

**Denmark-Ballerup: Gas-detection apparatus**  
**OJ S 93/2021 14/05/2021**  
**Contract award notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

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

National registration number: 16-28-71-80

Postal address: Lautrupbjerg 1-5

Town: Ballerup

NUTS code: DK Danmark

Postal code: 2750

Country: Denmark

Contact person: Rikke Løber-Meincke

E-mail: [fmi-sd-alj09@mil.dk](mailto:fmi-sd-alj09@mil.dk)

Telephone: +45 72814000

**Internet address(es):**

Main address: [www.fmi.dk](http://www.fmi.dk)

**I.4. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.5. Main activity**

Defence

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

Gas Detectors

**II.1.2. Main CPV code**

38431100 Gas-detection apparatus

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

This tender concerns the acquisition of gas detectors for the Danish Ministry of Defence. The tender consists of three lots. DALO wishes to enter into framework agreements on the following instruments:

— 4 gas detectors (lot 1)

— 5 gas detectors (lot 2)

— multi gas detectors (lot 3).

The gas detectors will be used by the Danish Defence and the Danish Emergency Management Agency (DEMA) as a personal security instrument during a wide range of tasks and shall ensure that the users are warned when they are operating in an environment that is hazardous and harmful for their health.

The framework agreements cover both the acquisition of the instruments and delivery of spare parts, tools and services to keep the instruments operational. The tender is split into 3 lots and each of the framework agreements will have a duration of 4 years for the acquisition of the gas detectors and a duration of 10 years for the acquisition of spare parts, consumables and services for the instruments.

#### **II.1.6. Information about lots**

This contract is divided into lots: yes

#### **II.1.7. Total value of the procurement**

Value excluding VAT: 18 000 000,00 DKK

### **II.2. Description**

#### **II.2.1. Title**

Framework Agreement Regarding 4 Gas Detectors

Lot No: Lot 1

#### **II.2.2. Additional CPV code(s)**

38431000 Detection apparatus, 38431100 Gas-detection apparatus, 38543000 Gas-detection equipment, 38000000 Laboratory, optical and precision equipments (excl. glasses)

#### **II.2.3. Place of performance**

NUTS code: DK Danmark

#### **II.2.4. Description of the procurement**

With this lot DALO wishes to enter into a framework agreement regarding the acquisition and service of 4 gas detectors for the Danish Ministry of Defence. The 4 gas detectors will be used to detect explosive gasses and vapours (LEL), areas with levels of oxygen (O<sub>2</sub>), carbon monoxide (CO) and hydrogen sulfide (H<sub>2</sub>S) that are outside the determined thresholds in order to ensure that the users are warned when they are operating in an environment that is hazardous and harmful for their health.

The framework agreement covers both the acquisition of the instruments and delivery of spare parts, tools and services to keep the instruments operational. The framework agreement will have a duration of 4 years for the acquisition of the gas detectors and a duration of 10 years for the acquisition of spare parts, consumables and services for the instruments.

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement.

#### **II.2.5. Award criteria**

Quality criterion - Name: User test / Weighting: 30

Quality criterion - Name: Fulfilment of Evaluation Requirements / Weighting: 15

Price - Weighting: 55

#### **II.2.11. Information about options**

Options: no

#### **II.2.13.**

## **Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

### **II.2.14. Additional information**

Cf. section II.2.6) The estimated value of the agreement is 9-12 mio. DKK. The interval is stated due to uncertainty regarding the actual value of the agreement. The lower limit of the interval is DALO's most qualified estimate of the actual value of the agreement at the present moment, the upper limit of the interval constitutes the expected maximum value of the agreement in its duration.

## **II.2. Description**

### **II.2.1. Title**

Framework Agreement Regarding 5 Gas Detectors  
Lot No: Lot 2

### **II.2.2. Additional CPV code(s)**

38000000 Laboratory, optical and precision equipments (excl. glasses), 38431000 Detection apparatus, 38431100 Gas-detection apparatus, 38543000 Gas-detection equipment

### **II.2.3. Place of performance**

NUTS code: DK Denmark

### **II.2.4. Description of the procurement**

With this lot DALO wishes to enter into a framework agreement regarding the acquisition and service of 5 gas detectors for the Danish Ministry of Defence. The 5 gas detectors will be used to detect explosive gasses and vapours (LEL), areas with levels of oxygen (O<sub>2</sub>), carbon monoxide (CO), hydrogen sulfide (H<sub>2</sub>S) or by the photoionization sensor (PID) for volatile organic compounds (VOC) that are outside the determined thresholds in order to ensure that the users are warned when they are operating in an environment that is hazardous and harmful for their health.

