

**Denmark-København K: Artistic and literary creation and interpretation services**  
**OJ S 10/2020 15/01/2020**  
**Contract award notice**  
**Services**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: The Royal Danish Theatre

National registration number: 10842255

Postal address: August Bournonvilles Passage 2-8, Postboks 2185

Town: København K

NUTS code: DK011 Byen København

Postal code: 1017

Country: Denmark

Contact person: Martin Ilsøe

E-mail: [mils@kglteater.dk](mailto:mils@kglteater.dk)

Telephone: +45 33696933

**Internet address(es):**

Main address: [www.kglteater.dk](http://www.kglteater.dk)

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Recreation, culture and religion

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

Set Elements for the Opera 'The Handmaid's Tale'

Reference number: 122072

**II.1.2. Main CPV code**

92310000 Artistic and literary creation and interpretation services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

The tender's scope is the production of a number of scenic elements for the opera 'The Handmaid's Tale'. Preparation, manufacturing and delivered to the Royal Danish Theatre.

**II.1.6. Information about lots**

This contract is divided into lots: no

### **II.1.7. Total value of the procurement**

Value excluding VAT: 2 500 000,00 DKK

## **II.2. Description**

### **II.2.2. Additional CPV code(s)**

39000000 Furniture (incl. office furniture), furnishings, domestic appliances (excl. lighting) and cleaning products, 44000000 Construction structures and materials; auxiliary products to construction (except electric apparatus), 45262670 Metalworking, 45422000 Carpentry installation work, 45432220 Wall-papering work, 45440000 Painting and glazing work, 79421000 Project-management services other than for construction work, 79931000 Interior decorating services, 92311000 Works of art

### **II.2.3. Place of performance**

NUTS code: DK011 Byen København

Main site or place of performance: København K.

### **II.2.4. Description of the procurement**

The tender's scope is the production of a number of scenic elements for the opera 'The Handmaid's Tale'. Preparation, manufacturing and delivered to the Royal Danish Theatre.

### **II.2.5. Award criteria**

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

### **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**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- No tenders or no suitable tenders/requests to participate in response to open procedure

Explanation:

The bid from the original tender process was non-compliant and therefore the original tender process continued with a negotiated procedure, in accordance with section 61, subs. 1 (2) and subs. 4, of the Danish Public Procurement Act.

#### **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: [2019/S 222-545162](#)

#### **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**

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**Contract No:** 1

**Title:**

Set Elements for the Opera 'The Handmaids Tale'

A contract/lot is awarded: yes

#### **V.2. Award of contract**

##### **V.2.1. Date of conclusion of the contract**

02/12/2019

##### **V.2.2. Information about tenders**

Number of tenders received: 1

Number of tenders received by electronic means: 1

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

##### **V.2.3. Name and address of the contractor**

Official name: Nationale Opera and Ballet

National registration number: NL007730251BO1

Postal address: Waterlooplein 22

Town: Amsterdam

NUTS code: NL Nederland

Postal code: 101 1PG

Country: Netherlands

E-mail: [P.Rudolph@operaballet.nl](mailto:P.Rudolph@operaballet.nl)

The contractor is an SME: yes

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

Total value of the contract/lot: 2 500 000,00 DKK

##### **V.2.5. Information about subcontracting**

### **Section VI: Complementary information**

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#### **VI.3. Additional information**

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark  
E-mail: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)  
Telephone: +45 72405600  
Internet address: <https://klfu.naevneneshus.dk/>

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at [www.retsinformation.dk](http://www.retsinformation.dk)), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1)(i) of the Act and section 171(2) of the Danish Public Procurement Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

- 1) 45 calendar days after the contracting authority has published a notice in the Official Journal of the European Union that the contracting authority has entered into a contract. The deadline is calculated from the day after the day when the notice was published;
- 2) 30 calendar days calculated from the day after the day when the contracting authority has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision;
- 3) 6 months after the contracting authority entered into a framework agreement calculated from the day after the day when the contracting authority notified the candidates and tenderers concerned, see section 2(2) of the Act and section 171(4) of the Danish Public Procurement Act;
- 4) 20 calendar days calculated from the day after the contracting authority has submitted notification of its decision, see section 185(2) of the Danish Public Procurement Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting authority in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged during the stand-still period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see clause 12(1) of the Act.

The email address of the Complaints Board for Public Procurement is set out in Section VI.4.1).

The Complaints Board's own complaints procedure is available at:

<https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/>

#### **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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: <http://www.kfst.dk>

**VI.5. Date of dispatch of this notice**

13/01/2020