well as the necessary support and documentation package for operation and maintenance.

Procurement of the Navigation System

The navigation system requirements specifications will be incorporated into the shipyard's overall technical specifications. The shipyard shall contract with Kongsberg Maritime (KM) as a subcontractor for the delivery of the navigation system, under a Budget Work arrangement based on SHIP25 (as further described in the Conditions of Contract). Hence, KM will be placed under the direct contractual responsibility and management of the shipyard.

2.2 Options

The procurement includes the following options:

The procurement includes an option for two (1+1) additional vessel.

Further details are described in Appendix K (Options).

2.3 Division into Lots

The contract is not divided into lots, and the contracting authority will award and sign the contract with only one tenderer.

Tenderers shall submit tenders for the full scope of the contract, and have capability to execute the option as described in section 2.2. Tenders for only parts of the scope of the procurement will be rejected.

2.4 Duration/Time Limit for Completion

The work shall be carried out in accordance with the agreed time schedule, cf. Appendix C (Milestone Plan).

2.5 Value of the Procurement

The estimated total value of the contract for the entire duration of the contract, including all options, is 200 000 000 NOK excluding VAT.

2.6 Place of Delivery / Performance

The Vessels shall be delivered at the Shipyard or in the vicinity thereof, cf. Clause 7.1.1 of the Conditions of Contract.

2.7 Materiel and Facilities Held by the Defence Sector

The contracting authority will deliver materiel held by the defence sector as specified in Appendix G (Buyer's Supplies).

3 GENERAL INSTRUCTIONS

3.1 Procurement Laws and Regulations

The procurement is carried out in accordance with the Act of 17 June 2016 No. 73 on public procurement (anskaffelsesloven), and the Regulations of 12 August 2016 No. 974 on public procurement (forskrift om offentlige anskaffelser ("**FOA**")), part I and III.

The contracting authority will furthermore carry out the procurement in accordance with its internal instruction of 25 October 2013 No. 1411 Anskaffelsesregulverket for forsvarssektoren, (ARF) part I, II and III. Note that the internal instruction does not grant any rights to third parties, including potential and actual candidates and tenderers, cf. ARF section 1-2 (2).

Candidates and tenderers shall take due care of the provisions of the Norwegian Competition Act of 5 March No. 12 according to which cooperation between suppliers may be considered a violation of Norwegian competition law.

3.2 The Procurement Procedure and Phases

3.2.1 Procurement Procedure

The procedure is carried out as a negotiated procedure, jf. FOA section 23-7, with the following two phases:

- The Pre-Qualification Phase
- The Tender Phase

3.2.2 The Pre-Qualification Phase

The procurement procedure begins with the pre-qualification phase, where all interested candidates may submit a request to participate. Candidates will have to meet the qualification requirements in accordance with section 4.

In the pre-qualification phase, the contracting authority will assess and verify the qualifications of the candidates and absence of grounds for exclusion. Tenderers not meeting the qualification requirements will be rejected from further participation in the procurement.

The contracting authority will limit the number of qualified candidates that will be invited to tender, cf. section 4.5 and FOA section 16-12.

3.2.3 The Tender Phase

The tender phase begins with an invitation to tender. Only invited candidates will be allowed to submit tenders.

After submission of tenders, the contracting authority will negotiate with tenderers in order to adapt the tenders to the requirements set out in the Procurement Documents. The purpose of the tender phase is to seek out the best tender in accordance with the award criteria.

The negotiations will be conducted as described in section 5.1.

3.3 The Tender Specifications

The Tender Specification consists of this document and appurtenant annexes and appendices. It is divided into two parts.

Part I contains the following documents relating to the procurement procedure:

Document	Name of the document
Main document	Tender Specification (this document)
Appendix 1	Request to participate (template)
Appendix 2	Declaration of Commitment from entities on which the candidate relies to fulfil qualification requirements (template)
Appendix 3	Form for groups of economic operators submitting a joint request to participate (template)
Appendix 4	Ethical guidelines for contact with business and industry in the defence sector
Appendix 5	Ethical statement for suppliers
Appendix 6	Prudence, Non-disclosure and Conflict of Interest
Appendix 7	Self-declaration regarding compliance with ethical guidelines and Sanction Laws (template)
Appendix 8	Letter of Tender (template)
Appendix 9	List of Deviations and Reservations (template)
Appendix 10	Compliance matrix ISO 9001:2015 vs. candidate's quality management system

Part II contains the contract and appurtenant annexes as follows.

Document	Name of the document
Conditions of Contract	N/A
Appendices	Appendices as described in Clause 1.2.4 of the Conditions of Contract.

3.4 Procurement Schedule

The contracting authority plans to carry out the procurement procedure in accordance with the following time schedule:

ACTIVITY	Date
Deadline for submission of questions in the pre-qualification phase	All deadlines are specified in Mercell
Deadline for submission of requests to participate	All deadlines are specified in Mercell
Pre-qualification and, if needed, selection of candidates	July-26
Deadline for application for preliminary injunction	15 days from notification of pre-qualification result
Invitation to tender is sent to pre-qualified candidates	August-26
Deadline for submission of questions in the tender phase	All deadlines are specified in Mercell
Deadline for submission of tenders	All deadlines are specified in Mercell
Negotiations and evaluation phase	September -26
Notification of contract award	October-26
Standstill period	10 days from the day following contract award
Contract signing	October-26
Tender validity period	Three (3) months after the final tender submission deadline

All dates are tentative and may be subject to changes at the contracting authority's discretion. The contracting authority will inform tenderers of any changes to the procurement schedule through Mercell.

3.5 Tender Conference

Information on a tender conference will be announced in Mercell if such a conference is arranged.

3.6 Communication

Mercell will be used as the electronic tool for the execution of the procurement procedure.

