

Denmark-Copenhagen: Radio network
OJ S 125/2014 03/07/2014
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/701679>

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

Contract regarding a Coastal Radio System in Denmark.

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

Services

Service category No 1: Maintenance and repair services

Main site or place of performance: Performance in all of Denmark.

NUTS code DK0 Danmark

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)

1. Introduction:

The Coastal Radio System in Denmark (CRSD) is a key element in ensuring safety at sea by enabling ship-to-shore and shore-to-ship communications using VHF and MF radio bands. The radio system supports Denmark's fulfilment of its obligations defined in the IMO-treaty on supporting safety at sea and specifically implements the GMDSS within Area 1 and 2 as defined in the Master Plan of Shore-Based Facilities for the Global Maritime Distress and Safety System. It also serves usages driven by Danish legislation.

The existing coastal radio system has been provided and operated by the privately owned company TDC under an universal service obligation and under the brand name 'Lyngby Radio'. In broad terms the CRSD consists of workstations and switching facilities at "Lyngby Radio" (radio room) and several base stations in Denmark (radio network). The main parts of the existing system have been in operation for over 10 years, thus the CRSD needs a modernization.

In 2012, the Government decided to cancel the universal service obligation for the CRSD. This decision means that the Danish Defence will take over the task of operating the radio room from 1.1.2015 and onwards.

The new Coastal Radio System in Denmark shall be based on a reliable, stable and future proof technology as "Mission Critical Infrastructure" as it plays an important role in the naval SAR (Search-And-rescue).

The system will be used by the Admiral Danish Fleet on a daily basis to manage incidents.

The Danish Business Authority (DBA) is responsible for the tender project.

System implementation and roll-out will be controlled by the DBA; ownership and responsibility for technical operation of the network after system acceptance will be taken by the the Danish Maritime Authority (DMA). The DMA also operates the existing Automatic Identification System (AIS).

2. Scope of project:

The contract includes delivery of a coastal radio system and delivery of transmission network for up to 15 years after the network is operational (see 2.2.). The contract also includes maintenance and support services for up to 15 years (see 2.3.).

2.1 Delivery of the coastal radio system:

Main elements of the system:

The contract covers the design, planning, delivery, implementation and commissioning of all system elements of a CRSD that ensures safety at sea by enabling ship-to-shore, and shore-to-ship communications using VHF and MF marine radio frequency bands.

The CRSD contains the following major system elements to be provided under this contract:

VHF and MF radio base stations, backbone network, a switching system and a network management system covering all system elements. The CRSD shall provide capacity to handle at least 100 VHF and 20 MF radio base station channels.

The network management system shall be able to remotely control, configure and operate the CRSD consisting of VHF and MF radio base stations and operator workstations.

Other functions of the system:

The CRSD shall be able to perform voice communications and broadcast transmission on individual channels and channel groups and receive and transmit DSC calls. It shall also provide connections and interfaces with external databases and networks such as the public switched telephone network.

Communication for the handling of the public pilotage through Danish territorial waters shall also be integrated into the CRSD.

Moreover, the CRSD shall allow the existing AIS to utilize the coastal radio antenna system and shall have an interface to receive and process information provided by the AIS system. The system shall be based on relevant international standards.

Workstations:

Furthermore operator workstations shall be provided, including all necessary hardware, software and accessories such as audio speak/listening equipment to be used at the operation room to receive and transmit calls. The workstations shall provide local recording and playback functionality. The operator workstations shall be a stand-alone solution, i.e. independent of existing systems.

It is noted that the operator workstations of the coastal radio system at present is in Bagsværd (at "Lyngby Radio") but at a later stage will be moved to Karup. Further information will be available in the tender documents.

Estimated quantity of delivery:

The tender will expectedly comprise the following items and subsystems including all required hardware and software to operate the systems.

- 19 remotely controllable VHF radio base stations supporting voice (simplex and duplex) and DSC.
- 4 remotely controllable MF radio bases stations supporting voice (simplex and duplex) and DSC.
- Switching system to provide switching and interfacing between elements of the network and to external networks.
- Network management functionality to remotely control, configure and operate the CRSD consisting of VHF and MF radio base stations and operator workstations.
- 5 operator workstations including screens and accessory such as audio speak/listening equipment.

