

Denmark-Ballerup: Construction structures and materials; auxiliary products to construction (except electric apparatus)

OJ S 30/2021 12/02/2021

**Contract award notice for contracts in the field of defence and security
Supplies**

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

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

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Gitte Brylle

E-mail: fmi-sd-alj11@mil.dk

Telephone: +45 72814000

Internet address(es):General address of the contracting authority/entity: www.fmi.dkElectronic access to information: <https://www.ethics.dk/ethics/eo#/d530c686-339d-4334-aeec-d150eaa69665/homepage>Electronic submission of tenders and requests to participate: <https://www.ethics.dk/ethics/eo#/d530c686-339d-4334-aeec-d150eaa69665/homepage>**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

II.1. Description**II.1.1. Title**

Safety Cabinets and Boxes

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. Short description of the contract or purchase(s)

This contract notice concerns the Danish Defence Acquisition and Logistics Organization

(DALO) award of a framework agreement for procurement of safety cabinets and boxes. The aim of the equipment is to secure and protect weapons and/or other valuables in such manner, that unauthorized persons attempt to open the cabinets will be delayed long enough for alarming security.

Cabinets and boxes must comply with the standard EN 1143 or equivalent. Grade V-VI (5-6) are mandatory, grade VII (7) and higher are desirable.

The cabinets and boxes shall be delivered according to dimensions defined by the buyer.

Some dimensions are pre-defined, others may be custom made during the contract period. In addition the framework agreement includes education course, hotline and repair.

During the tender evaluation there will be performed a burglary test of some cabinets according to DS/EN 1143-1 or equivalent. The tenderer shall deliver the cabinets for the test as a part of their offer. The tenderer shall deliver two of same type cabinet in grade V (5) and two of same type cabinet in grade VI (6). In the tender material DALO has defined the minimum internal dimension of the cabinets. The tenderer will receive a compensation of DKK 100 000 for delivery of the four cabinets for test. The tenderer shall document that the tenderer has used minimum DKK 100 000 for production/procurement of the four cabinets.

The tenderers will receive information about whether the cabinets have passed the minimum requirement of the tests or not. If the cabinets fails to pass the test, the tenderer will receive the test results for his cabinets. Further information will not be available for the tenderers.

Security clearance (after pre-qualification):

If the pre-qualified candidates have not already been approved, the pre-qualified candidates shall after the pre-qualification have a security clearance from the The Danish Defence Intelligence Service according to FKOBST 358-1 or for firms in other EU-countries, the country's national security authorities in accordance bilateral security agreement. The security clearance shall be at minimum level 'Confidential'. The security clearance shall include the company and the employees who will work with the tender material. The candidate should be aware that there might be costs associated with the security clearance.

If a pre-qualified candidate is denied the security clearance, DALO reserve the right to have the next candidate in the pre-qualification evaluation (the candidate ranked number 4, 5, 6, etc.) to apply for the security clearance. The candidate which was denied the security clearance will be excluded and will not proceed to the tender procedure. After the pre-qualified candidates have received the security clearance, the candidates will have access to the tender material at the same time.

Security clearance (during the term of the agreement):

The supplier shall have a security clearance from the The Danish Defence Intelligence Service according to FKOBST 358-1 or for firms in other EU-countries, the country's national security authorities in accordance bilateral security agreement. The security clearance shall be at minimum level 'Confidential'. The security clearance shall include the company and the employees who will take part in the performance of the agreement. The security clearance must be maintained throughout the term of the agreement.

II.1.5. CPV code(s)

44000000 Construction structures and materials; auxiliary products to construction (except electric apparatus), 44421700 Boxes and lockers

II.2. Total value of the contract/lot

II.2.1. Total value of the contract/lot

Value: 12 000 000 DKK
excluding VAT

Section IV: Procedure

IV.1. Type of procedure

Negotiated with publication of a contract notice

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of

Price. Weighting 60

Burglary test. Weighting 30

Assortment. Weighting 10

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 number in the OJ S: [2018/S 177-402292](#)

Section V: Award of contract

V.1. Date of conclusion of the contract

13.1.2021

V.2. Information about tenders

Number of tenders received: 2

Number of tenders received by electronic means: 0

V.3. Name and address of the contractor

Official name: Herning Pengeskabsfabrik A/S

Postal address: Taksvej 9

Town: Herning

Postal code: 7400

Country: Denmark

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

Initial estimated total value of the contract/lot:

Value: 12 000 000 DKK

excluding VAT

Total value of the procurement:

Value: 12 000 000 DKK

If annual or monthly value:

Number of years: 7

V.5. Information about subcontracting

The contract is likely to be subcontracted: no

Section VI: Complementary information

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

Regarding section IV.3.6): the request to participate shall be in the language stated in section IV.3.6), however, the candidate can provide the following requested documentation; relevant documentation regarding the candidates security clearance in German or Scandinavian languages.

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

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. DALO reserves the right – but is not obliged – to use remedies equal to the remedies provided for in Section 159(5) of the Danish Act No 1564 of 15.12.2015, the Public Procurement Act, if applications or tenders do not fulfil the formalities of the tender documents.

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 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.

Re. Section II.I.4) The framework agreement is awarded as a cascade model with maximum 3 suppliers, where the tenderer with the economically most advantageous tender is awarded the framework agreement as number one(1). If the supplier ranked as number one (1) cannot deliver, then DALO can use the supplier ranked as number two (2).

VI.3. Procedures for review

VI.3.1. Review body

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

Nævnenes Hus

National registration number: Nævnenes Hus

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.3.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to Section 3 of the Danish Consolidation Act No 593 of 2 June 2016 on the Complaints Board for Public Procurement (available at 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 a short account of the relevant 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 (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, 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. the principle in § 185(2) of the Public Procurement Act (act No 1564 of 15 December 2015 – available at www.retsinformation.dk).

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.3.3. 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

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.4.

Date of dispatch of this notice

8.2.2021