All communication and information exchange in this procurement procedure shall be conducted electronically through Mercell. This means, e.g., that registration for the procedure and the submission of the request to participate and tenders is done through Mercell.

There shall be no contact/communication with any other representative of the contracting authority or other agencies in the defence sector about this procurement procedure.

3.7 Questions and Changes to the Procurement Documents

"Procurement Documents" means the notice, the Tender Specifications and any other document produced or referred to by the contracting authority to describe or determine elements of the procurement or the procedure.

The candidates and tenderers shall review the Procurement Documents carefully and notify the contracting authority without undue delay if errors, ambiguities, or inconsistencies are found. Errors, ambiguities, or inconsistencies that a diligent candidate or tenderer should have discovered when reviewing the Procurement Documents before submission of the request to participate or the tender, cannot later be invoked as a basis for claims against the contracting authority.

The candidates and tenderers have the opportunity to ask questions and request further information concerning the Procurement Documents. Such questions and requests shall be submitted in writing through Mercell within the deadlines specified in Mercell.

The questions and answers, in an anonymized form, will be made available to all candidates and tenderers in Mercell. The contracting authority will, if relevant, provide answers in the form of updated and or/supplementary documents, enhanced descriptions and clarifications.

The contracting authority also reserves the right to make other corrections, additions, and changes to the Procurement Documents. All changes etc. will be made available in Mercell.

Updated versions of the Procurement Documents will be made available in Mercell, and candidates and tenderers shall at all times adhere to the latest available version.

To receive notifications of changes etc. in the Procurement Documents, the candidates must register their intent to participate in the procurement portal.

3.8 Language

All communication in this procurement procedure, including submission of requests to participate, tenders and required documentation, shall be submitted in English or Norwegian unless otherwise specified. Underlying documentation can be in another Scandinavian language. Official documents, e.g. certificates of registration and tax certificates, can also be accepted in other languages when the original document is provided together with a translation from an authorized translator.

Negotiations will be conducted in English or Norwegian and the contract will be in English or Norwegian.

After the signing of the contract, the working language of the project will be English or Norwegian.

3.9 Groups of Economic Operators (Joint Ventures, Consortia, etc.)

A group of economic operators, e.g. in the form of a Joint Venture or consortium, may cooperate to submit a joint request to participate and a joint tender, cf. FOA section 16-11 (1). Such a group of economic operators participating in the procurement procedure shall submit Appendix 3 together with the request to participate, as well as the following documentation for each of the individual partners of the group:

- An ESPD in accordance with section 4.2
- A certificate of registration in accordance with section 4.4.2
- A tax certificates in accordance with section 4.4.1, and
- Appendix 7 – Self-declaration regarding compliance with ethical guidelines and Sanction Laws in accordance with section 3.14.

The economic operators of the group shall be jointly liable for the execution of the contract.

A group of economic operators may also, if necessary, rely on the capacity of other entities (third parties) to satisfy the qualification requirements in accordance with Section 4.4.

A signed cooperation agreement shall be submitted in the tender phase.

In connection with the submission of the request for participation, the candidates shall submit a declaration of commitment from one or more partners of the group (guarantors), ensuring that the group can rely on the capacity of these partners for the fulfilment of the qualification requirements in sections 4.4, cf. Appendix 2.

3.10 Cost of Participation etc

Costs incurred by candidates and tenderers in connection with the preparation, submission or follow-up of the request for participation and tenders, as well as with the procurement procedure in other respects, are the complete responsibility of the candidate or tenderer and will not be reimbursed.

The contracting authority is not committed to contract with any candidate or tenderer and the participation in the procurement procedure will not impose any economic obligations on the contracting authority towards the candidates or tenderers.

3.11 Place of Meetings

Meetings and negotiations relating to this procurement procedure will primarily take place in the Bergen area and electronically.

3.12 Duty of Confidentiality and Public Access to Information

3.12.1 Duty of Confidentiality

The candidate/tenderer and his representatives shall protect confidential information made available to them in connection with the procurement.

3.12.2 Public Access to Information

For the general public's access to documents relating to a public procurement, the Freedom of Information Act of 19 May 2006 No. 16 and the non-disclosure regulation in the Public Administration Act of 10 February 1967 apply.

Pursuant to the Norwegian Freedom of Information Act section 23, paragraph 3, tenders, including request for participation, and procurement protocols are considered public documents after the contract award. Information considered trade secrets is, however, exempt from public access pursuant to the Freedom of Information Act section 13, cf. the Norwegian Public Administration Act section 13 and FOA section 7-3.

The tenderer shall thus enclose a redacted version of the tender where contents considered trade secrets are redacted. The redacted version of the tender shall be accompanied by a list of redacted contents and a short account as to why the contents are considered trade secrets. The contracting authority is nevertheless obliged to conduct an independent assessment of the tender and exempt information from public access only as far as required by law.

3.12.3 Collaboration in the Defense Sector

The submission of a request for participation or a tender grants the contracting authority the right to share any submitted information with other competent authorities in the defence sector to the extent needed to carry out the procurement.

The contracting authority may also share any submitted information with other competent authorities in the defence sector in connection with audits, controls and/or checks. The defence sector may to this end also collaborate with competent official bodies in the State in which the tenderer is established, subject to that body's agreement with the competent Norwegian authority.

3.13 Ethical Guidelines

NDMA and all employees in the defence sector shall act in accordance with good business practice and pursue the highest ethical standards throughout all stages of the procurement procedure. Likewise, the contracting authority expects that all candidates, tenderers and suppliers adhere to good business practice and pursue the highest ethical standards. Reference is made to Appendix 4 (Ethical guidelines for contact with business and industry in the defence sector) and Appendix 6 (Prudence, Non-disclosure and Conflict of Interest).

