

Denmark-Ballerup: Liquid air

OJ S 86/2021 04/05/2021

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

Directive 2009/81/EC

## Section I: Contracting authority/entity

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### I.1. Name and addresses

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

Postal address: Lautrupbjerg 1

Town: Ballerup

Postal code: 2750

Country: Denmark

E-mail: [ehha@kammeradvokaten.dk](mailto:ehha@kammeradvokaten.dk)

#### Internet address(es):

General address of the contracting authority/entity: [www.fmi.dk](http://www.fmi.dk)

Address of the buyer profile: <http://eu.eu-supply.com/ctm/Supplier/CompanyInformation/Index/281426>

Electronic access to information: [http://eu.eu-supply.com/app/rfq/rwlentrance\\_s.asp?PID=281730&B=KA](http://eu.eu-supply.com/app/rfq/rwlentrance_s.asp?PID=281730&B=KA)

### 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

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### II.1. Description

#### II.1.1. Title

Acquisition of Container-based Liquid Oxygen (LOX) Plant Capable of Producing LOX for Use in C-130J Aircraft

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

Supplies

Purchase

NUTS code DK0 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)

The Danish Defence has acquired a container-based LOX-plant, that is capable of producing liquid oxygen (LOX) for use in C-130J aircraft. LOX is used in the emergency supply-system of the pilots in C-130J aircraft, and therefore is the prerequisite for use of any C-130J aircraft in

connection with international operation (INTOPS). The emergency supply-system of LOX must be refilled approximately every 2 (two) weeks, whereby C-130J aircraft must be taken out of any operation during the refill. Currently the Danish Defence does not produce LOX itself, and LOX is therefore purchased from different suppliers. When operating in areas with LOX of a poor quality, aircrafts must be taken out of operations for longer periods in order to find LOX that meets the quality requirements of the Danish Defence. In order to increase the availability of the C-130J aircrafts under INTOPS, the Danish Defence has acquired a container-based LOX-plant in order to be self-sufficient in LOX. The contract includes the delivery of a container-based LOX-plant capable of producing LOX that is compliant with STANAG 7106, 3. e., April 2015 specifications or equivalent. The LOX-plant, including initial spare part packages, initial education and documentation, has been procured on the basis of an acquisition contract. In addition, DALO entered into a sustainment contract (framework agreement) allowing for the subsequent procurement of additional spare parts, education, sustainment services, including maintenance services and support in a period of 84 months from the delivery of the LOX-plant. The 2 contracts should be seen as a whole and has been awarded to the successful tenderer. The contract includes an option for purchase of one additional container-based LOX-plant including initial spare part packages, initial education and documentation and a sustainment contract allowing for the sustainment of the additional container-based LOX-plant for a period of 84 months from delivery of the additional LOX-plant. This option can be exercised within 5 years.

#### **II.1.5. CPV code(s)**

24113100 Liquid air, 24110000 Industrial gases, 24111000 Hydrogen, argon, rare gases, nitrogen and oxygen, 24111500 Medical gases, 24113000 Liquid and compressed air, 24113200 Compressed air, 42000000 Industrial machinery, 42900000 Miscellaneous general and special-purpose machinery, 42980000 Gas generators, 50400000 Repair and maintenance services of medical and precision equipment, 50500000 Repair and maintenance services for pumps, valves, taps and metal containers and machinery

#### **II.2. Total value of the contract/lot**

##### **II.2.1. Total value of the contract/lot**

Value: 593 030 EUR  
excluding VAT

### **Section IV: Procedure**

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

Restricted

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of

1. Cost. Weighting 70
2. Functionality. Weighting 30

##### **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**

##### **Contract notice**

Notice number in the OJ S: [2020/S 200-486541](#) of 11.10.2020

##### **Other previous publications**

Notice number in the OJ S: [2020/S 220-541664](#) of 8.11.2020

#### **Section V: Award of contract**

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Contract No: 1

Lot No: 1

- Lot title: Acquisition of a containerbased plant capable of producing liquid oxygen (LOX) for use in C-130J aircraft

##### **V.1. Date of conclusion of the contract**

23.3.2021

##### **V.2. Information about tenders**

Number of tenders received: 3

Number of tenders received by electronic means: 3

##### **V.3. Name and address of the contractor**

Official name: Topmark Trading ApS

Postal address: Aalborgvej 104

Town: Løgstør

Postal code: 9670

Country: Denmark

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

Total value of the procurement:

Value: 593 030 EUR

excluding VAT

##### **V.5. Information about subcontracting**

The contract is likely to be subcontracted: no

#### **Section VI: Complementary information**

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##### **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**

The value stated in section II.2.1) and V.4) is an evaluation price of the winning tender only, and does not constitute the exact value of the contract nor a minimum committed purchase by DALO.

##### **VI.3. Procedures for review**

###### **VI.3.1. 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 72405600  
Internet address: <http://www.klfu.dk>

### **VI.3.2. Review procedure**

Precise information on deadline(s) for review procedures: Pursuant to Section 7(2) of the Danish Consolidation Act No 593 of 2 June 2016 on the Complaints Board for Public Procurement (available at [www.retsinformation.dk](http://www.retsinformation.dk)), 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, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included a short account of the relevant reasons for the decision.

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.3.1.

The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the internet address stated in section VI.3.1.

### **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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

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

### **VI.4. Date of dispatch of this notice**

29.4.2021