The framework agreement covers both the acquisition of the instruments and delivery of spare parts, tools and services to keep the instruments operational. The framework agreement will have a duration of 4 years for the acquisition of the gas detectors and a duration of 10 years for the acquisition of spare parts, consumables and services for the instruments.

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement.

### **II.2.5. Award criteria**

Quality criterion - Name: User test / Weighting: 30

Quality criterion - Name: Fulfilment of Evaluation Requirements / Weighting: 15

Price - Weighting: 55

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

### **II.2.14. Additional information**

Cf. section II.2.6) The estimated value of the agreement is 2,5-3 mio. DKK. The interval is stated due to uncertainty regarding the actual value of the agreement. The lower limit of the interval is DALO's most qualified estimate of the actual value of the agreement at the present moment, the upper limit of the interval constitutes the expected maximum value of the agreement in its duration.

## **II.2. Description**

### **II.2.1. Title**

Framework Agreement Regarding Multi Gas Detectors  
Lot No: Lot 3

### **II.2.2. Additional CPV code(s)**

38000000 Laboratory, optical and precision equipments (excl. glasses), 38431000 Detection apparatus, 38543000 Gas-detection equipment

### **II.2.3. Place of performance**

NUTS code: DK Danmark

### **II.2.4. Description of the procurement**

With this lot DALO wishes to enter into a framework agreement regarding the acquisition and service of multi gas detectors for the Danish Ministry of Defence. The multi gas detectors will be used to detect multiple gases. The detector shall have 4 (four) open slots for sensors that can be changed according to the user's needs. The sensors shall be usable in HAZMAT incidents where toxic industrial chemicals (TIC) will be present and fire and rescue incidents. The sensors shall be able to detect a range of different gasses including:

- combustible gases and vapours by catalytic method;
- combustible gases and vapours by infrared method;
- PID: photoionization detector;
- IR CO<sub>2</sub>: carbon dioxide by infrared method;
- NH<sub>3</sub>: ammonia;
- Cl<sub>2</sub>: chloride;
- SO<sub>2</sub>: sulfur dioxide.

The instrument shall ensure that the users are warned when they are operating in an environment that is hazardous and harmful for their health.

The framework agreement covers both the acquisition of the instruments and delivery of spare parts, tools and services to keep the instruments operational. The framework agreement will have a duration of 4 years for the acquisition of the gas detectors and a duration of 10 years for the acquisition of spare parts, consumables and services for the instruments.

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement.

### **II.2.5. Award criteria**

Quality criterion - Name: User test / Weighting: 30

Quality criterion - Name: Fulfilment of Evaluation Requirements / Weighting: 15

Price - Weighting: 55

### **II.2.11. Information about options**

Options: no

### **II.2.13.**

## Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:  
no

### II.2.14. Additional information

Cf. section II.2.6) The estimated value of the agreement is 2,5-3 mio. DKK. The interval is stated due to uncertainty regarding the actual value of the agreement. The lower limit of the interval is DALO's most qualified estimate of the actual value of the agreement at the present moment, the upper limit of the interval constitutes the expected maximum value of the agreement in its duration.