The candidate shall in Appendix 7 (Self-declaration regarding compliance with ethical guidelines and Sanction Laws) confirm that it accepts and complies with the ethical guidelines in Appendix

4 (Ethical guidelines for contact with business and industry in the defence sector), Appendix 5 (Ethical statement for suppliers) and Appendix 6 (Prudence, Non-disclosure and Conflict of Interest).

Should the candidate be in one of the situations referred to in Appendix 5 (Ethical statement for suppliers to the Royal Norwegian Ministry of Defence with underlying agencies), section 3, this shall be clearly stated in the ESPD, cf. section 4.2.

3.14 Compliance with Sanction Laws

Pursuant to the Regulations of 15 August 2014 No. 107 on restrictive measures regarding actions that undermine or threaten the territorial integrity, sovereignty, independence and stability of Ukraine (the "**Ukraine Sanctions Regulations**") section 8n, it is prohibited, with certain exceptions, to award public contracts covered by FOA part III to:

- a) a Russian national, or a natural person or legal person, entity or body established in Russia;
- b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by natural or legal persons, entities or bodies referred to in letter a above; or
- c) a natural or legal person, entity or body acting on behalf of or at the direction of a natural or legal person, entity or body referred to in letter a or b above,

including, where such natural or legal persons, entities or bodies account for more than 10 % of the contract value, subcontractors, suppliers or entities whose capacities are being relied on within the meaning of FOA.

Pursuant to the Ukraine Sanctions Regulations, such tenderers will be rejected from this procurement procedure.

Furthermore, the contracting authority expects that the tenderer is not in violation of any other Sanction Laws, and that neither the tenderer nor any of its directors or leading employees engaged or to be engaged, are:

- a) listed on any list of entities, persons or bodies subject to sanctions under any Sanction Laws; nor
- b) owned, controlled by, or act on behalf of any person, body or entity listed on any list of entities, persons and bodies subject to sanctions under any Sanction Laws.

"Sanction Laws" means any laws, resolutions and/or regulations, trade embargoes, restrictive measures and/or decisions implemented, adopted, imposed and/or enforced by any competent authority, including, but not limited to, the Norwegian state, the United Nations, the European Union and the United States of America directed at prohibiting or restricting dealings with certain countries, territories, governments or specifically designated persons or entities.

The contracting authority will consider, at its own discretion, rejecting a tenderer if the tenderer is in violation of the above, cf. FOA section 24-2 (3) letter i.

The tenderer shall in the tender, in Appendix 7 (Self-declaration regarding compliance with ethical guidelines and Sanction Laws), confirm that it is not in a situation as referred to in section 8n of the Ukraine Sanctions Regulations and that it is otherwise not in violation of the above. If the tenderer is in violation of the above, the tenderer shall describe the violation as well as give an account of appropriate self-cleaning measures that have been or will be implemented.

The supplier shall warrant and represent the same in the contract, cf. Clause 27 of the Conditions of Contract.

If the tenderer is a group of economic operators (e.g., a Joint Venture), the required information shall be provided for each individual group member.

If the tenderer, or a group member in case the tenderer is a group of economic operators, is part of a group and/or another company or other companies have control of the tenderer or such group member, the information required to be submitted pursuant to this section 3.14 shall be provided also in respect of the ultimate beneficial owner(s).

4 INSTRUCTIONS TO CANDIDATES

4.1 About Qualification Requirements

The qualification requirements are the minimum requirements relating to the candidates' ability to perform the contract. The purpose of the qualification requirements is to ensure that candidates have the necessary organisation, financial standing and technical and professional abilities.

The contracting authority will make its assessment of candidates' suitability based on the information provided by candidates in their requests to participate. Candidates are responsible for ensuring that all requested documentation is submitted and that all questions and requirements are answered. The contracting authority may, but is not under an obligation to, invite candidates to submit, supplement, clarify or complete the relevant information or documentation in accordance with FOA section 23-5.

The contracting authority reserves the right to perform a financial due diligence (FDD) (including to obtain credit statements or credit ratings from a credit agency) and/or an integrity due diligence (IDD) to verify the information provided by candidates and to examine whether there are any grounds for exclusion, cf. FOA section 24-2. Any DD may be performed at any time throughout the procurement process.

Candidates who do not comply with all qualification requirements will be rejected.

The contracting authority will limit the number of otherwise qualified candidates to be invited to tender by applying the selection criteria in section 4.5.

4.2 European Single Procurement Document (ESPD)

The candidate shall, in addition to the requested documentation specified in the tables in section 4.4, submit the European Single Procurement Document (ESPD), declaring the fulfilment of qualification requirements and the selection criteria, and that there are no grounds for exclusion.

The grounds for exclusion in FOA go beyond those in the EU Public Procurement Directive (2014/24/EU) and the ESPD-standard form. Consequently, it is specified that all grounds for exclusion in FOA section 24-2, including the purely national grounds for exclusion, apply in this procedure, cf. ESPD Part III (Exclusion grounds), Section D (Purely national exclusion grounds).

The following grounds for exclusion in FOA section 24-2 are purely national grounds for exclusion:

- Section 24-2 (2): This provision establishes that contracting authority shall exclude a supplier if it has become aware that the supplier has been found guilty of or been served and accepted a penalty notice for the stated criminal offences. The requirement obliging contracting authority to exclude suppliers who have been served and accepted a penalty notice for the stated criminal offences is a Norwegian requirement.
- Section 24-2 (3) letter i: The grounds for exclusion in the ESPD only apply to serious defects in professional conduct, while the Norwegian grounds for exclusion include other serious defects that could cast doubt on the supplier's professional integrity.

4.3 Reliance on the Capacities of Other Entities

A candidate may rely on the capacities of other entities (supporting entities) to fulfil the qualification requirements Requirements Concerning the Candidate's Economic and Financial Standing and/or technical and professional ability in section 4.4.3 and section 4.4.4.

