

Denmark-Ballerup: Inflatable craft
OJ S 32/2018 15/02/2018
Contract notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: The Danish Defence Acquisition and Logistics Organization (DALO)

National registration number: 16287180

Postal address: Lautrupbjerg 1

Town: Ballerup

NUTS code: DK Danmark

Postal code: 2750

Country: Denmark

Contact person: Frederik Jastrup Brodersen

E-mail: frjb@kammeradvokaten.dk

Telephone: +45 21550459

Internet address(es):

Main address: www.fmi.dk

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=202004&B=KA

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=202004&B=KA

Tenders or requests to participate must be submitted to the abovementioned address

I.4. Type of the contracting authority

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

I.5. Main activity

Defence

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Inflatable Boats and Rigid Hull Inflatable Boats for the Royal Danish Navy

Reference number: 7519940

II.1.2. Main CPV code

34522450 Inflatable craft

II.1.3. Type of contract

Supplies

II.1.4. Short description

The tender procedure concerns the award of three parallel framework agreements, divided in Lot 1-3, regarding the acquisition of inflatable boats and rigid hull inflatable boats for the Royal Danish Navy.

The contracts (lots) are as follows:

- Lot 1: Inflatable boats small (hereafter “IBS”) and Inflatable boats large (hereafter “IBL”),
- Lot 2: Inflatable boats small (to outboard engine) (hereafter “IBOS”) and Inflatable boats large (to outboard engine) (hereafter “IBOL”),
- Lot 3: Rigid hull inflatable boats small (with outboard engine) (hereafter “RHIBS”) and Rigid hull inflatable boats large (with outboard engines) (hereafter “RHIBL”).

Please note: The tenderer decides for himself whether the tenderer submits offers on 1, 2 or all 3 Contracts (lots), cf. section II.1.6).

II.1.5. Estimated total value

Value excluding VAT: 16 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: yes
Tenders may be submitted for all lots

II.2. Description

II.2.1. Title

Lot 1: IBS and IBL
Lot No: 1

II.2.2. Additional CPV code(s)

34515200 Inflatable rafts, 34520000 Boats, 34521000 Specialised boats, 34521400 Lifeboats, 34522500 Rubber dinghies, 34522600 Rowing boats, 35000000 Security, fire-fighting, police and defence equipment

II.2.3. Place of performance

NUTS code: DK Danmark

II.2.4. Description of the procurement

Lot 1 concerns the acquisition of the 2 boat types, Inflatable Boats Small (“IBS”) and Inflatable Boats Large (“IBL”), for the Royal Danish Navy, cf. Appendix A.1 and Appendix A.2 to the Contract for Lot 1.

II.2.5. Award criteria

Criteria below
Price

II.2.6. Estimated value

Value excluding VAT: 2 000 000,00 DKK

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48
This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

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

The Agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the Agreement.

II.2. Description

II.2.1. Title

Lot 2: IBOS and IBOL
Lot No: 2

II.2.2. Additional CPV code(s)

34515200 Inflatable rafts, 34520000 Boats, 34521000 Specialised boats, 34521400 Lifeboats, 34522500 Rubber dinghies, 34522600 Rowing boats, 35000000 Security, fire-fighting, police and defence equipment

II.2.3. Place of performance

NUTS code: DK Danmark

II.2.4. Description of the procurement

Lot 2 concerns the acquisition of the two boat types, Inflatable Boats Small (to out-board engine) ("IBOS") and Inflatable Boats Large (to out-board engine) ("IBOL"), for the Royal Danish Navy, cf. Appendix A.1 and Appendix A.2 to the Contract for Lot 2.

II.2.5. Award criteria

Criteria below
Price

II.2.6. Estimated value

Value excluding VAT: 4 000 000,00 DKK

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48
This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

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

The Agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the Agreement.

II.2. Description

II.2.1. Title

Lot 3: RHIBS and RHIBL
Lot No: 3

II.2.2. Additional CPV code(s)

34515200 Inflatable rafts, 34520000 Boats, 34521000 Specialised boats, 34521400 Lifeboats, 34522500 Rubber dinghies, 34522600 Rowing boats, 35000000 Security, fire-fighting, police and defence equipment

II.2.3. Place of performance

NUTS code: DK Danmark

II.2.4. Description of the procurement

Lot 3 concerns the acquisition of the two boat types, Rigid Hull Inflatable Boats Small (with outboard engine) ("RHIBS") and Rigid Hull Inflatable Boats Large (with outboard engines) ("RHIBL"), for the Royal Danish Navy, cf. Appendix A.1 and Appendix A.2 to the Contract for Lot 3.

