

## Tender

Closure planner

**Tender regulations**

## Contents

|           |  |           |
|-----------|--|-----------|
| <b>1.</b> | <b>General procedure</b>                           | <b>3</b>  |
| 1.1       | Opening of the bids                                | 3         |
| 1.2       | Formal review                                      | 3         |
| 1.3       | Evaluation of the suitability criteria             | 3         |
| 1.4       | Evaluation of the award criteria                   | 3         |
| <b>2.</b> | <b>Suitability criteria SC</b>                     | <b>3</b>  |
| 2.1       | Suitability criterion SC1                          | 4         |
| 2.2       | Suitability criterion SC2                          | 4         |
| 2.3       | Suitability criterion SC3                          | 4         |
| 2.4       | Suitability criterion SC4                          | 5         |
| <b>3.</b> | <b>Award criteria AC</b>                           | <b>6</b>  |
| 3.1       | Evaluation of award criterion AC1                  | 6         |
| 3.2       | Evaluation of other award criteria (excluding AC1) | 6         |
| 3.3       | Information on award criterion AC2                 | 7         |
| 3.4       | Information on award criterion AC3                 | 7         |
| 3.5       | Information on award criterion AC4                 | 7         |
| <b>4.</b> | <b>Administrative and tender conditions</b>        | <b>9</b>  |
| 4.1       | Client   | 9         |
| 4.2       | Type of tender procedure & legal framework         | 9         |
| 4.3       | Obtaining tender documents and information         | 9         |
| 4.4       | Preparing and submitting bids                      | 9         |
| 4.5       | Schedule (time plan for the invitation to tender)  | 10        |
| 4.6       | Bidding consortia and subcontractors               | 10        |
| 4.7       | Excluded companies                                 | 10        |
| 4.8       | Admissibility of partial bids and variants         | 10        |
| 4.9       | Procedural principles                              | 11        |
| <b>5.</b> | <b>Contract</b>                                    | <b>11</b> |
| <b>6.</b> | <b>Confidentiality</b>                             | <b>11</b> |

## **1. General procedure**

The evaluation process begins upon receipt of the bids from the various bidders. The evaluation of the bids takes place in five steps:

1. Opening of the bids (not public)
2. Formal review
3. Evaluation of the suitability criteria
4. Evaluation of the award criteria

### **1.1 Opening of the bids**

Only bids that have been submitted prior to the submission deadline will be evaluated. Delayed bids will not be considered. The opening of the bids is not public.

### **1.2 Formal review**

Bidders will be excluded if:

- their bid is not duly signed
- their bid is incomplete, or the bid form has been substantially altered
- the form "Company Information" is missing along with the required certification
- the form "Declaration of Data Confidentiality" is missing or not duly signed
- their bid does not meet the general conditions (language, period of validity, bidding consortium, sub-planners, legitimacy of the partial bids and/or variants, confidentiality, procedural principles)
- they give the awarding operator false information
- they have not paid their taxes or social security contributions
- they do not fulfil the obligations described in §3 of the Submission Decree of the Canton of Aargau
- they are bankrupt

### **1.3 Evaluation of the suitability criteria**

see chapter 2

### **1.4 Evaluation of the award criteria**

see chapter 3

## **2. Suitability criteria SC**

Compliance with the following criteria will be verified:

Table 1: Suitability criteria (SC)

| No. | Suitability criterion                              |
|-----|--|
| SC1 | Experience of the bidder                           |
| SC2 | Qualification of the key person Project Manager    |
| SC3 | Availability                                       |
| SC4 | Sufficient quality management system of the bidder |

In the case of non-compliance with the suitability criteria, a bid will be excluded from the process.

### 2.1 Suitability criterion SC1

The bidder's experience regarding technical planning or conceptual development of complex underground or mining facilities in the preliminary study phase (definition of the construction project, feasibility study, selection procedure) including the following aspects:

1. Backfilling of drifts, tunnels or caverns
2. Closure of underground facilities

Evidence: A comparable, completed (with respect to phase) reference project per aspect; investment cost of the facility of at least CHF 20 million (excluding VAT). In the case of suitability, both aspects can be demonstrated within the same project.

