

**Denmark-Ballerup: Sonars**  
**OJ S 17/2015 24/01/2015**  
**Contract notice**  
**Supplies**

**Directive 2009/81/EC**

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**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistic Organization (DALO)

National registration number: DK

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Thomas Impgaard Sørensen

E-mail: [imp@kammeradvokaten.dk](mailto:imp@kammeradvokaten.dk)

**Internet address(es):**

General address of the contracting authority/entity: <http://forsvaret.dk>

**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** Official name: Kammeradvokaten  
/Advokatfirmaet Poul Schmith

Postal address: Vester Farimagsgade 23

Town: Copenhagen V

Postal code: 1606

Country: Denmark

For the attention of: Thomas Impgaard Sørensen

E-mail: [imp@kammeradvokaten.dk](mailto:imp@kammeradvokaten.dk)

Telephone: +45 72307262

**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3. Main activity**

Defence

**I.4. Contract award on behalf of other contracting authorities/entities**

The contracting authority is purchasing on behalf of other contracting authorities: no

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**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

Framework Agreement concerning delivery and repair of Sonar domes.

### **II.1.2. Type of contract and place of performance or delivery**

Supplies

NUTS code DK0 Danmark

### **II.1.3. Information about framework agreement**

The procurement involves the establishment of a framework agreement

### **II.1.4. Information about framework agreement**

Framework agreement with a single operator

#### **Duration of the framework agreement**

Duration in years: 4

#### **Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT:

Range: between 2 000 000 and 10 000 000 DKK

### **II.1.5. Short description of the contract or purchase(s)**

This framework agreement covers purchase of sonar domes and repair service of existing and future sonar domes for Royal Danish Navy (RDN) vessels of the ABSALON (ABSL) and IVER HUITFELDT (IVER) class. Royal Danish Navy shall not be obliged to buy any minimum quantity of services or products covered by the framework agreement.

However, initially Royal Danish Navy (RDN) will buy 2 new sonar domes.

At present RDN have 5 sonar domes in service on the ABSL and IVER class vessels, plus 2 spare domes. These domes have been purchased and set in service in the period 2004-2010.

The Sonar dome on the ABSL and IVER class is placed in the bow of the vessel app. 4-6 m below the waterline. Inside the water filled Sonar dome the array for a Hull Mounted Sonar is located. The design of the Sonar dome is a compromise between acoustic properties and structural strength. The domes for ABSL and IVER class are identical (form, fit and function) and can be mounted on any ship of these 2 classes.

The sonar domes are made of fiber reinforced Polymer (FRP), E glass fiber and / Vinylester resin.

The production method of the dome shall be Vacuum infusion, to minimize air inclusion. It is essential that the sonar dome laminate around the sonar array is acoustic transparent. The sonar dome laminate around the sonar array (sonar window area), is a solid laminate with a thickness of 18-20 mm.

The sonar domes shall be approved by DNV-GL and Danish Maritime Authorities.

The design of the dome is fixed. Production drawings and production tools (moulds) will be GFE (Government Furnished Equipment).

The sonar dome dimension is app: 6.8 m x 3.2 m x 1.8 m (LWH). Weight app. 4 ton.

### **II.1.6. CPV code(s)**

38113000 Sonars, 35521000 Hull and mechanical spare parts for warships, 34510000 Ships

### **II.1.7. Information about subcontracting**

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

### **II.1.8. Lots**

This contract is divided into lots: no

### **II.1.9. Information about variants**

Variants will be accepted: no

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

### **II.2.2. Information about options**

Options: no

### **II.2.3. Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: 3

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 36 (from the award of the contract)

## **II.3. Duration of the contract or time limit for completion**

Duration in months: 48 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

If prepayment are made, an on-demand guarantee from an recognized financial institution must be presented. The financial institution must be approved by DALO.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Reference is made to the tender documents with regard to the payment terms. Invoicing must be done in accordance with the at any time Danish legislation on public payments. At present this is the Danish consolidated Act. No. 798 of June 2007 which demands that invoicing must be done electronically. Exact terms will be stated in the contract.

#### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No special legal form is required. If the contract is awarded to a group of suppliers (e.g. a consortium) the participants are required to undertake joint and several liabilities and to appoint 1 supplier to represent the group.

#### **III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

#### **III.1.5. Information about security clearance**

### **III.2. Conditions for participation**

#### **III.2.1. Personal situation**

#### **III.2.2. Economic and financial ability**

**Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)**

List and brief description of conditions: — A statement of the candidates turnover in the area covered by the contract for the last 3 financial years available, insofar information on such turnovers is available.

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required: — Candidates shall have had a turnover in the area covered by the contract of at least 2 000 000 DKK in each of the preceding 3 financial years (if the turnover is not stated in said currency, the contracting authority will calculate the turnover based on the official exchange rate on the date this notice was published).

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

### **III.2.3. Technical and/or professional capacity**

#### **Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)**

List and brief description of conditions:

A list of the most important similar deliveries carried out over the past 5 years. The list should preferably include:

- A description of each delivery, including when it was carried out;
- The size and value of the deliveries;
- The recipients of the deliveries (specific names/countries need not necessarily be included);
- A description of the technical facilities and measures used by the candidate for ensuring quality, such as adequate work shop floor area, storage facilities, temperature, humidity and air ventilation, data logging for ensuring a suitable environment day and night and other relevant information and measures used by the candidate for ensuring quality;
- A description of how the candidate handles the task, of holding the dry fibers in place in a female mould, during layup and infusion;

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required

- The candidates must demonstrate that the candidate over the past 5 years have delivered Sonar domes of comparable size and type based on own production, or made repair work on domes of comparable size and type, or produced other composite structures of comparable size based on similar production method.
- The candidates must have a documented quality assurance system.
- The candidates must have production facilities suitable for production of the Sonar domes.

