

Denmark-Copenhagen: Software programming and consultancy services

OJ S 57/2015 21/03/2015

Contract notice

Services

Directive 2004/18/EC**Section I: Contracting authority**

I.1. Name and addresses

Official name: Danish Business Authority

National registration number: CVR-no. 10 15 08 17

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen

Postal code: 2100 Ø

Country: Denmark

For the attention of: Henriette Stang Meulengracht or Gitte Lüders Hansen

E-mail: fti@erst.dk**Internet address(es):**General address of the contracting authority: <http://erhvervsstyrelsen.dk>Electronic access to information: <http://erhvervsstyrelsen.dk/udbud>**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

Economic and financial affairs

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 attributed to the contract by the contracting authority**

Consultancy services and auction software in connection with the 1800 MHz auction.

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

Services

Service category No 11: Management consulting services [6] and related services

Main site or place of performance: Danish Business Authority;

Dahlerups Pakhus;

Langelinie Allé 17;

2100 Copenhagen;
Denmark.
NUTS code DK011 Byen København

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

The notice involves a public contract

II.1.4. Information about framework agreement

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

The consultancy task for which tenderers are invited concerns consultancy to be provided to the Danish Business Authority in connection with the preparation and holding of the upcoming 1800 MHz auction in 2016. The consultancy task also includes adaption of auction software for the purpose of achieving an optimal process in relation to preparing, adapting and conducting the 1800 MHz auction. This shall be made in accordance with the objectives set in the current frequency legislation.

The following main activities of the 1800 MHz auction should be included in the description of the consulting services:

1. Preparing a detailed time schedule and project management;
2. Assessing market opportunities and demand for the use of the 1800 MHz frequency band;
3. Analysis regarding coverage requirements;
4. Participation in meetings with the industry;
5. Drafting an Information Memorandum (IM) and other auction documents;
6. Assistance in connection with public consultations;
7. Preparing information material and reporting in relation to the working group;
8. Consultancy on choosing an auction format and specification of rules regarding bidding in the auction etc.;
9. Adaptation of the auction software for the auction and implementation thereof, including installation of the necessary software at the Danish Business Authority, and training of the bidders and the working group;
10. Preparing and implementing the auction, including how to use the auction software and how to deal with bids submitted;
11. Preparing an evaluation report;
12. Ad hoc consulting services.

The selected consultant shall cooperate with the Danish Business Authority in preparing, adapting and carrying out the 1800 MHz auction and when performing the task, it may be relevant for the selected consultant to involve relevant stakeholders.

It is noted that the consulting services and electronic web-based auction software (no. 1-11) are the main activities in this tender but might to a lesser extent (in the estimated order of 10 % of the total tasks) also include ad hoc consulting services (no. 12) if the Danish Business Authority decides that there are a need for ad hoc consulting services.

The consultancy assignment will not include legal aspects bearing on the auction, as it is expected that this part of the project will be handled by the Danish Business Authority.

Please find more information in the tender documents.

II.1.6. CPV code(s)

72200000 Software programming and consultancy services, 72266000 Software consultancy services, 72268000 Software supply services

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

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

Estimated value excluding VAT:

Range: between 2 000 000 and 5 000 000 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

Duration in months: 15 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

This information will be made available in the tender documents.

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

Information will be made available in the tender documents. Invoicing must be done in accordance with the at any time applicable Danish legislation on public payments. At present this is the Danish consolidation act. no. 798 of June 2007 (available at www.retsinformation.dk) which demands that invoicing must be done electronically.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

No specific legal form is required. In case the contract is awarded to a group of service providers (e.g. a consortium), the participants must undertake joint and several liability and appoint a joint authorised representative.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The Danish state is pursuant to the ILO convention no. 94 regarding Labour Clauses in public contracts obliged to ensure that the service provider and potential sub-suppliers ensure employees in Denmark salary (including special allowances), working hours, and other working conditions, which are not less beneficial than those, which are under collective agreement, arbitration award, national law or executive regulations applying to work of same category within the concerned profession or industry where the work is done. Hence, a condition of this is set in the draft contract.

III.2. Conditions for participation

III.2.1.

Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: — The tenderer must submit a signed solemn declaration as to whether the tenderer has outstanding debts payable to public authorities, as provided under the Consolidated Act on Restriction of Debtors' Rights of Taking part in Public Procedures, and Amending certain Other Acts. Reference is made to Public Procurement Directive 2004/18/EC article 45. The solemn declaration may be downloaded from the website: <http://erhvervsstyrelsen.dk/udbud> For groups of service providers (e.g. a consortium), the information must be given for each individual service provider;

— The tenderer must submit a signed solemn declaration about information about absence of final delivered verdicts regarding specified criminal circumstances as provided under the Danish Consolidation Act on the procedures for public supply contracts, public service contracts and the award of public works contracts. Reference is made to Public Procurement Directive 2004/18/EC article 45. The solemn declaration may be downloaded from the website: <http://erhvervsstyrelsen.dk/udbud> For groups of service providers (e.g. a consortium), the information must be given for each individual service provider;

— The winning tenderer must submit a solemn declaration (or a valid service certificate (issued within the last 6 months) from the Danish Business Authority) stating that the service provider has fulfilled its obligations regarding taxes and fees in accordance with the regulation in the country where the service provider is established and in Denmark. The Danish certificate contains the relevant information to be used in connection with the request for tenders from various public authorities. In Denmark this includes ATP (Labour Market Supplementary Pension Fund), Skat (tax authorities), Skifteretten (bankruptcy court) and Kriminalregistret (criminal records). Or a certificate from a similar foreign institution with the same information).

III.2.2. Economic and financial ability

List and brief description of conditions: A declaration regarding the service provider's total revenue and the revenue regarding the activities, which this contract relates to: Consulting services and auction software in regards to spectrum auctions (usage of web-based auction software, counselling regarding auction design, modification of auction software and counselling for preparation and carrying out auctions) in the past three available financial years, depending on when the service provider was established or started its business, if it is not against regulations within the service provider's concern policy to inform about this. Information about the service provider's professional indemnity insurance. For groups of service providers (e.g. a consortium), the information must be given for each individual service provider. However, a group of service providers will be evaluated as a whole regarding the minimum requirement in this section.

III.2.3. Technical and professional ability

List and brief description of conditions:

The tenderer must submit a list of the most important similar deliveries carried out over the past three years. Similar deliveries are: Consulting services and auction software in regards to spectrum auctions (usage of web-based auction software, counselling regarding auction design, modification of auction software and counselling for preparation and carrying out auctions). For each deliveries the tenderer should make a statement of when and for who the delivered services were carried out (in the form of a reference list).

For groups of service providers (e.g. a consortium), the information must be given for each individual service provider. However, a group of service providers will be evaluated as a whole regarding the minimum requirement in this section.

Minimum level(s) of standards possibly required:

The tenderer shall be able to state at least one reference for consulting services and auction software in regards to spectrum auctions (usage of web-based auction software, counselling regarding auction design, modification of auction software and counselling for preparation and carrying out auctions) for the past 3 years.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

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

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

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

An electronic auction will be 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

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

27.4.2015 - 12:00

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

IV.3.6.

Languages in which tenders or requests to participate may be submitted

Danish. English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 5 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Date: 27.4.2015 - 13:00

Place:

The Danish Business Authority.

Persons authorised to be present at the opening of tenders: no

Section VI: Complementary information

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

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for udbud (the Public Procurement Appeals Board)

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen

Postal code: 2100

Country: Denmark

Telephone: +45 35291000

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

Body responsible for mediation procedures

Official name: There is no mediation body in Denmark

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to Act no. 492 of 12.05.2010 with subsequent amendments regarding enforcement of the rules for procurement etc. (available at www.retsinformation) the following deadlines for lodging of appeals apply for contracts that are subject to the provisions of the public sector directive:

Appeals concerning public procurement must be submitted to the Public Procurement Appeals Board (Klagenævnet for udbud) within 45 days from the date the contracting body has published a notice in Tenders Electronic Daily that the contracting body has signed a contract. The deadline is calculated from the day after the notice has been made public. The applicant must notify the contracting authority in writing about the alleged infringement and the (intended) appeal to the Public Procurement Appeals Board (Klagenævnet for udbud) no later than the date on which the appeal is lodged to the Board.

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
Telephone: +45 41715000
Internet address: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

17.3.2015