II.2.5. Award criteria

Criteria below
Price

II.2.6. Estimated value

Value excluding VAT: 10 000 000,00 DKK

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48
This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

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

The Agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the Agreement.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The candidate must use the European single procurement document (electronic version, hereafter ESPD) and provide the following information in the ESPD:

— Information regarding experience with, as a minimum, 1 (one) similar delivery (reference), cf. section II.1.4) and II.2.4), in regard to the lot or lots in respect of which the tenderer has submitted an offer, carried out within the past 3 years, prior to the deadline for the submission of the offer, cf. Part IV, section C.

The tenderer may either submit an ESPD for each lot, on which the tenderer submits an offer, or the tenderer may submit one ESPD for both or all 3 lots, on which the tenderer submits an offer. If the tenderer submits one ESPD for both or all 3 lots, the list of references (stated in section IV.C of the ESPD), cf. section III.1.3) of the Contract Notice, should clearly state which lot(s) the reference in question is relevant for.

The list should preferably include a short description of each delivery, including a clear indication of which specific parts of the deliveries that are similar to the supplies as described in section II.1.4) for the lot(s) in question, in regard to the lot or lots in respect of which the tenderer has submitted an offer. Hence, it should for the individual reference/delivery clearly be stated which lot(s) the delivery is relevant for. The description should also include a description of the tenderers participation/role in the performance of the deliveries. The description should contain the date of the deliveries, the size and value of the deliveries, the recipients of the deliveries (specific names/countries are preferred, but not necessary; if no country specific information is included, the tenderer is asked to provide as much generic information as possible about the delivery). When specifying the date for the deliveries, the tenderer should state the date of commencement and completion. If this is not possible, e.g. because the delivery in question is performed on an ongoing basis according to a framework agreement, the description of the deliveries should nonetheless contain information on how the date is set.

Only the deliveries (references) performed at the time of the deadline for submission of the offer will be considered when assessing if the minimum requirement for suitability stated below is fulfilled. If the delivery in question is ongoing, it is only the part of the supplies performed and completed at the time of the deadline for the submission of the offer which will be included in the assessment of the delivery.

A tenderer may rely on the technical and professional capacity of other entities (e.g. a parent or sister company or a sub supplier), irrespective of the legal nature of the relations between the tenderer and the entity or entities on which the tenderer relies. In this case, the tenderer shall ensure that an ESPD from the entity or entities on which the tenderer relies is submitted along with the tenderers own ESPD. The entity or entities' ESPD must equally provide the information listed above.

The tenderer will not be required to present further documentation for the technical and professional capacity (i.e. the information stated in the ESPD is considered sufficient). However, DALO reserves the right to contact the tenderer and/or the recipients of the deliveries in order to verify the information stated in Part IV, section C in the ESPD, including details on the specified dates of the performance of the deliveries.

Minimum level(s) of standards possibly required:

The tenderer must demonstrate experience with as a minimum 1 (one) similar delivery within the past 3 years, prior to the deadline for the submission of the offer.

A "similar delivery" shall be understood as follows:

- Lot 1; A similar delivery (reference) is a delivery of an inflatable boat type, on which an outboard engine can not be attached, cf. section II.1.4) of the Contract Notice,
- Lot 2; A similar delivery (reference) is a delivery of an inflatable boat type, on which an outboard engine can be attached, cf. section II.1.4) of the Contract Notice,

— Lot 3; A similar delivery (reference) is a delivery of a rigid hull/hulled inflatable boat type with an outboard engine, cf. section II.1.4) of the Contract Notice.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

In connection with delivery of the first batch of each boat type, the deliverables have to pass a Sea acceptance test (SAT) in accordance with Appendix G for the relevant lot, cf. clause 3.3 of the contract.

Reference is made to the tender 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. N° 798 of June 2007 which requires electronic invoicing. Exact terms are stated in the contract.

