

**Denmark-Ballerup: Security, fire-fighting, police and defence equipment**

OJ S 22/2020 31/01/2020

Contract notice

Supplies

Directive 2009/81/EC

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistics Organizations

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Mads Gøtke

Telephone: +45 72814000

**Internet address(es):**General address of the contracting authority/entity: <https://www.ethics.dk/ethics/eo#/7b47a1d0-a6aa-441a-916a-54a94342b51c/homepage>Electronic access to information: <https://www.ethics.dk/ethics/eo#/7b47a1d0-a6aa-441a-916a-54a94342b51c/homepage>Electronic submission of tenders and requests to participate: <https://www.ethics.dk/ethics/eo#/7b47a1d0-a6aa-441a-916a-54a94342b51c/homepage>**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:** the abovementioned address**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

**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**

Small Arms Indoor Training Systems

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

Supplies

Purchase

NUTS code DK 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: 7

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

Estimated value excluding VAT:

Range: between 90 000 000 and 100 000 000 DKK

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

Danish Armed Forces requires a number of Small Arms Indoor Training System (SAITS) to be used around the country garrisons and possibly abroad.

The purpose of the acquisition is to replace the existing outdated small arms indoor trainers.

The system supports the need to train and improve both the basic and higher levels of firing a weapon correctly as well as the tactical training.

The system also supports the need for training in relations to special weapon systems.

Weapon required in the system:

— 5,56 mm in service rifle C8 integrated upper receiver rifle M/10 version 4 including two 30 round magazines,

— 7,62 mm machine gun M/60E6 short barrel including 2 belts of a suitable number of rounds (between 15 and 25),

— 9 mm handgun, Sig Sauer P320 X-carry,

— 12,7 mm heavy machine gun, M/50 .50 HB quick change barrel including two belts of a suitable number of rounds (between 15 and 25),

— 66 mm light anti-armour weapon, LAW M/72 EC,

— the 84 mm recoilless rifle, Carl Gustav M/85 M3 shall be delivered including 4 grenades for CG; heat, AP, smoke, illum

(DALO will provide the CG84 mm as GFE).

The framework agreement shall include interchangeable equipment like laser range finder, night vision, scopes and sights.

The framework agreement will also cover education and training of personnel (instructors course and engineering course), help-desk and services of the SAITS.

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

35000000 Security, fire-fighting, police and defence equipment, 35740000 Battle simulators

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

#### **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**

The estimated value of the framework agreement is 90 000 000 — 100 000 000 DKK. The reason for the interval stated is the uncertainty regarding the actual value of the framework agreement. Hence, the lower limit of the interval constitutes DALO's most qualified estimate of the actual value of the framework agreement at the present moment, while the upper limit of

the interval constitutes the expected maximum value of the framework agreement in its duration.

Estimated value excluding VAT:

Range: between 90 000 000 and 100 000 000 DKK

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

Options: no

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

This contract is subject to renewal: no

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

# **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**

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

Reference is made to the procurement documents regarding payment terms. Invoicing must be done in accordance with the applicable Danish legislation on public payments. At present, this is Danish consolidation act. No 798 of June 2007 which requires invoicing to 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 particular 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 one 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**

Candidates are specifically made aware that it may be a condition precedent for signing the contract that the tenderer has entered into an Industrial cooperation contract with the Danish Business Authority (Erhvervsstyrelsen). Guidelines for industrial cooperation in Denmark are available at:

<https://danishbusinessauthority.dk/sites/default/files/guidelines-for-industrial-cooperation-in-denmark.pdf>

Pursuant to the guidelines, industrial cooperation may be required, in so far as a concrete assessment shows that such cooperation is necessary in order to safe-guard essential Danish security interests. Such an assessment is currently being made in relation to the contract. Pre-qualified tenderers will be informed of the outcome.

The framework agreement must be conducted in consideration of corporate social responsibility and it contains a labour clause, please see Appendix B for further information.