## Section IV: Procedure

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### IV.1. Description

#### IV.1.1. Type of procedure

Open procedure

#### IV.1.3. Information about a framework agreement or a dynamic purchasing system

#### IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

### IV.2. Administrative information

#### IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 242-596357](#)

#### IV.2.8. Information about termination of dynamic purchasing system

#### IV.2.9. Information about termination of call for competition in the form of a prior information notice

## Section V: Award of contract

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Lot No: Lot 1

#### Title:

Framework Agreement Regarding 4 Gas Detectors

A contract/lot is awarded: yes

### V.2. Award of contract

#### V.2.1. Date of conclusion of the contract

07/05/2021

#### V.2.2. Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 2

Number of tenders received from tenderers from other EU Member States: 2

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 2

The contract has been awarded to a group of economic operators: no

**V.2.3. Name and address of the contractor**

Official name: Hans Buch A/S

Town: Albertslund

NUTS code: DK Danmark

Country: Denmark

The contractor is an SME: yes

**V.2.4. Information on value of the contract/lot**

Total value of the contract/lot: 12 000 000,00 DKK

**V.2.5. Information about subcontracting****Section V: Award of contract**

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**Lot No: Lot 2**

**Title:**

Framework Agreement Regarding 5 Gas Detectors

A contract/lot is awarded: yes

**V.2. Award of contract****V.2.1. Date of conclusion of the contract**

07/05/2021

**V.2.2. Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 1

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 1

The contract has been awarded to a group of economic operators: no

**V.2.3. Name and address of the contractor**

Official name: Hans Buch A/S

Town: Albertslund

NUTS code: DK Danmark

Country: Denmark

The contractor is an SME: yes

**V.2.4. Information on value of the contract/lot**

Total value of the contract/lot: 3 000 000,00 DKK

**V.2.5. Information about subcontracting****Section VI: Complementary information**

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**VI.3. Additional information**

Regarding section II.1.5): The estimated value of the framework agreements are 14-18 mio. DKK. The reason for the interval stated is the uncertainty regarding the actual value of the framework agreements. Hence, the lower limit of the interval constitutes DALO's most qualified estimate of the actual value of the framework agreements at the present moment, while the

upper limit of the interval constitutes the expected maximum value of the framework agreements in its duration.

Tenderers are advised that DALO in connection with this tender will hold a virtual clarification meeting with the purpose of explaining the background of the tender including the tender procedure and give an introduction to the tender documents. The clarification meeting will be held 11 January 2021 at 10 a.m. For further information please see Instructions to tenderers. The use of the ESPD is a precondition for participation in the procurement procedure, cf. § 148 of the Public Procurement Act. DALO shall require that the tenderer apply the ESPD as preliminary evidence that the tenderer is not subject to the grounds of exclusion stipulated in §§ 135 and 136 of the said Act.

The tenderer and, if relevant, the participants in the group of entities, must use the electronic version of the ESPD available at ETHICS' web portal. The ESPD shall be fulfilled and submitted at ETHICS' web portal in accordance with the instructions given by ETHICS.

The tenderer may submit an ESPD for each lot.

Prior to decision on award of the contract, DALO shall require that the tenderer to whom DALO intends to award the contract presents documentation for the information stated in the ESPD, cf. §§ 151-155 of the said Act.

DALO shall exclude a tenderer from participation in the procurement procedure, if the tenderer is subject to one of the compulsory grounds for exclusion in §§ 135 and 136 of the said Act unless the tenderer has provided sufficient documentation that the tenderer is reliable in accordance to § 138 of the said Act. Please note that certain voluntary exclusion grounds in Directive 2014/24/EU on public procurement have been made compulsory in § 136 of the said Act.

If the same legal entity is a part of or in any other way participates in several offers, e.g. submits his own offer and at the same time participates in a consortium which also submits an offer, the tenderers shall ensure that the same legal entity's participation does not provide for opportunity for mutual coordination of their offers. DALO reserves the right to request the tenderers to establish and reassure DALO that the same legal entity's participation does not threaten the transparency and distort competition between the tenderers.

Regarding Contract Notice section II.1.6: Since the procurement is divided into lots the tenderer is asked to state in the ESPD Part II, section A which lot or lots the offer concerns.

Please note, that a tenderer can only submit one offer for each lot.

DALO reserves the right – but is not obliged – to use the remedies provided for in Section 159 (5) of the Public Procurement Act if applications or offers do not fulfil the formalities of the tender documents.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: [klfu@naevneshus.dk](mailto:klfu@naevneshus.dk)

Telephone: +45 72405600

Internet address: <https://naevneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to 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)), the following time limits for filing a complaint apply:

Complaints regarding public procurements and decisions subject to Chapter II or III of the Public Procurement Act, which does not concern a candidate not being invited to tender, must in accordance with § 7(2) of the Act on The Complaints Board for Public Procurement 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. The time limit is calculated from the day after the publication date.

2) 30 calendar days starting the day after the contracting authority has notified 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 an account of the reasons for the decision.

3) 6 months after the contracting authority has entered into the framework agreement starting the day after the contracting authority has sent notification to the candidates/tenderers involved, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included an account of the 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. § 185(2) of the Public Procurement Act. 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).

Contact information for 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 on the website stated in section VI.4.1.

#### **VI.4.4. 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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: [www.kfst.dk](http://www.kfst.dk)

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

11/05/2021