

**Denmark-Ballerup: Repair and maintenance services of security and defence materials**

OJ S 37/2015 21/02/2015

**Contract award notice for contracts in the field of defence and security Services****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 Organisation (DALO)

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Morten Jacobsen

E-mail: [fmt-ja19@mil.dk](mailto:fmt-ja19@mil.dk)**Internet address(es):**General address of the contracting authority/entity: <http://forsvaret.dk/fmt>**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**

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**

Mine Counter Measures Tactical System — Services.

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

Services

NUTS code

**II.1.3. Information about framework agreement****II.1.4. Short description of the contract or purchase(s)**

DALO has a need for software support and technical assistance for the Danish Defence radio computer system Mine Counter Measures (MCM) tactical system, which is delivered by Saab Danmark A/S.

Consequently, DALO has entered into a contract regarding the services from Saab Danmark A /S with a contract period from January 2015 until the end of June 2015.

**II.1.5. CPV code(s)**

50600000 Repair and maintenance services of security and defence materials

**II.2. Total value of the contract/lot**

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## **II.2.1. Total value of the contract/lot**

Value: 2 500 000 DKK

## **Section IV: Procedure**

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

Negotiated without publication of a contract notice

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union

Directive 2009/81/EC

1) Justification for the choice of the negotiated procedure without publication of a call for competition in accordance with Article 28 of Directive 2009/81/EC

The works, supplies or services can be provided only by a particular economic operator for the following reason: protection of exclusive rights, including intellectual property rights  
The services mentioned under section II.1.4) require access to the MCM tactical system including access to source codes and other relevant technical documentation. Saab Danmark A/S has exclusive rights to this information and on this basis, it is DALO's assessment that only Saab Danmark A/S can perform the services. Consequently, the contract has been awarded to Saab Danmark A/S, cf. 2009/81/EC article 28 (1) e). DALO is furthermore neither able to or entitled to gain access to the documentation necessary to perform the required services. Finally the costs of a possible system change are extremely high and a system change is therefore not an option.

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

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

### **IV.3. Administrative information**

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

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

**Voluntary ex ante transparency notice**

Notice number in the OJ S: [2014/S 237-417830](#) of 9.12.2014

## **Section V: Award of contract**

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### **V.1. Date of conclusion of the contract**

3.12.2014

### **V.2. Information about tenders**

### **V.3. Name and address of the contractor**

Official name: Saab Danmark A/S

Postal address: Alsion 2

Town: Sønderborg

Postal code: 6400

Country: Denmark

### **V.4. Information on value of the contract/lot**

Initial estimated total value of the contract/lot:

Value: 2 500 000 DKK  
Total value of the procurement:  
Value: 2 500 000 DKK

#### **V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

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

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#### **VI.1. Information about European Union funds**

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

#### **VI.2. Additional information**

#### **VI.3. Procedures for review**

##### **VI.3.1. Review body**

Official name: Klagenævnet for udbud (The Compliant Board for Public Procurement)  
Postal address: Dahlerups Pakhus, Langelinje Allé 17  
Town: København Ø  
Postal code: 2100  
Country: Denmark  
E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)  
Telephone: +45 35291000  
Internet address: [www.klfu.dk](http://www.klfu.dk)

##### **VI.3.2. 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 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).

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.

##### **VI.3.3. 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: [www.kfst.dk](http://www.kfst.dk)

##### **VI.4. Date of dispatch of this notice**

16.2.2015