

**Denmark-Ballerup: Headphones**  
**OJ S 107/2017 07/06/2017**  
**Contract notice**  
**Supplies**

**Directive 2009/81/EC**

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**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Forsvarsministeriets Materiel- og Indkøbsstyrelse (The Danish Defence Acquisition and Logistics Organization)

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Martin Mehlsen

E-mail: [fmi-id-slu08@mil.dk](mailto:fmi-id-slu08@mil.dk)

**Internet address(es):**

General address of the contracting authority/entity: <https://www.ethics.dk/ethics/eo#/90cbfe5c-984d-49b2-a47c-d6ac29d16ba7/homepage>

Address of the buyer profile: [www.fmi.dk](http://www.fmi.dk)

Electronic access to information: <https://www.ethics.dk/ethics/eo#/90cbfe5c-984d-49b2-a47c-d6ac29d16ba7/homepage>

**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**

Defence

**I.4. Contract award on behalf of other contracting authorities/entities**

The contracting authority is purchasing on behalf of other contracting authorities: no

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**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

CVC Helmets and Headsets for mounted and dismounted soldiers.

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

Supplies

Purchase

NUTS code DK Danmark,DK0 Danmark

### **II.1.3. Information about framework agreement**

The procurement involves the establishment of a framework agreement

### **II.1.4. Information about framework agreement**

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement  
: 3

#### **Duration of the framework agreement**

Duration in years: 5

#### **Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT:

Range: between 21 000 000 and 48 000 000 DKK

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

The Danish Army operate a number of armored vehicles. The crews of these vehicles operate in a noisy and hazardous environment which is the reason The Danish Defence Acquisition and Logistics Organization (DALO) is tendering a new Combat Vehicle Crew Helmet (CVC Helmet) (Lot 1) which shall allow fully functionality when connected to the SOTAS M2 system The Danish Army is using. The same goes for dismounted soldiers who also have the need for hearing protection while providing clear communication between mounted and dismounted soldiers using their existing radios. This is referred to as the 'On-Ear Headset' solution (Lot 2), by which shall allow fully functionality when connected to Invisio V60 control unit. This tender will also include a multi control unit together with an In-Ear Headset solution (In-Ear Headset system) allowing the dismounted soldiers to switch between radios (Lot 3) This lot will also include a smaller control unit. The In-Ear Headset system shall allow full functionality when connected to Harris radios. The scope is through a tender, to enter an agreement that allows DALO to acquire CVC helmets, On-Ear Headsets and control units with In-Ear Headset solution. Every lot must include maintenance and support. Maintenance and support includes not only repair services but also the right to acquire spare parts, training and technical support. The offer should also contain relevant accessories or equipment directly related to the CVC helmet, On-Ear Headset and control unit with In-Ear Headset solution. Please be advised the pre-qualification is divided into 3 (three) lots and candidates are asked to specify the individual lot they are requesting to participate in by using 1 (one) Prequalification questionnaire (PQQ) per lot they are participating in. The requirements for each lot is different from one another and will be evaluated according to the specified in section III.2.3. It is furthermore of great importance the pre-qualified candidates are made aware to deliver test samples to The Danish Army as a part of the candidate's final offer and not as a part of their request to participate. The products with necessary equipment shall be delivered to The Danish Army upon submission of offer in connection with a test. The test samples are further specified in the description of each individual lot. Deadline for submitting offers is expected to be September /October, this may however be subject to changes until invitations to participate in the tender is published.

### **II.1.6. CPV code(s)**

32342100 Headphones

### **II.1.7. Information about subcontracting**

The tenderer has to indicate in the tender any share of the contract it may intend to subcontract to third parties and any proposed subcontractor, as well as the subject-matter of the subcontracts for which they are proposed

The tenderer has to indicate any change occurring at the level of subcontractors during the execution of the contract

#### **II.1.8. Lots**

This contract is divided into lots: yes

#### **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 21 000 000 and 48 000 000 DKK

#### **II.2.2. Information about options**

Options: no

#### **II.2.3. Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: 1

### **II.3. Duration of the contract or time limit for completion**

Duration in months: 60 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: CVC helmets

#### **1) Short description**

The Danish army operate a number of armored vehicles. The crews of these vehicles operate in a noisy and hazardous environment. To protect the personnel against these threats, DALO is therefore tendering for CVC helmets and hereby acquire CVC helmets, spare parts and maintenance support. The CVC Helmets shall allow full functionality when connected to the SOTAS M2 system used by The Danish Army. The selection of candidates for participating in this Lot 1 are specified in section IV.1.2).

