

Denmark-Copenhagen: Financial and insurance services
OJ S 8/2021 13/01/2021
Contract award notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Finanstilsynet
National registration number: 10598184
Postal address: Årshusgade 110
Town: Copenhagen Ø
NUTS code: DK Danmark
Postal code: 2100
Country: Denmark
Contact person: Linda Thorup
E-mail: lit@ftnet.dk
Telephone: +45 33558252
Internet address(es):
Main address: <https://www.dfsa.dk/>

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

General public services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Investigation and Analysis of Transaction Monitoring in two Major Danish Banks
Reference number: 0381-0006

II.1.2. Main CPV code

66000000 Financial and insurance services

II.1.3. Type of contract

Services

II.1.4. Short description

The tender is for two subcontracts regarding investigation and analysis of transaction monitoring in Danske Bank (subcontract 1) and Nordea Denmark (subcontract 2). The tenderer is required to submit a solemn declaration regarding impartiality as a part of the tender. The tender shall also contain such declarations signed by any subcontractor to the tenderer, any party to a consortium and any other entities that the tenderer relies on in regard to technical and professional capacity.

The price for each subcontract cannot exceed 4.870.000 DKK incl VAT, all forms of fees and travel expenses.

II.1.6. Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Value excluding VAT: 9 740 000,00 DKK

II.2. Description

II.2.1. Title

Investigation and Analysis of Transaction Monitoring in Danske Bank
Lot No: 1

II.2.2. Additional CPV code(s)

66170000 Financial consultancy, financial transaction processing and clearing-house services, 66171000 Financial consultancy services, 79100000 Legal services, 79410000 Business and management consultancy services, 79411000 General management consultancy services, 79412000 Financial management consultancy services

II.2.3. Place of performance

NUTS code: DK Danmark
Main site or place of performance: Denmark.

II.2.4. Description of the procurement

Through the investigation and analysis the DFSA among other things (see appendix 1 for the full list) wants to determine:

- 1) Whether the monitoring in each bank are in line with international best practice for banks of similar size and nature;
- 2) Whether there are matters to consider from a supervisory point of view on the systems concerned and their use by the banks; and
- 3) Whether there are matters to be aware of from a supervisory point of view when dealing with alarms by banks.

The supplier must use gap analysis and benchmark monitoring against legislation and international best practice to assess whether the transaction monitoring of the bank meets relevant requirements. The investigation and analysis are to result in a written report with documentation to be delivered by the end of 2020.

The supplier shall allow each bank the opportunity to review and comment on the findings of the investigation in a draft final report, such comments to be taken into consideration and reflected in the final report where relevant. Furthermore, the supplier shall, where possible, be transparent towards the bank with the findings during the investigation.

The conclusions of the investigation and analysis must enable the DFSA to determine whether the requirements in applicable law for customer monitoring are complied with for each bank, and whether administrative reactions must be made to the bank concerned. The supplier must therefore comply with relevant requirements of the Danish Public Administration Act in this area.

With regard to Danske Bank, the investigation and analysis must cover all business units and business operations of the bank, including subsidiaries, and including foreign branches and subsidiaries, except Danica, Realkredit Danmark, units abroad that are in liquidation and entities that do not carry out transactions or do not carry out transaction monitoring independently.

II.2.5. Award criteria

Quality criterion - Name: Quality / Weighting: 70 %

Price - Weighting: 30 %

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:

no

II.2.14. Additional information

II.2. Description

II.2.1. Title

Investigation and Analysis of Transaction Monitoring in Nordea Denmark

Lot No: 2

II.2.2. Additional CPV code(s)

66170000 Financial consultancy, financial transaction processing and clearing-house services, 66171000 Financial consultancy services, 79100000 Legal services, 79410000 Business and management consultancy services, 79411000 General management consultancy services, 79412000 Financial management consultancy services

II.2.3. Place of performance

NUTS code: DK Denmark

Main site or place of performance: Denmark.

II.2.4. Description of the procurement

Through the investigation and analysis the DFSA among other things (see appendix 1 for the full list) wants to determine:

- 1) Whether the monitoring in each bank are in line with international best practice for banks of similar size and nature;
- 2) Whether there are matters to consider from a supervisory point of view on the systems concerned and their use by the banks; and
- 3) Whether there are matters to be aware of from a supervisory point of view when dealing with alarms by banks.

The supplier must use gap analysis and benchmark monitoring against legislation and international best practice to assess whether the transaction monitoring of the bank meets relevant requirements. The investigation and analysis are to result in a written report with documentation to be delivered by the end of 2020.

The supplier shall allow each bank the opportunity to review and comment on the findings of the investigation in a draft final report, such comments to be taken into consideration and reflected in the final report where relevant. Furthermore, the supplier shall, where possible, be transparent towards the bank with the findings during the investigation.

The conclusions of the investigation and analysis must enable the DFSA to determine whether the requirements in applicable law for customer monitoring are complied with for each bank, and whether administrative reactions must be made to the bank concerned. The supplier must therefore comply with relevant requirements of the Danish Public Administration Act in this area.

With regard to Nordea Denmark, the investigation must only cover the group's bank branch in Denmark.

II.2.5. Award criteria

Quality criterion - Name: Quality / Weighting: 70 %

Price - Weighting: 30 %

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:

no

II.2.14. Additional information

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 110-267037](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Title:

Investigation and Analysis of Transaction Monitoring in two Major Danish Banks

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

08/01/2021

V.2.2. Information about tenders

Number of tenders received: 9

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Duff & Phelps Ltd

Town: London

NUTS code: UK United Kingdom

Country: United Kingdom
The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 9 740 000,00 DKK
Total value of the contract/lot: 6 252 688,00 DKK

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

With regards to the grounds to exclusion section 135, 136 and 137(1),(1-6) in the DPPA applies.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud
Postal address: Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Consolidation Act No 593 of 2 June 2016 on the Complaints Board for Public Procurement (available at www.retsinformation.dk), the following time limits for filing a complaint apply:

Complaints regarding a candidate not being pre-qualified must be filed with the Complaints Board for Public Procurement within 20 calendar days starting the day after the contracting authority has sent notification to the candidates involved, cf. § 7(1) of the Act on the Complaints Board for Public Procurement, provided that the notification includes an account of the reasons for the decision.

Other complaints must in accordance with § 7(2) of the Act on the Complaints Board for Public Procurement be filed with the Complaints Board for Public Procurement within:

1) 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union. The time limit is calculated from the day after the publication date;

2) 30 calendar days starting the day after the contracting authority has notified the tenderers in question, that the contracting authority has entered into a contract based on a framework agreement through reopening of competition or a dynamic purchasing system, provided that the notification includes an account of the reasons for the decision;

3) 6 months after the contracting authority has entered into the framework agreement, calculated starting the day after the contracting authority has sent notification to the candidates and tenderers involved, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included an account of the reasons for the decision;

4) 20 calendar days starting the day after the contracting authority has published a notice concerning his decision to uphold the contract, cf. § 185(2) of the Public Procurement Act. The complainant must inform the contracting authority of the complaint in writing at the latest simultaneously with the lodge of the complaint to the Complaints Board for Public Procurement stating whether the complaint has been lodged in the stand-still period, cf. § 6(4) of the Act on the Complaints Board for Public Procurement. If the complaint has not been lodged in the stand-still period, the complainant must also state whether it is requested that the appeal is granted delaying effect, cf. § 12(1).

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

08/01/2021