

Denmark-Ballerup: Security, fire-fighting, police and defence equipment
OJ S 36/2023 20/02/2023
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: Forsvarsministeriets Materiel- og Indkøbsstyrelse (FMI)

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Thomas Dam Jensen

E-mail: fmi-sd-alj04@mil.dk

Telephone: +45 72814194

Internet address(es):

General address of the contracting authority/entity: www.fmi.dk

Electronic access to information: <https://www.ethics.dk/ethics/eo#/cd16a211-d5e5-458e-870f-4b5b84911998/homepage>

Electronic submission of tenders and requests to participate: <https://www.ethics.dk/ethics/eo#/cd16a211-d5e5-458e-870f-4b5b84911998/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

155mm Artilleri Ammunition

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

Supplies

NUTS code DK Danmark

II.1.3. Information about framework agreement

II.1.4. Short description of the contract or purchase(s)

155mm Artilleri Ammunition

II.1.5. CPV code(s)

35000000 Security, fire-fighting, police and defence equipment, 35300000 Weapons, ammunition and associated parts, 35330000 Ammunition, 35331000 Ammunition for firearms and warfare

II.2. Total value of the contract/lot

II.2.1. Total value of the contract/lot

Section IV: Procedure

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: technical

2) Other justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union

The procurement falls outside the scope of application of the directive

FMI har behov for foretage en enkeltanskaffelse af artillerigranater fra Nexter Munitions SA, Frankrig.

Det er FMI's vurdering, at kontrakten kan indgås – uden udbud – på baggrund af beskyttelse af væsentlige sikkerhedsinteresser, jf. TEUF art. 346, litra b.

Dette skyldes særligt, at anskaffelsen er begrundet i, at kun Nexter Munitions SA kan levere certificerede 155mm artillerigranater til deltagelse i kommende NATO-øvelser, og deltagelsen i NATO-øvelser er rigets væsentlige sikkerhedsinteresse, bl.a. pga. krigen i Ukraine.

Anskaffelse af ikke-certificerede artillerigranater kan have konsekvenser for funktionaliteten af granaterne og ultimativt de danske og andre NATO-styrkers liv og sundhed. Antallet af granaterne begrænses til det mindst nødvendige antal og anskaffes til markedspriser. FMI vurderer derfor, at anskaffelsen kunne foretages uden udbud, jf. forsvars- og sikkerhedsdirektivets artikel 28, stk. 1, litra e.

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

no

Section V: Award of contract

V.1. Date of conclusion of the contract

13.1.2023

V.2. Information about tenders

Number of tenders received: 1

V.3. Name and address of the contractor

Official name: Nexter Munitions

Postal address: Route De Villeneuve

Town: F-LA Chapelle Saint Ursin

Country: France

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

Initial estimated total value of the contract/lot:

Total value of the procurement:

Value: 850 000,00 EUR

V.5. Information about subcontracting

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

VI.3. Procedures for review

VI.3.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: nh@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk>

VI.3.2. Review procedure

Precise information on deadline(s) for review procedures: I henhold til klagenævnslovens § 7, stk. 2, (lovbekendtgørelse nr. 593 af 2. juni 2016 om Klagenævnet for Udbud, tilgængelig på www.retsinformation.dk) skal klage indgives til Klagenævnet for Udbud inden følgende klagefrist :

45 kalenderdage efter at ordregiveren har offentliggjort en bekendtgørelse i Den Europæiske Unions Tidende om, at ordregiveren har indgået en kontrakt. Fristen regnes fra dagen efter den dag, hvor bekendtgørelsen er blevet offentliggjort.

Kontaktoplysning til Klagenævnet for Udbud er angivet i pkt. VI.3.1).

Klagenævnet for Udbuds egen vejledning om klager er tilgængelig på hjemmesiden angivet i pkt. VI.3.1).

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

Telephone: +45 41715000

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

VI.4. Date of dispatch of this notice

15.2.2023