#### **2) CPV code(s)**

35813000 Military helmets, 35410000 Armoured military vehicles, 35711000 Command, control, communication systems, 32342100 Headphones

#### **3) Quantity or scope**

Estimated value excluding VAT:

Range: between 10 000 000 and 30 000 000 DKK

#### **4) Indication about different time frame or duration**

Duration in months: 60 (from the award of the contract)

#### **5) Additional information about lots**

Candidates are required to specify which lot they are requesting to participate in and obliged to fulfil the requirements in section III.2.3) and IV.1.2) for the specific lot. It is furthermore of great importance the prequalified candidates are made aware to deliver test samples to The Danish Army as a part of the candidate's final offer and not as a part of their request to participate. 12 (twelve) CVC helmets with necessary equipment shall be delivered to The Danish Army upon submission of offer.

Lot No: 2

Lot title: On-Ear Headsets

**1) Short description**

The Danish Army's dismounted soldiers needs On-Ear headsets to provide hearing protection and clear communication between dismounted and mounted soldiers when using their existing radios. The scope of this lot 2 is On-ear headsets combined with repair/maintenance, spare parts and accessories related to the On-ear headset. The On-Ear Headset shall be fully functional when connected to the Invisio V60 control unit. The selection of candidates for participating in this Lot 2 are specified in section IV.1.2).

**2) CPV code(s)**

35700000 Military electronic systems, 35710000 Command, control, communication and computer systems, 32342100 Headphones

**3) Quantity or scope**

Estimated value excluding VAT:

Range: between 10 000 000 and 14 000 000 DKK

**4) Indication about different time frame or duration**

Duration in months: 60 (from the award of the contract)

**5) Additional information about lots**

Candidates are required to specify which lot they are requesting to participate in and obliged to fulfil the requirements in section III.2.3) and section IV.1.2) for the specific lot. It is furthermore of great importance the pre-qualified candidates are made aware to deliver test samples to The Danish Army as a part of the candidate's final offer and not as a part of their request to participate. 10 (ten) On-ear headsets with necessary equipment shall be delivered to The Danish Army upon submission of offer.

Lot No: 3

Lot title: Control units and In-Ear Headset

**1) Short description**

Dismounted personnel in The Danish army, operates primary with 3 different headsets. These headsets are to respective radios, Harris RF-7800S and Harris PRC152/PRC152A, via the Invisio V60 control unit. The scope of this Lot 3 is to insure, that DALO can sustain and if necessary enlarge its capacity of In-Ear audio solution along with a multi Control Unit. This Lot 3 also includes a 'smaller' control unit to be used as an alternative to the multi control system /unit. Therefore this Lot 3 concern not only supply of new materiel but also: — Maintenance /repair — Accessories and spare parts related to the In-Ear solution — Support — Training This specific Lot 3 concern only Control units and In-Ear Headset (In-Ear Headset system). The In-Ear Headset system shall allow full functionality when connected to Harris radios RF 7800S and PRC152/152A The Danish Army is using. The selection of.

**2) CPV code(s)**

35700000 Military electronic systems, 35710000 Command, control, communication and computer systems, 32236000 Radio telephones, 32342200 Earphones

**3) Quantity or scope**

Estimated value excluding VAT:

Range: between 1 000 000 and 4 000 000 DKK

**4) Indication about different time frame or duration**

Duration in months: 60 (from the award of the contract)

## **5) Additional information about lots**

Candidates are required to specify which Lot they are requesting to participate in and obliged to fulfil the requirements in section III.2.3) and IV.1.2) for the specific lot. It is furthermore of great importance the prequalified candidates are made aware to deliver test samples to The Danish Army as a part of the candidate's final offer and not as a part of their request to participate. 10 (ten) multi Control units with 10 (ten) In-Ear headsets with necessary equipment shall be delivered to The Danish Army upon submission of offer.