If a candidate wishes to rely on the capacity of other entities, the candidate shall document that it will have at its disposal the resources necessary for the execution of the contract, by submitting Appendix 2 (Declaration of commitment from entities on which the Tenderer relies to fulfil qualification requirements).

The candidate must provide documentation from the supporting entities, confirming that they fulfil the relevant requirements in section 4.4.3 and/or 4.4.4.

Supporting entities shall be legally established entities, and such entities must fulfil the requirements in section 4.4.1 and submit the documentation requested under these requirements. They shall also submit an ESPD (cf. section 4.2) and Appendix 7 (Self-declaration regarding compliance with ethical guidelines and Sanction Laws) (cf. sections 3.14), as well as a tax certificate (cf. section 4.7).

Where a candidate relies on the capacities of supporting entities with regard to the requirements in section 4.4.2, the candidate and those entities shall be jointly liable for the execution of the contract.

Where a candidate relies on the capacities of supporting entities with regard to the requirements in section 4.4.3 relating to the educational and professional qualifications or relevant professional experience, the entities shall perform the service for which these capacities are required, cf. FOA section 16-10 (5).

The candidates may not rely on the capacity of other entities to fulfil the requirements relating to organizational and legal position (section 4.4.1) and management systems (section 4.4.4).

However, if the candidate relies on the capacities of supporting entities with regard to the requirements in section 4.4.3, these entities shall fulfil the requirements relating to management systems in section 4.4.4 for the services that they shall perform in accordance with FOA section 16-10 (5). For other services not to be performed by such entities in accordance with FOA section 16-10 (5), the requirements relating to management systems shall be fulfilled by the candidate itself.

4.4 Qualification Requirements

4.4.1 Mandatory requirements

No.	Qualification requirement	Documentation requirements
QR1	The candidate 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>For Norwegian candidates:</p> <p>Certificate issued by a tax collector or the Norwegian Tax Administration regarding:</p> <p>Value added tax</p> <p>Tax</p> <p>Payroll tax</p> <p>For foreign candidates:</p> <p>Foreign candidates must submit corresponding certificates from their countries, documenting proper fulfilment of their obligations regarding the payment of taxes and duties.</p> <p>If the authorities in the relevant country do not issue such certificates, the candidate must submit a declaration which confirms that all taxes and duties are paid. The declaration must be approved and signed by the candidate's CFO/financial manager</p>

4.4.2 Requirements Concerning the Candidate's Organisational and Legal Position

No.	Qualification requirement	Documentation requirements
QR2	The candidate must be registered in the Central Coordinating Register of Legal Entities or the Chamber of Commerce in the state where the candidate is established	<p>Norwegian candidates:</p> <p>Certificate of Registration (firmaattest)</p> <p>Foreign candidates: Confirmation that the candidate is registered in the Central Coordinating Register of Legal Entities or a Chamber of Commerce in the state where the candidate is established</p>

4.4.3 Requirements Concerning the Candidate's Economic and Financial Standing

No.	Qualification requirement	Documentation requirement
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QR3	<p>The candidate shall have sufficient economic and financial capacity to perform the contract, including satisfactory operating margin, liquidity ratio and equity share.</p> <p>As part of this, its required that the candidate:</p> <ul style="list-style-type: none"> • Is creditworthy without the need to provide security (collateral) • has a minimum turnover of 20 million NOK in the most recent financial year. 	<p>A credit rating issued by a recognised credit rating agency, based on the most recent financial statements. The credit rating shall not be older than six (6) months.</p> <p>The candidate's financial statements (including notes with director's report and auditor's statement) from the past 2 years.</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>Any other information that is relevant to the candidate's financial condition or accounting information (plans for demerger/merger, capital reduction/debt structure not accounted for in financial statement, etc.).</p>
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If a candidate relies on the capacity of other businesses in order to fulfil this requirement, the contracting authority can require that they shall be jointly and severally liable for the execution of the contract.

If the candidate has justifiable reason not to submit the documentation requested by the contracting authority, the candidate can document its economic and financial capacity by submitting any other document which the contracting authority deems suitable.

4.4.4 Requirements Concerning the Candidate's Technical and Professional Ability

No.	Qualification requirement	Documentation requirement
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QR4	<p>The candidate shall have relevant experience with building vessels similar to the scope of the procurement.</p> <p>Vessels similar to the scope of the procurement include design, construction and/or major conversion and delivery of vessels:</p> <ul style="list-style-type: none"> - Over 15 meter in length - Coast operation in the North sea/Baltic 	<p>Overview of the candidate's 2 most relevant assignments during the past 5 years. The overview must include a specification of:</p> <ul style="list-style-type: none"> • Client/recipient of the vessel, and whether public or private • Brief description of the contract • The value of the contract • The date of delivery • Contact person with the client/recipient of the vessel (name, telephone and e-mail) • Building standard (if any) <p>It is the candidate's responsibility to document relevance of the vessel through the description.</p> <p>It is desirable that the references are visualized with images.</p>
QR5	<p>The candidate shall have relevant experience with building and/or major conversion of vessels in accordance with a recognized classification society high speed/light craft notation.</p>	<p>Information regarding vessels delivered in accordance with DNV HSLC or equivalent. The information shall include:</p> <ul style="list-style-type: none"> - Brief description of the vessel and work - The relevant regulation the vessels are produced in accordance with - The value of the contract - The date of delivery
QR6	<p>The candidate shall have the sufficient capacity to execute the contract.</p>	<p>Description of technical personnel and technical entities available to the candidate to execute the contract.</p> <p>An indication of the proportion of the contract which the candidate intends to possibly subcontract.</p> <p>A description of the candidate's production capacity, including capacity to deliver similar vessels before the end of 2027, including a description of how the candidate can accommodate the option works as per Appendix K (Options)</p> <p>The contracting authority's assessment of the candidate's capacity and experience may include, but is not limited to an assessment of the following areas:</p> <ul style="list-style-type: none"> • Project management • Risk management • Quality assurance, with a particular emphasis on weight control