### 2.2 Suitability criterion SC2

Experience of the key person Project Manager in the phase concept development, preliminary study or construction project for complex underground or mining facilities.

Evidence: A completed (with respect to phase) reference project with similar complexity and investment cost of at least CHF 50 million (excluding VAT) as interdisciplinary project manager or deputy project manager.

### 2.3 Suitability criterion SC3

Availability of key persons. The tasks of the key persons require a high presence and flexibility over the entire duration of the project; their availability must be assured for the entire duration of the project (excluding optional services).

The following availability is required

- for the duration of the basic contract, for the key person Project Manager a 20% workload on a quarterly basis
- for the key person Technical Planner Backfilling a 20% workload on a quarterly basis
- for the key person Technical Planner Closure and Sealing a 30% workload on a quarterly basis
- for the key person Technical Planner Emplacement and Retrieval a 30% workload on a quarterly basis

All services are to be rendered in person (by the offered personnel). The required capacity may vary considerably over the duration of the project.

With the submission of the offer, the bidder confirms the availability of the key persons.

#### **2.4 Suitability criterion SC4**

Sufficient quality management system of the bidder.

Evidence: Proof of a company-specific (at least of the lead company) quality management system (ISO 9001 or comparable).

### 3. Award criteria AC

The bids will be evaluated according to the following award criteria. All information and evidence has to be provided in the bid form.

Table 2: Award criteria (AC) and their evaluation

| No. | Award criterion  | Mark (M) | Weighting (W) | M x W x 100 = P max. points |
|-----|--|----------|---------------|-----------------------------|
| AC1 | Linear price evaluation  | 0-5      | 30%           | 150                         |
| AC2 | Qualification of the key person Project Manager                | 0-5      | 15%           | 75                          |
| AC3 | Qualification of the other 3 key persons                       | 0-5      | 35%           | 175                         |
|     | AC 3.1: Key person Technical Planner Backfilling               |          | (15%)         | 75                          |
|     | AC 3.2: Key person Technical Planner Closure and Sealing       |          | (10%)         | 50                          |
|     | AC 3.3: Key person Technical Planner Emplacement and Retrieval |          | (10%)         | 50                          |
| AC4 | Presentation of the bid (including fictional exercise)         | 0-5      | 20%           | 100                         |
|     | <b>Total</b>   |          | <b>100%</b>   | <b>500</b>                  |

The bids are ranked according to the sum of points for all award criteria. The evaluation is done on a points system and a maximum of 500 points is possible. The number of points per award criterion is obtained by multiplying the mark (M) by the weighting (W). The mark scale ranges from 0 (lowest mark) to 5 (highest mark).

If a (main) criterion consists of multiple sub-criteria, these will be assigned a combined mark. The number of points for the main criterion results from the sum of marks for the sub-criteria multiplied by their weighting. This may result in a decimal point score on the (main) criterion rounded to the first decimal place after the decimal point.

Among the suitable bids, the bid with the highest total number of points from the award criteria will be awarded the tender.

#### 3.1 Evaluation of award criterion AC1

Award criterion AC1 will be evaluated according to the following scale:

- The lowest-priced valid bid receives the highest mark (5). Bids whose price exceeds the lowest one by 100% or more receive a mark of 0.
- Rating in between is linear.
- The total price (including optional services) will be evaluated.

A project-related employee list must be submitted as a supplement to the remuneration offer.