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

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

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement
Framework agreement with a single operator

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.2.2. Time limit for receipt of tenders or requests to participate

Date: 19/03/2018 Local time: 13:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 19/03/2018 Local time: 13:00

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

If the same legal entity is a part of or in any other way participates in several offers, the tenderers shall ensure that the same legal entity's participation does not provide for opportunity for mutual coordination of their offers. DALO reserves the right to request the tenderers to establish and reassure DALO that the same legal entity's participation does not threaten the transparency and distort competition.

DALO demands that the tenderer and each of the legal entities whose capacities the tenderer relies on undertake joint and several liability for the performance of the contract.

The use of the ESPD is a precondition for participation in the procurement procedure, cf. § 148 of the Public Procurement Act. DALO shall require that the tenderer apply the ESPD as preliminary evidence that the tenderer is not subject to the grounds of exclusion stipulated in §§ 135 and 136 of the said Act, that the tenderer fulfils the minimum requirement for suitability fixed in accordance with § 140, cf. section III.1.3).

The tenderers and, if relevant, the participants in the group of entities and/or supporting entities, must use the electronic version of the ESPD.

DALO has prepared an ESPD (an XML-file) available at EU-Supply. DALO strongly encourages the tenderer to use this XML-file when completing the ESPD. For further information see clause 5.2 of the Instructions to Tenderers.

Regarding Contract Notice section II.1.6): Since the procurement is divided into lots the tenderer is asked to state in the ESPD Part II, section A which lot or lots the offer concerns.

Please note, that a tenderer can only submit one offer for each lot.

As stated in section III.1.3), the tenderer may either submit an ESPD for each lot, on which the tenderer submits an offer, or the tenderer may submit one ESPD for both or all three lots.

If the tenderer submits offers on 2 or all 3 lots, it shall appear clearly which of the lots a stated reference concerns. Thus, DALO strongly encourages the tenderer to submit an ESPD for each lot.

Regarding contract notice Section IV.2.4): Please note that, even though the tender/offer must be in English, all or some of the required documentation to be supplied in connection with the delivery of each boat has to be in Danish, cf. Appendix A.1 and Appendix A.2 for each lot.

Prior to decision on award of the contract, DALO shall require that the tenderer to whom DALO intends to award the contract presents documentation for the information stated in the ESPD, cf. §§ 151-155 of the said Act. If a tenderer relies on the capacity of other entities, cf. section III.1.3), the tenderer shall upon request provide statements of support or other documentation proving that the tenderer has access to the necessary technical and professional capacity, and that the entity referred to has a legal obligation to the tenderer. If such documentation is not provided, DALO cannot consider the technical and professional capacity of the other entity or entities. DALO has prepared a template to be used to confirm the legal obligation which is available at EU-Supply. DALO strongly encourages the tenderers to use this form. However, it is emphasized that it is the sole responsibility of the tenderer that the information provided fulfils the requirements.

DALO shall exclude a tenderer from participation in the procurement procedure, if the tenderer is subject to one of the compulsory grounds for exclusion in §§ 135 and 136 of the said Act unless the tenderer has provided sufficient documentation that the tenderer is reliable in accordance to § 138 of the said Act. Please note that certain voluntary exclusion grounds in Directive 2014/24/EU on public procurement have been made compulsory in § 136 of the said Act.

DALO reserves the right — but is not obliged — to use the remedies provided for in Section 159(5) of the Public Procurement Act if applications or offers do not fulfil the formalities of the tender documents.

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kfu@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Complaints regarding public procurements and decisions subject to Chapter II or III of the Public Procurement Act, which does not concern a candidate not being invited to tender, 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 (with effect from the day following the publication date).

2) 30 calendar days starting the day after the Contracting Authority has informed 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 a short account of the relevant reasons for the decision.

3) 6 months starting the day after the Contracting Authority has sent notification to the candidates/tenderers involved that the Contracting Authority has entered into the framework agreement, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included a short account of the relevant reasons for the decision.

4) 20 calendar days starting the day after the Contracting Authority has published a notice concerning his decision to uphold the contract, cf. § 185(2) of the Public Procurement Act. 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) of the said Act.

The e-mail of 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 at the internet address stated in section VI.4.1.

VI.4.4. 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

Telephone: +45 41715000

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

VI.5. Date of dispatch of this notice

13/02/2018