Radio coverage:

Denmark has signed International Maritime Organization's (IMO) obligations under the Global Maritime Distress and Safety System (GMDSS) to operate a coastal radio system. The system shall allow the operators to support radio communications between ships in Danish waters, as defined by GMDSS Area 1 and Area 2, and land. The new CRSD shall provide the coverage as required by the corresponding international agreements.

It will be the contractor's responsibility to ensure that the required coverage will be achieved with the existing sites and masts, and the offered technology.

Transmission network equipment:

The contractor shall provide all the required transmission network equipment and network connections to the backbone network that ties together the operator workstations, radio base stations and the components of the switching and network management system.

Switchover from the existing system to the new system:

The tender also covers the planning and performance of the network rollout and the switchover from the existing system to the new system. Roll-out will cover the implementation of the developed technical solution, including factory and system acceptance test before the operation phase.

Provided by the DBA:

DBA will ensure that the contractor can reuse the existing coastal network's antenna positions and reuse the existing housings with power equipment. DBA will take over the site usage agreements for all existing sites and masts before the contract is signed.

The necessary spectrum resources for the operation of the Danish coastal radio network system will be provided by DBA. As the Danish State by DMA will be the owner of the new coastal radio network and be responsible for the operation of the network, the necessary spectrum licences will be issued to DMA.

2.2 Delivery of transmission network:

The provisioning of transmission network consists of delivering a stable WAN-network between radio base stations, the elements of the switching and network management system, the operator workstations and to selected external systems like the existing AIS system. Transmission network shall be provided for up to 15 years with the possibility for DMA to terminate the contract.

2.3 Delivery of maintenance and support services:

The contractor shall provide maintenance and support services for the coastal radio equipment and system.

Required maintenance and support services comprise both preventive and reactive maintenance tasks including management of spare parts. Spare parts and support services for all provided components shall be available.

Required services comprise tasks in the field of fault-, configuration-, performance- and security- management including provision of hotline services for system user.

Maintenance and support services including spare parts shall be provided for up to 15 years with the possibility for DMA to terminate this part of the contract separately.

II.1.6. CPV code(s)

32418000 Radio network, 32570000 Communications equipment, 64200000 Telecommunications services, 72720000 Wide area network services, 50330000 Maintenance services of telecommunications equipment

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: 117 000 000 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: 180 (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: Particular conditions will be stated in the contract (which will be made available as part of the tender documents). Such particular conditions will for instance include:

1. It will be a contractual requirement that the contractor and any subcontractors ensure the employees salary (including benefits), working hours and other working conditions which are no less favorable than those applicable to work of the same nature under a collective agreement concluded by most representative social partners in the field of the subject area in Denmark and that are applicable to the whole Danish territory.
2. There might be a requirement regarding safety approval of personnel attending sites at the Defense area.

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 candidate must submit a signed solemn declaration as to whether the candidate has outstanding debts payable to public authorities, as provided under the Consolidated Act on Restriction of Debtors' Rights of Taking part in Public Tender 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/701679>

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 valid service certificate (issued within the last 6 months) from the Danish Business Authority. The 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 service certificate from a similar foreign institution with the same information.

III.2.2. Economic and financial ability

III.2.3. Technical and professional ability

List and brief description of conditions:

The candidate must submit a list of the most important similar deliveries carried out over the past three years. Similar deliveries are deliveries that include design, delivery and implementation of coastal radio systems or other radio systems with comparable system

functionality (several base stations, switching, routing, and monitoring) and maintenance and support services in connection to these kind of systems.

For this purpose please use the form 'Reference list' at <http://erhvervsstyrelsen.dk/udbud/701679>

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

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required:

The candidates shall demonstrate that, during the past three years, they have had experience with one or more contracts with design, delivery and implementation of coastal radio systems or other radio systems with comparable system functionality (several base stations, switching, routing, and monitoring).

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

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) no

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: The limitation will take place on the basis of the applicants who have the most relevant references in relation to the assignment put up for tender (that is similar deliveries see III.2.3.)

