

Denmark-Ballerup: Marine patrol vessels
OJ S 133/2013 11/07/2013
Contract notice
Services

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

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

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Maritime Department

For the attention of: Carsten Stendal

E-mail: fmt-ktp-ma@mil.dk

Telephone: +45 72571358

Internet address(es):

General address of the contracting authority/entity: <http://forsvaret.dk>

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

Section II: Object of the contract

II.1. Description

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

Framework Agreement regarding sustainment i.e. spare parts, support and maintenance, upgrades, support equipment, documentation and training on MTU engine types 16V396 (TB94 /TB84) MTU, 12V183TE62 MTU and 20V8000M70 MTU.

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: Denmark

NUTS code DK0 Denmark

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 a single operator

Duration of the framework agreement

Duration in years: 7

Justification for a framework agreement, the duration of which exceeds seven years: Not Applicable

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

The framework agreement includes the non exclusive purchase of all necessary spare parts, support and maintenance, upgrades, support equipment, documentation and training needed for keeping the engines operational.

II.1.6. CPV code(s)

34511100 Marine patrol vessels - CB09 - FG07

II.1.7. Information about subcontracting

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

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: 84 (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

None

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

Payment conditions are 30 days net. Invoicing must for domestic tenderers be done in accordance with the at any time applicale Danish legislation on public payments. At present this is the Danish consolidation act. no. 798 of June 2007 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 legal form is required. If the order is awarded to a group of suppliers (e.g. a consortium) the participants are required to undertake joint and several liabilities and to appoint one 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 tenderers are specifically made aware that it is a condition for the contract, that the tenderer before the signing of the contract also enters into an Industrial Cooperation Contract with the Danish Business Authority (Erhvervsstyrelsen) in accordance with the Danish 'Erhvervsfremmeloven' and the Associated 'Circular on Industrial Cooperation in connection with Procurement of Defence Equipment' No. 88 of 27. October 2010. Such Industrial Cooperation Contract can be conditioned upon the Tenderers posting of a bank guarantee.

III.1.5. Information about security clearance

Candidates which do not yet hold security clearance may obtain such clearance until:
7.10.2013

III.2. Conditions for participation

III.2.1. Personal situation

III.2.2. Economic and financial ability

Criteria regarding the economic and financial standing of economic operators (that may lead to their exclusion)

List and brief description of conditions: The 3 latest annual audited financial statements

Minimum level(s) of standards possibly required: Candidates shall be able to demonstrate by reference to the three latest published annual audited financial statements to have an annual turnover of at least 50 000 000 DKK (if applicable, based on the official exchange rate of the Danish National Bank as per 1.7.2013 in each year).

If the application is submitted by a joint group of suppliers (e.g. a consortium), the requirement concerning annual turnover can be fulfilled by adding the turnover of the group members in total. Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Candidates shall be able to demonstrate by reference to the three latest published annual audited financial statements to have a solvency ratio of minimum 30 %, calculated as the average Solvency Ratio of the three years. The solvency ratio shall be calculated by applying the following formula: Solvency Ratio = (equity/Total Assets) x 100.

If the application is submitted by a joint group of suppliers (e.g. a consortium), the requirement concerning minimum solvency ratio of 30 % shall be fulfilled by each of the group members.

For a joint group of suppliers the solvency ratio to be applied in clause IV.1.2 shall be calculated as the average of the solvency ratio of each of the members of the group.

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

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:

DALO demands various professional technical requirements covered by the bidder in terms of a record of a similar performance, authorization(s), security approvals, guaranties as well as hotline and spare parts availability.

If the application is submitted by a joint group of suppliers (e.g. a consortium), the requirement (s) can be fulfilled by adding the the capability of the individual group members.

Minimum level(s) of standards possibly required

Candidates shall present a list of references from the last 3 years for similar services, as listed above including name and turnover on each of the references.

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

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

Envisaged number of candidates 3

Objective criteria for choosing the limited number of candidates: Objective criteria for choosing the limited number of candidates: The selection of candidates that will be invited to submit tenders will be based on an assessment of the best and most relevant references submitted, the highest turnover and the highest solvency ratio.

