

Denmark-Copenhagen: Mass spectrometer
OJ S 14/2024 19/01/2024
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: University of Copenhagen

National registration number: 29979812

Postal address: Krystalgade 25

Town: Copenhagen K

NUTS code: DK01 Hovedstaden

Postal code: 1172

Country: Denmark

Contact person: Eva Sander

E-mail: Eva.sander@adm.ku.dk

Internet address(es):

Main address: www.ku.dk

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Education

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Orbitrap Astral Mass Spectrometerr to the Proteomics Research Infrastructure (PRI)

II.1.2. Main CPV code

38433100 Mass spectrometer

II.1.3. Type of contract

Supplies

II.1.4. Short description

Proteomics Research Infrastructure (PRI) is a state-of-the-art mass spectrometry (MS)-based proteomics facility. Founded on 1 July 2020, the new facility provides coordinated, proprietary client access to forerunner proteomic technology, exceptional technical assistance, and streamlined bioinformatic data analysis for the local research community. PRI is funded by the Novo Nordisk Foundation (NNF) and linked to the NNF Center for Protein Research at the University of Copenhagen.

II.1.6.

Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 16 354 173,00 DKK

II.2. Description

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

II.2.4. Description of the procurement

The purchase is to add an additional instrument to the already existing installation, in the research facility at the University of Copenhagen. The procurement is to support the application in research and development, in basic research and applied research in proteomics.

This notice is sent in continuation of the University of Copenhagen's voluntary ex ante transparency notice no. [2023/S 239-751056](#) where University of Copenhagen published its intention to enter into the contract with Thermo Fisher Scientific. After the expiry of 10 calendar days calculated from the day after the date where the voluntary ex ante transparency notice was published, see section 4(1), para 2, of the Danish Act on the Complaints Board for Public Procurement, the University of Copenhagen has entered into the contract with Thermo Fisher Scientific.

II.2.5. Award criteria

Price

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

Regarding section II.2.5) and V.2.2) it is noted that this procurement has been subject to a negotiated procedure without prior publication. Reference is made to the reasoning in section IV.1.1) and the voluntary ex ante transparency notice referred in section IV.2.1). Therefore, only one tender was received.

Section IV: Procedure

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

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons
- Additional deliveries by the original supplier ordered under the strict conditions stated in the directive

Explanation:

The new Astral instrument is a novel MS system with unique characteristics tailored to excel in a broad range of proteomics experiments. No other provider offers similar equipment capable of High-Resolution, Accurate-Mass (HRAM) measurements of comparable high sensitivity, speed, and dynamic range in LC-MS/MS experiment. The increased performance is due to a novel hardware architecture combining high-selectivity quadrupole mass filter, Orbitrap technology and the novel Astral technology. In this unique configuration, the Orbitrap provides high dynamic range HRAM full MS scans, the quadrupole mass filter allows for efficient precursor selection, while the new Astral analyzer provides fast (up to 200 Hz) and sensitive high dynamic range HRAM MS/MS scans.

Elevating HRAM measurements' sensitivity, speed, and dynamic range is crucial for PRI's proteomics services, especially as they prepare to analyze large clinical sample cohorts. The precision required for comprehensive analysis aligns with the imminent challenge of measuring significant sample sets, underscoring the necessity for advanced HRAM capabilities.

As the Orbitrap and the novel Astral analyzers' technology is patented, for technical reasons the contract can only be assigned to one specific economic actor. The Orbitrap Astral mass spectrometer is the subject of patent applications filed and published in multiple countries. GB2612574A, GB2605395A, GB2608352A, GB2608365A, US20230118221A1, GB2583758B, GB2608365A, EP3410463B1, GB2575169B, GB2527898B, GB2515407A.

The equipment provides full integration into existing work routines, as adds on PRI's existing Orbitrap mass spectrometers. A change of supplier will therefore require changes to integrated software systems, which are very resource intensive.

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: [2023/S 239-751056](#)

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

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

04/12/2023

V.2.2. Information about tenders

Number of tenders received: 1

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

V.2.3.

Name and address of the contractor

Official name: Thermo Fisher Scientific
National registration number: 28314388
Postal address: Gydevang 33
Town: Allerød
NUTS code: DK013 Nordsjælland
Postal code: 3450
Country: Denmark
The contractor is an SME: no

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

Total value of the contract/lot: 16 354 173,00 DKK

V.2.5. Information about subcontracting**Section VI: Complementary information**

VI.3. Additional information**VI.4. Procedures for review****VI.4.1. Review body**

Official name: The Danish Complaints Board For Public Procurement
Postal address: Nævnenes Hus, Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: www.KLFU.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), the following deadlines apply to the lodging of complaints:

Pursuant to section 7(3) of the Act, in the case where the contracting authority has followed the procedure in section 4, complaints regarding that a contracting authority in conflict with Directive 2014/24/EU has entered into a contract without prior publication of a contract notice in the Official Journal of the European Union, must be filed with Danish Complaints Board for Public Procurement within 30 calendar days calculated from the day after the day when the contracting entity has published a notice (i.e. this contract award notice) in the Official Journal of the European Union regarding that the contracting entity has entered into a contract, provided that the notice includes the reasons for the contracting entity's decision to award the contract without prior publication of a contract notice in the Official Journal of the European Union.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity 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 within the standstill period, the complainant must furthermore

indicate whether a suspensory effect of the complaint has been requested, see section 12(1) of the Act.

The e-mail 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: Danish Competition And Consumer Authority

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

15/01/2024