#### 3.2 Evaluation of other award criteria (excluding AC1)

The award criteria (excluding AC1) will be evaluated according to the following scale:

Table 3: Rating scale

| Mark | With regard to fulfilment of the criteria  | With regard to information and execution                        |
|------|--|---|
| 0    | evaluation not possible, criterion not met | no information  |
| 1    | very poor fulfilment                       | insufficient, incomplete information                            |
| 2    | poor fulfilment                            | information not adequately related to the project               |
| 3    | normal, average fulfilment                 | mandatory information, complies with basic tender               |
| 4    | good fulfilment                            | good quality, good degree of fulfilment                         |
| 5    | very good fulfilment                       | excellent quality, highly innovative, convincing, added benefit |

### 3.3 Information on award criterion AC2

Qualification of the key person Project Manager:

- Qualification with regard to project requirements
  - project-specific professional experience
  - project-specific expertise
  - education and further training
  - language skills (German / English)

The qualification of the key person listed in the bids will be evaluated according to their CV and the declared reference project. Please note that this reference project can be identical to the reference project given to fulfil suitability criterion SC2 (see above, 2.2).

### 3.4 Information on award criterion AC3

Qualification of key persons Technical Planner Backfilling, Technical Planner Closure and Sealing, Technical Planner Emplacement and Retrieval:

- Qualification with regard to project requirements
  - project-specific professional experience
  - project-specific expertise
  - education and further training
  - language skills

The qualification of the key persons listed in the bids will be evaluated according to their CV and the declared reference project.

Due to the proximity of the topics, the same individual can be selected as key person Technical Planner Backfilling and Technical Planner Closure and Sealing.

### 3.5 Information on award criterion AC4

To evaluate their understanding of the project and to clarify the bid, the bidders with prospect of being awarded, are invited to a presentation. The bidders will receive a fictional exercise beforehand, which must also be presented.

The presentation must be given in English or German by the foreseen Project Manager. The number of participants on the side of the bidder is not restricted. Aside from the Project Manager, at least one further key person is expected to attend the presentation.

The presentations by the respective bidders take place at Nagra's offices in Wetztingen on a specified date (see section 4.5).

The following agenda is foreseen:

- Presentation of the bidder / key persons
- Presentation of the fictional exercise
- Clarification of the bid
- Questions and discussion

The invitation along with a detailed schedule will be sent to the invited bidders approximately one week prior to the appointed date.

The evaluation will be done according to the following criteria:

- Technical knowledge
- Approach to assuming the mandate
- Handling of fictional exercise (approach, cross-functional competences, solution)
- Plausibility check of the remuneration table – this has to be included with the submission of the bid (see bid form).
- Communication and language skills (German/English)



## 4. Administrative and tender conditions

### 4.1 Client

The client is Nagra:

National Cooperative for the Disposal of Radioactive Waste, Nagra  
Hardstrasse 73, Postfach 280  
CH-5430 Wettingen, Switzerland

### 4.2 Type of tender procedure & legal framework

The present call for tenders is issued as part of an open procedure according to § 7 and § 8 of the Submission Decree of Canton Aargau of 26.11.1996.

Unless otherwise regulated in the following, the award procedure shall be governed by:

- Agreement on Public Procurement of 15. April 1994 (SR 0.632.231.422; referred to hereafter as GATT/WTO)
- Bilateral Agreement between Switzerland and the EU on Public Procurement of 21. June 1999 (SR 0.172.052.68)
- Intercantonal Agreement on Public Procurement (IVöB) of 15. March 2001 (SAR 150.950)
- Submission Decree (SubmD) of 26. November 1996 (SAR 150.910)

The awarding body reserves the right to directly award further similar tasks related to this basic contract (submission decree of the canton of Aargau § 8, para. 3, lit. i).

### 4.3 Obtaining tender documents and information

The tender documents are provided only in electronic form and are available in English only. The procurement of the tender documents does not entail any costs for potential bidders.

By receiving the documents, the bidder undertakes to treat them confidentially and confirms this in the corresponding form (see also chapter 6).