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

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

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

27.8.2013 - 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

Danish. English.

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

The framework agreement tendered concerns engines in Danish naval vessels, including frigates, and the framework agreement is thus tendered as a defence and security contract. Re. section III.2.1 - When submitting the bids (but not the application for participation) the tenderers must submit a solemn declaration stating to which degree the tenderer has fulfilled its obligations relating to the payment of direct and indirect taxes and social security contributions in accordance with the Danish Consolidation Act no. 336 of 13 May 1997 regarding public payments. A form that the tenderers can use will be submitted with the tender material.

Re. the framework agreement:

Under the framework agreement DALO will require that:

Candidates shall offer 6 month warranty for the overhauls.

Candidates shall offer 24 hours access to advisory support (hotline).

Candidates shall be able to offer qualified engineers within 24 hours after the call for assistance.

Candidates shall upon request be able to deliver original common Wear spare parts within 48 hours ex. works.

Candidates shall deliver all services and spare parts in accordance with the Danish

Maritime General Conditions for ship repairs and conversions, <http://www.danskemaritime.dk/en/information>.

Under the framework agreement and for the entire performance of the framework agreement DALO will further require that:

Candidates shall at all times be and remain authorized by MTU Friedrichshafen GmbH,

Maybachplatz 1, 88045 Friedrichshafen, Deutschland, to conduct the listed services DALO require.

Candidates shall at all times be and remain security cleared to the level "Restricted" by the Danish Defence Intelligence Service, Kastellet 30 DK 2100 Copenhagen OE, <http://fe-ddis.dk>

Re. section III.2 - According to directive 2004/18, art. 48(3) and directive 2009/81, art. 41(2) and 42(2), 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 instance this is fulfilled if the candidate submits a co-operation agreement clearly stating that the candidate has the relevant resources at its disposal (conversely, it is not sufficient to submit a declaration stating that the candidate is entitled to sell products on behalf of another entity if the candidate wishes to rely on the capacity of this other entity).

DALO is not able to estimate the total value of the framework agreement.

However DALO expects that the yearly spend is between 15 000 000 and 25 000 000 DKK.

Re. section IV 3.4):

The application should preferably be submitted in 2 paper copies and 1 electronic copy on a USB stick, a CD-ROM or an equivalent media. The application should preferably be marked 'Framework Agreement regarding sustainment of MTU engines' att: Project Leader Carsten Stendal – may not be opened by internal mail and post distribution'. The application must be delivered in a sealed envelope to the address stated in section I.1 and may not be forwarded by email.

Furthermore, the candidate is requested to submit an e-mail address of a contact person to whom relevant information may be forwarded.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud (The Complaints Board for Public Procurement)

Postal address: Dahlerups Pakhus Langelinie Allé 17

Town: København Ø

Postal code: 2100

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291000

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

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: As a consequence of the Danish act no. 492 of 12.5.2010 as amended by act no. 1556 of 21.12.2010, act no. 618 of 14.06.2011, act no. 1231 of 18.12.2012 and act no. 511 of 27.05.2013 regarding enforcement of the rules for procurement etc., complaints regarding a candidate not being prequalified must be filed with The Complaints Board for Public Procurement within 20 calendar days from the day following the date on which the Contracting Authority has sent a notification to the candidates involved, if the notification includes a short account of the relevant reasons for the decision. Complaints concerning other decisions related to the tender must be filed with The Complaints Board for Public Procurement within 45 calendar days after the Contracting Authority has published a notification in the Official Journal of the European Union that the Contracting Authority has entered into a contract. The 45 days period begins the day after publication of the notification.

The complainant must inform the Contracting Authority of the appeal in writing at the latest simultaneously

with the lodge of the complaint to The Complaints Board for Public Procurement. The complainant shall state whether the complaint has been lodged in the stand-still period. If the appeal has not been lodged in the standstill period, the complainant must also state whether it is requested that the appeal is granted delaying effect.

VI.4.3. Service from which information about the review procedure may be obtained

Official name: Konkurrence - og Forbrugerstyrelsen, Center for Udbudsregler (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

8.7.2013