QR7	The candidate shall have the sufficient competence to execute the delivery.	Description of education and experience of the personnel available to the candidate to execute the contract (CVs are not required to be attached).
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4.4.5 Requirements Concerning Management Systems

	Qualification requirement	Documentation requirements
QR8	The candidate shall have established, implemented, and maintained a quality management system that complies with the requirements of ISO 9001:2015, or recognized equivalent international standard.	<p>The candidate shall enclose a copy of a valid ISO 9001:2015 certificate issued by an accredited third-party certification body. The scope of the certificate must be clearly described, as required by ISO 9001:2015 para. 4.3, and shall include all areas and activities that will be involved in the deliveries under this contract.</p> <p>If the candidate does not have an accredited ISO 9001:2015 third party certification, the candidate shall fill out and send in the enclosed Compliance Matrix in Annex 10, showing the relations between ISO 9001:2015 and the candidate's quality management system (see Information Explanation in the Compliance Matrix).</p>
QR9	The candidate shall have a sufficient information security management system.	<p>If the candidate is certified to ISO 27001 or an equivalent standard, a copy of a valid certificate drawn up by an accreditation body attesting that candidate's management system complies with such a standard.</p> <p>If the candidate is not certified to such a standard, a description of the candidate's information security management system.</p> <p>The scope of the certificate/the described system shall include all areas and activities that will be involved in the deliveries under this contract.</p>

	Qualification requirement	Documentation requirements
		The contracting authority reserves the right to, or a competent official body of the country in which the candidate is established on its behalf, carry out a check on the control measures it will operate
QR10	The candidate shall have a sound environmental management system.	<p>If the candidate is certified in accordance with ISO 14001 or an equivalent standard, a copy of a valid certificate issued by an accredited certification body confirming that the candidate's environmental management system complies with such standard shall be provided.</p> <p>If the candidate is not certified in accordance with such a standard, a description of the supplier's environmental management system shall be provided.</p> <p>The certificate or the described system shall cover all areas and activities that will be involved in the deliveries under this contract.</p>
QR11	The candidate must have a management system which ensures that due diligence is performed in the supply chain for the performance of the contract with the aim of enabling the candidate to identify, prevent and mitigate adverse impacts of the performance of the contract related to workers, human rights, the environment, bribery, consumers and corporate governance.	<p>A description of the candidate's management system for the performance of supply chain due diligence, including information on how the candidate:</p> <ul style="list-style-type: none"> - identifies and assess risks in the supply chain - designs and implements strategies to respond to identified risks - carries out independent third-party audits <p>Where the candidate is a group of economic operators (joint ventures, consortia, etc.), the documentation required above, shall be delivered by every single participant in the group who contributes to the performance of the contract. The candidate shall describe the contribution of each single participant under the contract, and how the candidate will ascertain the implementation of the management systems for the group.</p>

4.4.6 National Security

No.	Qualification requirement	Documentation requirements
QR12	The legal ownership of the candidate must not represent a security risk for Norway.	<p>The candidate shall document its legal organization in terms of ownership structure and possible group affiliation.</p> <p>The requirement must be documented by complete organization charts that show an overview of the ownership structure and group, with legally correct company names, organization numbers, and the state in which the various companies in the group are domiciled. The organization charts shall include:</p> <ol style="list-style-type: none"> 1. Parent company and other shareholders (including any ultimate beneficial ownership) 2. Subsidiary and sister companies and ownership of these companies (including any ultimate beneficial ownership) <p>Listed companies must disclose at least their 10 largest shareholders.</p> <p>The documentation must be updated at the time of submission of the application.</p>

4.5 Selection Criteria

The contracting authority will limit the number of otherwise qualified candidates to a minimum of three (3) and a maximum of five (5) candidates, who will be invited to tender, cf. FOA section 16-12. The contracting authority reserves the right to continue the procedure even if fewer than five (5) candidates are qualified.

The candidates who will be invited to tender will be chosen based on the following criteria:

Nr.	Selection criteria	Documentation requirements	Weight
S1	The contracting authority will select candidates based on the candidates' documented technical and professional ability and its relevance, and documented capacity in relation to the scope of the procurement, cf. section 4.4.4.	<p>Documentation submitted in relation to section 4.4.4</p> <p>The contracting authority reserves the right to contact the listed reference projects/contact persons.</p>	100 %

4.6 Submission of Requests to Participate

Requests to participate shall be electronically submitted through Merccell before the deadline set out in Merccell.

Files shall be submitted in Microsoft Office, ODF or PDF format. Files shall be named so that the file name refers to the file's content and the structure of the answers. Candidate shall create one file per requirement, see table below.

The request to participate shall contain the following documents and shall be structured as follows:

No.	Document name	Reference
1	Completed letter of request to participate	Appendix 1 (template)
2	If relevant, declaration of commitment if the candidate relies on other companies to meet requirements for economic and financial capacity and/or technical and professional qualifications	Appendix 2 (template), cf. section 4.3
3	If relevant, completed form for groups of economic operators submitting a joint request to participate,	Appendix 3 (template), cf. section 3.9
4	Filled out ESPD-form	Cf. section 4.2,
5	Tax certificate	Cf. section 4.4.1,
5	Certificate of registration (firmaattest)	Cf. section 4.4.2,
6	Documentation of economic and financial capacity	Cf. section 4.4.3,
7	Documentation of technical and professional qualifications	Cf. section 4.4.4,
8	Documentation of management systems	Cf. section 4.4.5,
9	Documentation related to national security	Cf. section 4.4.6,
10	Self-declaration regarding compliance with ethical guidelines and Sanction Laws	Appendix 7 (template), cf. section 3.14

4.7 Exclusion of Candidates

The grounds for exclusion in FOA section 24-2 apply. The candidate shall familiarize itself with these provisions.