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

##### **III.3.2. Information about staff responsible for the performance of the contract**

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

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

Negotiated

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged minimum number 3 and Maximum number 5

Objective criteria for choosing the limited number of candidates: — 1. The amount involved, the frequency and the relevance and nature of the candidates' previous similar deliveries: — 1st priority: Sonardomes of comparable size and type. — 2nd priority: Repair work on domes of comparable size and type or production of other composite structures of comparable size and similar production method. — 2. Documented quality assurance system and production facilities. Examples of production verification system to be forwarded if requested. — 3. The candidates' turnover for the past 3 financial years.

**IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

**IV.2. Award criteria**

**IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

**IV.2.2. Information about electronic auction**

An electronic auction has been used: no

**IV.3. Administrative information**

**IV.3.1. File reference number attributed by the contracting authority**

**IV.3.2. Previous publication concerning this procedure**

no

**IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

**IV.3.4. Time limit for receipt of tenders or requests to participate**

23.2.2015 - 13:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

**IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

This is a recurrent procurement: no

**VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: no

**VI.3. Additional information**

Negotiated procedure

This tender is conducted according to the negotiated procedure, cf. directive 2009/81/EC, article 26. The tenderers who will be invited to submit tenders will receive further practical

information regarding the negotiated procedure in the Instructions to Tenderers. However, in regard to IV.1.1 DALO reserves the right to waive the negotiation.

In regard to II.2.3 and II.3 the duration of the contract is 4 years. However the contract can be renewed 3 times of 1 year so the total duration of the Contract will be 7 years.

Pre-qualification Questionnaire:

DALO have prepared a pre-qualification questionnaire which candidates are strongly encouraged to use when submitting their applications. The questionnaire contains questions, forms and templates for providing information etc. in accordance with the requirements in this Contract Notice and will be submitted on request. However, it is emphasized that it is the sole responsibility of the candidate that the information provided fulfils the requirements.

Re. Section III.2.1): Solemn declaration regarding the candidate's payment of taxes and social security contributions

When submitting the offers (but not the application for pre-qualification), the tenderers must submit a solemn declaration stating to which degree the tenderer has fulfilled its obligations relating to the payment of direct and indirect taxes and social security contributions in accordance with the legal provisions of the country in which the candidate is established and in Denmark in accordance with consolidation act no. 336 of 13.5.1997 regarding public payments. A template for the declaration will be provided with the tender documents.

Re. Section III.2): Relying on the capacities of other entities:

According to the EU public procurement directives, a candidate may rely on the economic, financial and/or technical capacity of other entities, regardless of the legal nature of the links with the entities. If a candidate wants to rely on other entities and wishes that the capacity of other entities is taken into account when DALO assesses the suitability of the candidate, the candidate must prove that the other entities will and shall put the relevant resources at the disposal of the candidate. A template for a declaration from the supporting entity to this effect is included in the pre-qualification questionnaire referred to above.

Non-compliance with formal requirements:

DALO reserves the right — but is not obliged — to use the remedies provided for in Section 12 of the Danish statutory order on procedures for the award of public supply contracts, public service contracts and public construction contracts (Order no. 712 of 15.6.2011) if applications or tenders do not fulfil the formalities of the tender documents.

When submitting contact details the candidates are encouraged to submit as much information as possible and preferable also the e-mail address of the candidate's contact person.

Candidates are required to submit applications for pre-qualification in 3 hard-copies and electronically on a CD/USB or equivalent medium in a sealed envelope marked 'Framework Agreement concerning delivery and repair of Sonar domes — application for pre-qualification. Must not be opened in the reception'.

In case of discrepancy between the hard-copy and the electronic version, the hard-copy shall take precedence. The application cannot be submitted by e-mail.

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

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

Official name: Klagenævnet for udbud (The complaints Board for Public Procurement)

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

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

**Body responsible for mediation procedures**

Official name: N/A

**VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: As a consequence of the Danish act no. 492 of 12.5.2010 with subsequent amendments regarding enforcement of the rules for procurement etc., 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, if the notification includes a short account of the relevant reasons for the decision.

Other complaints must be filed with The Complaints Board for Public Procurement within 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date). However, if the tender concerns a framework agreement complaints must be filed with The Complaints Board for Public Procurement within 6 months after the Contracting Authority has sent notification to the candidates/tenderers involved that the Contracting Authority has entered into the framework agreement if the notification included a short account of the relevant reasons for the decision.

The complainant must inform the contracting authority of the appeal in writing at the latest simultaneously with the lodge of the complaint to The Complaints Board for Public Procurement. The complainant shall state whether the complaint has been lodged in the stand-still period. If the appeal has not been lodged in the stand-still period, the appellant must also state whether it is requested that the appeal is granted delaying effect.

**VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen (The Danish Competition and Consumer Authority)

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**

21.1.2015