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

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

Reference is made to the tender documents with regard to the payment terms. Invoicing must be done in accordance with the applicable Danish legislation on public payments. At present, this is Danish consolidation act. No 798 of June 2007 which requires invoicing to be done electronically. Exact terms will be stated in the contract.

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

No particular legal form is required. If the contract is awarded to a group of suppliers (e.g. a consortium), the participants are required to undertake joint and several liabilities and to appoint 1 supplier to represent the group.

#### **III.1.4. Other particular conditions to which the performance of the contract is subject, in particular with regard to security of supply and security of information**

The performance of the framework agreement must be conducted in careful consideration of social responsibility, as stated in the conventions that underpin the principles of the UN Global Compact, and as articulated in the OECD Guidelines for Multinational companies. In accordance to ILO Convention 94 on labour clauses in public contracts and circular No 9471 of 30.6.2014 the framework agreement contains a labour clause, please see Appendix B once the framework agreements area made available during this tender.

#### **III.1.5. Information about security clearance**

### **III.2. Conditions for participation**

#### **III.2.1. Personal situation**

**Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: When submitting the offers (but not the request for participation), the tenderers must submit a solemn declaration stating to which degree the tenderer has unpaid overdue debt in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established. A template for the declaration will be provided with the tender documents, and the tenderer is encouraged — but not obliged — to use it. Be advised, that DALO shall exclude a tenderer which has unpaid overdue debt of 100 000 DKK or more to public authorities in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established.

However, DALO may not exclude a tenderer which has provided sufficient documentation that the tenderer is reliable. DALO will decide whether the documentation is sufficient, hence the tenderer is considered reliable, based on the guidelines equal to the guidelines provided for in Section 138(1-4) of the Danish Act No 1564 of 15.12.2015 — The Public Procurement Act.

### **III.2.2. Economic and financial ability**

### **III.2.3. Technical and/or professional capacity**

#### **Criteria regarding the technical and/or professional ability of economic operators (that may lead to their exclusion)**

List and brief description of conditions:

A list of the most important similar deliveries (references), cf. section II.1.5) and II.1.8) in regards to the lot or lots which the candidate has requested to participate in, carried out within the past 5 (five) years prior to the deadline for the request to participate. Only the deliveries (references) performed at the time of the deadline for the request to participate will be considered when assessing if the minimum requirement for suitability stated below is fulfilled and which candidate has documented the most relevant previous deliveries, cf. section IV.1.2). 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 request to participate which will be included in the assessment of the delivery (reference). The list should preferably include a short description of each delivery. The description of the deliveries should include a clear indication of which specific parts the deliveries are similar to the supplies, described in section II.1.5) and section II.1.8), in regards to the lot or lots which the candidate has requested to participate. The description should also include a description of the candidates participation/role in the performance of the deliveries. The description should also contain information on the date of the deliveries, the size of the deliveries, the recipients of the deliveries (specific names /countries that are preferred, but not necessary; if no country specific information is included, the candidate is asked to provide as much generic information as possible about the delivery), and which communication system the delivery was implemented to.

When specifying the date for the deliveries, the candidate should state the date for the commencement and completion of the deliveries. 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. Please note that a candidate 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 candidate and the entity or entities on which the candidate relies.