The candidate shall in the ESPD confirm that it is not in any of the situations referred to in FOA section 24-2, cf. section 4.2.

As regards the exclusion ground in FOA section 24-2 relating to the payment of social security contributions, taxes and VAT, the candidate shall in the request to participate also submit a tax certificate, no older than 6 months from the date of submission of the request to participate, cf. also FOA section 7-2.

- For Norwegian candidates this means that a Certificate of tax and VAT, Form RF 1316 from Skatteetaten (skatteattest) shall be submitted.
- For foreign candidates, a certificate issued by the competent authority in the state concerned shall be submitted. If the state concerned does not issue such certificates, it

may be replaced by a self-declaration which confirms that all taxes and duties are paid.
The declaration must be approved and signed by the candidate's CFO/Financial Manager.

4.8 Deadline for Request for Preliminary Injunction

Any request for a preliminary injunction against the contracting authority's decision to reject a request to participate or not select a candidate shall be submitted to the court within 15days after such a notice is sent, cf. FOA section 20-7.

5 INSTRUCTIONS TO TENDERERS

5.1 Negotiations

The contracting authority plans to conduct one (1) round of negotiations, but it reserves the right to conduct any number of rounds which it deems necessary. The contracting authority also reserves the right to award the contract on the basis of the initial tenders without negotiation.

The contracting authority reserves the right, after each round of revised tenders, to reduce the number of tenders to be negotiated, cf. FOA section 23-11. The contracting authority may also conduct an initial reduction of tenders to be negotiated before the commencement of the negotiations. Any reduction will be based on the award criteria. The contracting authority may in any event invite tenderers to give a presentation of or clarify or supplement their tender before such an initial reduction of tenders.

The contracting authority may negotiate any part of the tender. Commencement of negotiations shall not be considered as a rejection of the original tender, and the contracting authority reserves the right to revert to the original tender or any subsequent submitted tender if negotiations are unsuccessful.

All evaluations and rankings of tenders during the entire process will be based on the award criteria.

The negotiations will take place in Bergen or electronically, through Microsoft Teams. The tenderer will receive an invitation to the negotiations with an agenda for the meeting and further information about the practicalities.

5.2 Award Criteria

The contract will be awarded on the basis of the tender with the best price-quality ratio according to the below award criteria, to select the economically most advantageous tender.

Tenderers are encouraged to study the award criteria carefully in order to offer competitive and attractive tenders.

Award criteria	Documentation	Weight
Delivery timeline	Time schedule (total project plan) for design, build and testing (including for options) outlining as a minimum milestones required by class stated in Appendix C (Milestone Plan)	20 %

Award criteria	Documentation	Weight
Fuel consumption	Fuel consumption estimate at 22 kts derived from speed and performance report based on ITTC based towing tank test and/or computational fluid dynamics (CFD) analysis	30 %
Price	Complete, filled-out Appendix D (Price Matrix) <ul style="list-style-type: none"> All prices shall be stated exclusive of VAT. 	30 %
Quality	Evaluation of weighted SHOULD and graded SHALL requirements met in Appendix E (Vessel Specification) and Appendix F-1 (Statement of Work (SoW))	20%

5.3 Evaluation of Tenders

Tenders will be evaluated using a weighted price method:

A tender achieving the maximum available score for fuel efficiency, delivery time line, and quality will be evaluated at actual offer price. A weighted price penalty will be added to tenders achieving less than the full score.

Fuel consumption will be weighted 30% and scored according to tenderer fuel consumption estimate (l/nm). Fuel consumption less than 6 lpm will be given max score. Tenderer CFD/towing tank estimates will be verified by a third party.

Delivery timeline will be weighted 20%. Delivery of first of class will be weighted 3/4 of the time score, while delivery time for subsequent vessels will be weighted 1/4 of the time score. Delivery time less than 15 months (first of class) and 12 weeks (subsequent vessels) from contract date will be given max time score.

Quality will be weighted 20%. The SHOULD requirement for an extra 2-person cabin (P1223-SSS-RQ-0123) will make up 6/10 of the available quality score. Available quality points from compliance with SHOULD requirements in vessel specification and Statement of Work, and graded SHALL requirements will make up 4/10 of the available quality score.

The requirements in the specifications in Appendix E and F are categorised as follows:

- **"SHALL requirements"** (no: "Skal-krav"): These are mandatory requirements which must be fulfilled. The contracting authority will assess the requirements as either passed

or failed, but these will not be part of the evaluation under the award criteria. Non-fulfilment of a "shall" requirement in the final tender will lead to rejection.

- **"SHOULD requirements"** (no: "Bør-krav"): These are requirements which will be assessed in the evaluation of the tender under the award criteria. Tenders which deliver and document added value to the requirements will be rewarded. The tenderer shall to the best of its efforts describe the tendered solution in a clear, relevant and credible manner in accordance with the documentation requirements. Missing descriptions of the tendered solution or a low degree of details may cause low credibility and hence low score in the evaluation.

5.4 Submission of Tender

The tender shall be electronically submitted through Merccell before the deadline set out in Merccell.

Files shall be submitted in Microsoft Office, ODF or PDF format. Files shall be named so that the file name refers to the file's content and the structure of the answers.