Questions relating to the submission must be submitted in the questions forum of [simap.ch](https://simap.ch) by the specified deadline (see section 4.5) in English. The answers will be published in the same forum of [simap.ch](https://simap.ch)

### 4.4 Preparing and submitting bids

Bids and bid documents must be submitted in English. The project language is German/English. Project-relevant documents are only available in the respective document language. The prices must be quoted in CHF (excl. VAT). The bid must be valid for at least 6 months from the date of submission. No remuneration will be paid for preparation of a bid.

Reservations and restrictions regarding the bid must be attached to the bid on an additional sheet. Please note that reservations and restrictions that contravene the requirements of the tender may entail to the disqualification of the bid.

The complete bid, legally signed, must be submitted in paper form in duplicate with all the enclosures required. In addition, two USB sticks must be submitted with the complete bid. If the information on the electronic medium does not correspond with the bid in paper form, the bid submitted in paper form will prevail.

**Bids must be received by Nagra no later than 4 pm on the date specified in section 4.5 (post-mark is irrelevant). Late bids will not be evaluated and will be excluded from the process.**

Bids must be delivered in a sealed envelope addressed as follows:

National Cooperative for the Disposal of Radioactive Waste, Nagra  
A&V / Closure planner–DO NOT OPEN  
Hardstrasse 73  
CH-5430 Wettingen, Switzerland

The bidder authorises the client to validate the information provided in the bid.

Further enclosures must be submitted at the request of the client:

- Excerpt from the debt collection register
- Payment of taxes, social contributions, etc.
- Further documents to be submitted

#### **4.5 Schedule (time plan for the invitation to tender)**

The following deadlines are foreseen for this invitation to tender:

|   |  |
|---|--|
| Publication (Nagra, on simap.ch)                                  | 03 <sup>th</sup> March 2020                  |
| Questions by bidders (relating to the tender)                     | 19 <sup>th</sup> March 2020                  |
| Answers by Nagra  | 26 <sup>th</sup> March 2020                  |
| Deadline for submission of bids (by 4 pm, postmark is irrelevant) | 14 <sup>th</sup> April 2020                  |
| Presentation of the bid (including fictional exercise)            | 15 <sup>th</sup> -18 <sup>th</sup> June 2020 |
| Start of contract   | August 2020                                  |

#### **4.6 Bidding consortia and subcontractors**

Bidding consortia are permitted. If a bidding consortium wins the tender, its members must form a simple society in accordance with Art. 530 of the Swiss Code of Obligations. The lead must be assigned to a company in the bidding consortium. Members of the consortium may not be changed after submission of the bid.

Individual bidders and bidding consortia are free to employ suitable sub-contractors at their own expense and risk. All sub-contractors must be specified in the bid. If proof of suitability of an award criterion is provided with the details of a sub-contractor, the latter has to carry out the foreseen sub-contractor work. The main component (> 60%) of the services offered must be provided by the bidder or bidding consortium.

#### **4.7 Excluded companies**

Gähler und Partner AG (GPAG) currently holds a mandate as a staff unit for the main project ABU and therefore is excluded from the tender.

#### **4.8 Admissibility of partial bids and variants**

Partial bids and variants are not accepted; the services must be offered in accordance with the present tender.

#### **4.9 Procedural principles**

Nagra awards contracts only to companies who guarantee compliance with health and safety requirements and working conditions for employees, as well as equal pay for men and women (see form "Company Information").

The invitation to tender is subject to the granting of a corresponding credit. If the credit is not approved, the award procedure may be terminated.

### **5. Contract**

The General Terms and Conditions of Nagra apply (GTC) ([www.nagra.ch/de/agb.htm](http://www.nagra.ch/de/agb.htm)). By submitting a bid, the bidder accepts the content of the draft contract. Please note that contractual reservations and restrictions can lead to the disqualification of the bid.

### **6. Confidentiality**

The bidder undertakes to treat the information and documents received for the preparation of a bid and during bid processing as confidential and not to make them available to third parties. The legally signed form "Declaration of Confidentiality, Data Protection" must be enclosed with the bid. If the confidentiality agreement has already been submitted for the receipt of basic documentation, it does not require to be submitted again.