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

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

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

### **Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: When submitting the offers (but not the request for participation), the tenderers must submit a solemn declaration stating:

1) That the tenderer is not subject to any of the reasons for exclusion stated in art. 39(1) or 39(2) of the Defence and Security Directive (2009/81/EC); and

2) To which degree the tenderer has unpaid overdue debt in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established. A template for the declaration will be provided with the procure documents, and the tenderer is encouraged – but not obliged to use it. If the tenderer is composed of a group of entities (e.g. consortium), including temporary joint ventures, a solemn declaration must be submitted for each participating entity.

Be advised that DALO shall exclude a tenderer which has unpaid overdue debt of 100 000 DKK or more to public authorities in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established, unless the tenderer has provided collateral for the overdue debt, will provide collateral for the overdue debt or has entered into an installment agreement, which has not been breached at the time of submitting the offer.

However, DALO may not exclude a tenderer which has provided sufficient documentation that the tenderer is reliable. DALO will decide whether the documentation is sufficient, hence the tenderer is considered reliable, based on guidelines equal to the guidelines provided for in Section 138(1-4) of the Danish Act No 1564 of 15.12.2015 – The Public Procurement Act.

### **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: Annual reports or excerpts hereof or other documentation stating the candidate's equity ratio (calculated by dividing the candidate's equity with the candidate's total assets (equity/total assets x 100) at the end of the last 3 financial years, to the extent such information is available.

Minimum level(s) of standards possibly required: The candidate must have had a positive equity ratio for each the last 3 financial years. The equity ratio is calculated by dividing the candidate's equity with the candidate's total assets (equity/total assets x 100).

If the candidate is composed of a group of entities (e.g. consortium), including temporary joint ventures, the equity ratio is calculated by dividing the sum of all the participants' equities with the sum of all the participants' total assets (sum of equity/sum of total assets x 100) in each of the last 3 financial years available.

If the candidate relies on the economic and financial standing of an entity or entities, the equity ratio is calculated by dividing the sum of the candidate's and the entity or entities' equity with the sum of the candidate's and the entity or entities' total assets (sum of equity/sum of total assets x 100) in each of the last 3 financial years available.

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

### **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

Restricted

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

Envisaged minimum number 3

Objective criteria for choosing the limited number of candidates: DALO has not set a maximum number of operators to be invited to tender.

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

### IV.2. Award criteria

#### IV.2.1. Award criteria

Lowest price

#### 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

Notice on a buyer profile

Notice number in the OJ S: [2019/S 071-169135](#)

#### 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

26.2.2020 - 13:00

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

28.2.2020

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

English.

Other DK

## 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**

Please note, that each candidate can only submit one request for participation. If the same legal entity is a part of or in any other way participates in several applications, e.g. submits his own application and at the same time participates in a consortium which also applies, the candidates shall ensure that the same legal entity's participation does not provide for opportunity for mutual coordination of their applications and offers. DALO reserves the right to request the candidates to establish and reassure DALO that the same legal entity's participation does not threaten the transparency and distort competition between the tenderers. Candidates are asked to submit their request to participate via Ethics. The permalink is stated in section I.1). The request to participate cannot be submitted by e-mail.

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. However, it is emphasized that it is the sole responsibility of the candidate that the information provided fulfils the requirements.

The questionnaire is available via Ethics. The permalink is stated in section I.1).

According to the EU defence directive, a candidate may rely on the economic and financial standing and/or technical and/or professional 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.

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

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

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

National registration number: Nævnenes Hus

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 72405600

Internet address: <http://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

#### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: Pursuant to the Danish Consolidation Act No 593 of 2.6.2016 on the Complaints Board for Public Procurement (available at [www.retsinformation.dk](http://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 timelimit 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 starting the day after the contracting authority has sent notification to the candidates and tenderers involved, cf. § 2(2).

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).

Contact information for The Complaints Board for Public Procurement is stated in section VI.4.1).

The Complaints Board for Public Procurement's own guidance note concerning complaints is available on the website stated in section VI.4.1).

#### **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: [www.kfst.dk](http://www.kfst.dk)

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

27.1.2020