The tender shall contain the following documents and shall be structured as follows:

No.	Document name	Reference
1	Completed letter of tender	Appendix 8
3	List of Deviations and Reservations	Appendix 9
4	Completed Price Matrix	Appendix D
5	List of proposed sub-suppliers (Maker's List)	Appendix J
6	Vessel specification compliance matrix with references to Builder specification and/or proposed general arrangement (GA) for all graded requirements	Vessel specification - Excel format (Appendix E)
7	Builder specification	
8	Proposed general arrangement (GA) drawings	
9	Statement of work (SoW) with Builder compliance reply	Statement of Work – excel format (Appendix F-1)
10	Speed and performance report based on International Towing Tank Convention (ITTC) towing tank test and/or computational fluid dynamics (CFD) analysis	ITTC report
11	Draft project plan	
12	Milestone plan (including options)	Appendix C

5.5 Letter of Tender

The Tender shall contain a signed letter of tender. For this purpose, Appendix 8 (Letter of Tender) shall be used. The letter of tender shall be signed by a person authorised to act on behalf of the tenderer.

5.6 Deviations and Reservations

Deviations from and reservations against the requirements in the Procurement Documents might result in the tender being rejected, cf. FOA section 24-8.

In order to avoid deviations and reservations in the tenders, the contracting authority encourages tenderers to submit questions during the procurement procedures, cf. section 3.7.

If the tenderer, nevertheless, chooses to make deviations and reservations, all such deviations and reservations shall be stated in Appendix 9 (List of Deviations and Reservations). The deviations and reservations shall be clear and unambiguous and enable the contracting authority to evaluate the tender and set a price on the deviations/reservations, without requesting additional information from the tenderer.

The deviations and reservations shall refer to the relevant appendices/annexes and sections of the contract etc. The tenderer shall clearly state the consequences that the deviations and reservations will have for the performance, price and/or other factors in the tender.

The tenderer may not invoke any reservations or deviations that are not listed in Appendix 9 (List of Deviations and Reservations). Notwithstanding the previous, the contracting authority is entitled to take into account any reservations or deviations which are not listed in Appendix 9 (List of Deviations and Reservations), but which are discovered elsewhere in the tender during the evaluation.

5.7 Period of Tender Validity

Each submitted tender shall be valid for a period of 3 months from the deadline for submission of tenders, unless the contracting authority has established a shorter tender validity in the invitation to submit revised tenders. Tenderer shall confirm the validity of tender in the Letter of Tender, cf. Appendix 8 (Letter of Tender).

5.8 Admission or Prohibition of Variants

The contracting authority does not authorise variants, cf. FOA section 23-4.

5.9 Parallel Tenders

Each tenderer may submit a maximum of two parallel tenders.

5.10 Exclusion of Tenders

The grounds for exclusion in FOA chapter 24 apply. The tenderer shall familiarize itself with these provisions.

5.11 Tactical Pricing

Tactical Pricing is not allowed.

"Tactical Pricing" means that a tenderer exploits errors and weaknesses in the Tender Specifications. A typical example of Tactical Pricing is where the tenderer includes cost under a price item which clearly belongs under another price item and the effect is that at least one price item does not reflect the actual cost of the supplies related to that price item.

Where Tactical Pricing appears to have taken place, the contracting authority will require the tenderer to explain the pricing. If the contracting authority finds that Tactical Pricing has taken place, the tender may be rejected.

5.12 Opening of the Tenders

There will be no public opening of the tenders.

6 CONCLUSION OF THE PROCUREMENT PROCEDURE

6.1 Notification of Award and Standstill Period

The Contracting authority will, through Merzell, notify all tenderers of the award of the contract.

The notification will contain the name of the successful tenderer as well as a summary of the relevant reasons for the selection of the tenderer.

The notification will also contain a precise statement of the exact standstill period that will apply before the contract can be concluded (contract signature), cf. FOA section 25-2.

6.2 Termination of the Procurement Procedure

The contracting authority can terminate the procurement procedure if there are reasonable grounds for such actions, cf. FOA section 25-4, for example due to the loss of planned financing or lack of political approval, or if the result of the qualification process provides reasonable grounds for such a decision.

APPENDIX 1 – REQUEST TO PARTICIPATE

Company name/legal entity:	
Group name (if relevant)*:	
Registration Number:	
Postal address:	
Visiting address:	
Telephone	
E-mail address:	
Website:	

** if part of a group of economic operators submitting a joint tender*

Contact person:	
Telephone:	
E-mail address:	

Company name/legal entity/group name (hereinafter “the candidate”) hereby request to participate in the procurement for P1223 – Navigation training vessels No. DL2025036373

The candidate confirms that it is familiar with the requirements and obligations in the Tender Specifications.

The candidate further confirms that it complies with all qualification requirements and have submitted the requested documentation. The candidate is aware that missing or incomplete documentation may lead to rejection of the candidate.

For the fulfilment of the qualification requirements, the candidate will:

- ☐ not rely on other entities to meet the qualification requirements
- ☐ rely on other entities to meet the qualification requirements concerning economic and financial standing (fill out the relevant table below)
- ☐ rely on other entities to meet the qualification requirements concerning technical and professional ability (fill out the relevant table below)

The candidate relies **on the following entities** to meet the qualification requirements concerning **economic and financial standing**:

Line No.	Name of entity	Qualification requirement	Contact information

			[enter tabulator for a new line, repeat as many times as needed]
--	--	--	--

The candidate relies **on the following entities** to meet the qualification requirements concerning **technical and professional ability**:

Line No.	Name of entity	Qualification requirement	Contact information
			[enter tabulator for a new line, repeat as many times as needed]

On behalf of **company name/legal entity,**

dd.mm.yy

Date

Place, country

Signature by an authorized person

Name

Title

company name/entity

APPENDIX 2 – DECLARATION OF COMMITMENT FROM ENTITIES ON WHICH THE CANDIDATE RELIES TO FULFILL QUALIFICATION REQUIREMENTS

Name of supporting company /legal entity:	
Registration Number:	
Postal address:	
Visiting address:	
Telephone	
E-mail address:	
Website:	

Contact person:	
Telephone:	
E-mail address:	

Name of supporting company /legal entity (“the guarantor”) hereby guarantees without reservation that it will place at the disposal of **company name/legal entity/group name** (“the candidate”) the necessary resources for the candidate’s fulfilment of the contract, cf. P1223 – Navigation training vessels No. DL2025036373 in relation to the following qualification requirements relating to:

- ☐ the economic and financial standing, please specify:

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- ☐ technical and professional ability, please specify:

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If the candidate relies on the guarantor to fulfil the qualification requirements relating to the economic and financial standing, the guarantor confirms that it will be jointly liable with the candidate for the execution of the contract.