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

14/01962

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2014/S 104-183054](#) of 31.5.2014

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

15.8.2014 - 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

English.

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

IV.3.8. Conditions for opening of tenders

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

1. The contract is not subject to the provisions of the public sector directive, see Article 13 of the public sector directive. Hence, this purchase is not subject to a competitive procurement obligation, which means that the DBA is not bound by the rules of procedure of the public sector directive for this contract. The tender procedure will be carried out with due observance of the general principles of EU law, including the principles of equal treatment, transparency and non-discrimination.

2. The orderer would like to see that the application for pre-qualification is send in two paper copies and in one electronic copy (e.g. USB-memory card or something similar). The application for pre-qualification can not be given by e-mail. The envelope is requested to be marked 'Tender regarding a Danish coastal radio network system - MÅ IKKE ÅBNES AF POSTFUNKTIONEN'.

3. Regardless of the use of the words "must" or "shall", DBA reserves the right to invite economic operators to supplement or clarify the documents submitted whilst complying with the principles of equal treatment, non-discrimination and transparency. Finally, DBA reserves the right to clarify any ambiguities in the application whilst complying with the principles of equal treatment, non-discrimination and transparency.

4. In relation to section II.3 it is noted that the duration of the up to 15 years is counted from when the Danish coastal radio system is operational.

5. Possible questions and answers regarding the pre-qualification will be published in anonymous form on the website of DBA: www.erhvervsstyrelsen.dk/udbud/701679. Interested parties are recommended to keep themselves continuously informed on this website, where further information is already available, inter alia information regarding the choice between applying as a single economic operator or as a group.
6. A candidate may rely on the economic, financial and/or technical 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 included when establishing 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. For this purpose please use the form "Declaration of support" on <http://erhvervsstyrelsen.dk/udbud/701679>
7. If more than one single economic operator (e.g. a consortium or a Joint Venture) submit a joint request for pre-qualification, each participating member of the consortium etc. must submit their own documentation and information. However, it is not required that each participating party fulfils minimum requirement, as the applicant (i.e. the consortium etc.) will be evaluated as a whole regarding the minimum requirement.
8. An economic operator can only submit one (1) application to participate in the negotiated procedure. If the same economic operator is part of, or otherwise participate in several applications, e.g. have submitted its own application, and is also included as part of a consortium applying, the relevant applicants must ensure that the same economic operator's participation does not raise the possibility of the applications/tenders being mutually influenced. DBA may request the relevant applicants to demonstrate to the reasonable satisfaction of DBA that the applications were not, and that the tenders will not, be mutually influenced, and that appropriate measures are implemented and will be maintained throughout the tender procedure to maintain confidentiality and to avoid distortion of the competitive process. If this is not demonstrated DBA may exclude all applications submitted by the relevant applicants. However, if the relevant excess application(s) are withdrawn by the relevant economic operator, DBA may refrain from excluding the remaining application. In order to avoid a conflict of interest and to promote competition the same person (i.e. the same individual) may not participate in the negotiated procedure on behalf of more than one candidate/tenderer.
9. The contract is not subject to Act. no. 710 of 20.08.2002 regarding legal position of employees upon transfer of business ("lov om medarbejderes retsstilling ved virksomhedsoverdragelse") (available at www.retsinformation.dk). Hence, it is not a requirement that the contractor takes over the existing employees.

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Langelinie Allé 17

Town: Copenhagen

Postal code: 2100 Ø

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: There are no rules regarding lodging of appeals for purchases that are not subject to a competitive procurement obligation.

However, ordinary acquiescence considerations apply.

In that regard it is noted that, pursuant to Act no. 492 of 12.05.2010 with subsequent amendments regarding enforcement of the rules for procurement etc. (available at www.retsinformation.dk) the following deadlines for lodging of appeals apply for contracts that are subject to the provisions of the public sector directive:

Appeals concerning the selection of candidates for pre-qualification must be submitted to the Public Procurement Appeals Board (Klagenævnet for udbud) within 20 days. The deadline is calculated from the day after the contracting body has notified the parties concerned about, who has been pre-qualified as tenderers.

Other 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 publicised 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

30.6.2014