#### **Minimum level(s) of standards possibly required**

The candidate must demonstrate experience with as a minimum one similar delivery within the past 5 (five) years prior to the deadline for the request to participate related to the individual lot. It shall be stressed that similar deliveries will be interpreted relevant to each individual lot the candidate is requesting to participate in. Similar deliveries shall hereby mean products that fulfill the same purpose as specified in section II.1.5) and II.1.8). For Lot 1 CVC helmets the following is required and will make reason for evaluation of candidates as specified in section IV.1.2): A minimum of 100 similar products delivered to a NATO country. It is furthermore a minimum requirement that the candidate have service-, maintenance-, spare parts and education facilities to offer. The last minimum requirement is that the candidate can offer similar products with a minimum of acoustic attenuation corresponding to an SNR of 32DB or better according to EN 352-1:2002 or equivalent. For Lot 2 On-Ear Headsets the following is required and will be subject to evaluation of candidates as specified in section IV.1.2): A minimum of 100 similar products delivered to a NATO country. It is furthermore a minimum

requirement that the candidate have service-, maintenance-, spare parts and education facilities to offer. The last minimum requirement is that the candidate can offer similar products with a minimum of acoustic attenuation corresponding to an SNR of 24DB or better according to EN 352-1:2002 or equivalent. For Lot 3 Control units and In-Ear Headset the following is required and will be subject to evaluation of candidates as specified in section IV.1.2): A minimum of 100 similar products delivered to a NATO country. It is furthermore a minimum requirement that the candidate have service-, maintenance-, spare parts and education facilities to offer. The last minimum requirement is that the candidate can offer similar products with a minimum of acoustic attenuation corresponding to an SNR of 32DB or better according to EN 352-1:2002 or equivalent.

#### **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**

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

##### **IV.1.1. Type of procedure**

Restricted

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

Envisaged number of candidates 5

Objective criteria for choosing the limited number of candidates: Lot 1: The conditions for participating in this Lot 1 are specified in III.2.3). A maximum of 5 (five) candidates will be invited to participate in the tender process. If the amount of applying candidates exceeds 5 (five) the amount of delivered similar products to other NATO countries will be prioritized along with candidates that have delivered the similar products to work with SOTAS systems or equivalent, or integrated in a Leopard 2 tank or equivalent. Lot 2: The conditions for participating in this Lot 2 are specified in III.2.3). A maximum of 5 (five) candidates will be invited to participate in the tender process. If the amount of applying candidates exceeds 5 (five) the amount of delivered On-Ear Headsets to other NATO countries will be prioritized along with the candidates that have delivered On-Ear Headsets to work with Harris radios or equivalent. Lot 3: The conditions for participating in this Lot 3 are specified in III.2.3). A maximum of 5 (five) candidates will be invited to participate in the tender process. If the amount of applying candidates exceeds 5 (five) the amount of delivered In-Ear headsets to other NATO countries will be prioritized along with the candidates that have delivered Control units and In-Ear Headsets to work with Harris radios or equivalent.

##### **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 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**

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**

7.7.2017 - 13:00

**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**

English.

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

**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**

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. Regarding the Contract Notice section II.1.8): the candidate shall in section 1.1 of the Prequalification questionnaire (PQQ), state which lot or lots the request to participate concerns. If this is not specified DALO will assume that the request to participate concerns all lots. The evaluation of the applications will be done separately for each lot. Therefore, a candidate can be invited to tender for one lot without being invited to tender for another. Please note, that a candidate can only submit one request for participation for each lot. 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 on tender procedures if applications or tenders do not fulfil the formalities of the tender documents. Candidates are asked to submit their request to participate via ETHICS web site. The permalink is stated in section I.1). The request to participate cannot be submitted by e-mail. DALO have prepared a

prequalification 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 web site. The permalink is stated in section I.1). According to the EU public procurement directives, 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 prequalification questionnaire referred to above.

#### **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: [klfu@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405708

Fax: +45 33307799

Internet address: <http://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: Pursuant to Section 3 of the Danish Consolidation Act No 593 of 2.6.2016 on the Complaints Board for Public Procurement (available at [www.retsinformation.dk](http://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, provided that the notification includes a short account of the relevant reasons for the decision. Other complaints must 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 Danish act on Public Procurement (act No 1564 of 15.12.2015 — available at [www.retsinformation.dk](http://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.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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Fax: +45 41715100

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

**VI.5. Date of dispatch of this notice**

2.6.2017