On behalf of name of supporting company /legal entity,

dd.mm.yy

Signature by an authorized person

Date

Place, country

Name

Title

company name/entity

APPENDIX 3 – FORM FOR GROUPS OF ECONOMIC OPERATORS SUBMITTING A JOINT REQUEST TO PARTICIPATE

Groups of economic operators, e.g. in the form of a Joint Venture or consortium, requesting to participate, shall fill out this Appendix 3.

Name of the Group:

--

	Names, addresses and registration numbers of all partners in the group of economic operators submitting a joint request to participate*	Likely financial commitment in % of this delivery (non-binding)
1.	Lead partner: Name: Address: Registration Number:	
2.	Partner: Name: Address: Registration Number:	
3.	Partner: Name: Address: Registration Number:	
4	Partner: Name: Address: Registration Number:	

** Please repeat/delete fields as appropriate.*

The partners of the group confirm that they will be jointly liable for the execution of the contract.

Lead Partner

Partner 2

Signature: Signature:

Name:

Name:

Title:

Title:

Date:

Date:

Partner 3

Partner 4

Signature: Signature:

Name:

Name:

Title:

Title:

Date:

Date:

** Please repeat/delete fields as appropriate.*

Signatures by authorized persons for each of the partners.

APPENDIX 7 – SELF-DECLARATION REGARDING COMPLIANCE WITH ETHICAL GUIDELINES AND SANCTION LAWS

On behalf of **Company name/legal entity** (hereinafter referred to as “the economic operator”), I, the undersigned, hereby formally declare the following:

I. Ethical guidelines etc.

The economic operator confirms that it is familiar with, accepts and complies with the ethical guidelines in Appendix 4 (Ethical guidelines for contact with business and industry in the defence sector), Appendix 5 (Ethical statement for suppliers) and Appendix 6 (Prudence, Non-disclosure and Conflict of Interest).

II. Compliance with Sanction Laws etc

The economic operator confirms that there is no, and will not be any, Russian involvement in the request for participation or tender for P1223 – Navigation training vessels No. DL2025036373

In particular, the economic operator declares that

- (a) The economic operator (and, if applicable, none of the other economic operator that are part of the group) is not a Russian national, or a natural or legal person, entity or body established in Russia;
- (b) The economic operator (and, if applicable, none of the other economic operators that are part of the group) is not a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by natural or legal persons, entities or bodies referred to in point (a) of this paragraph;
- (c) Neither I, nor the economic operator is acting on behalf of or at the direction of a natural or legal person, entity or body referred to in point (a) or (b) of this paragraph;
- (d) There is no, and will not be any, participation, which accounts for more than 10 % of the contract value, of a natural or legal person, entity or body as referred to in point (a), (b) or (c) of this paragraph, in the form of subcontractors, suppliers or other entities on whose capacity the economic operator (or, if applicable, group of economic operators) relies on within the meaning of the public procurement regulation.

The economic operator is not in violation of any other Sanction Laws, and neither the economic operator nor any of its' directors or leading employees engaged or to be engaged, are:

- a) listed on any list of entities, persons or bodies subject to sanctions under any Sanction Laws; nor
- b) owned, controlled by, or act on behalf of any person, body or entity listed on any list of entities, persons and bodies subject to sanctions under any Sanction Laws;

If the tenderer is in violation of any Sanctions Laws, the tenderer shall describe the violation as well as give an account of appropriate self-cleaning measures that have been or will be implemented:

III. Signature

I, the undersigned, formally declares that the information stated in parts I and II above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

On behalf of name of economic operator,

dd.mm.yy

Date

Place, country

Signature by authorized person

Name

Title

company name/entity

Registration number:

APPENDIX 8 – LETTER OF TENDER

Grå tekst må fylles ut av oppdragsgiver på forhånd. Gul markering bevares og fylles ut av leverandøren.

Company name/legal entity/group name:	
Postal address:	
Visiting address:	
Telephone	
E-mail address:	
Website:	

Contact person:	
Telephone:	
E-mail address:	

LETTER OF TENDER – P1223 – Navigation training vessels No. DL2025036373

Company name/legal entity or group name (hereinafter “the tenderer”) hereby submits its’ tender for P1223 – Navigation training vessels No. DL2025036373

The tenderer confirms that the tender is in accordance with the Tender Specifications and that all requirements, terms and conditions are accepted unless they are specifically stated in the tender.

- ☐ The tender does not contain any deviations from or reservations to the Tender Specifications
- ☐ The tender contains only the deviations from and/or the reservations to the Tender Specifications listed in Appendix 9 (List of Deviations and Reservations)

The tender is valid for 3 months from the deadline for submission of tenders. The tender may be accepted by FMA at any time up to the expiry of the validity date.

On behalf of **company name/legal entity,**

dd.mm.yy

Date

Place, country

Signature by an authorized person

Name

Title

company name/legal entity

APPENDIX 9 – LIST OF DEVIATIONS AND RESERVATIONS**List of deviations from and reservations to the Tender Specifications, cf. section 5.7**

The tenderer shall state any and all deviations from and reservations to the Tender Specifications in the table below, in accordance with the instructions in section 5.7.

Reference to the Tender Specifications (E.g. Appendix/Annez, section, sub-section and paragraph):	Description of deviation/reservation	Consequences of the deviation/reservation for the performance, price and/or other factors