

Denmark-Ballerup: Nuclear, biological, chemical and radiological protection equipment

OJ S 133/2015 14/07/2015

Contract notice

Supplies

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

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

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Internet address(es):Electronic access to information: <http://permalink.mercell.com/51942936.aspx>Electronic submission of tenders and requests to participate: <http://permalink.mercell.com/51942936.aspx>**Additional information can be obtained from:**

Official name: Mercell Danmark A/S

Postal address: Østre Stationsvej 33, Vestfløjen

Town: Odense C

Postal code: 5000

Country: Denmark

E-mail: support.dk@mercell.comInternet address: <http://permalink.mercell.com/51942936.aspx>**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

Official name: Mercell Danmark A/S

Postal address: Østre Stationsvej 33, Vestfløjen

Town: Odense C

Postal code: 5000

Country: Denmark

E-mail: support.dk@mercell.comInternet address: <http://permalink.mercell.com/51942936.aspx>**Tenders or requests to participate must be submitted:** Official name: Mercell Danmark A/S

Postal address: Østre Stationsvej 33, Vestfløjen

Town: Odense C

Postal code: 5000

Country: Denmark

E-mail: support.dk@mercell.comInternet address: <http://permalink.mercell.com/51942936.aspx>**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

Chemical Detectors.

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

Supplies

Purchase

Main site or place of performance: DK-6500 Vojens, Jutland, Denmark.

NUTS code DK032 Sydjylland

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: 4

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

Estimated value excluding VAT:

Range: between 40 000 000 and 50 000 000 DKK

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

This notice concerns the establishment of a framework agreement regarding the acquisition of chemical detectors. The framework agreement will have a duration of 4 (four) years, with the possibility of renewal for a duration of 1 (one) year. DALO is procuring chemical detectors to secure that the Danish forces are able to detect Chemical War Agents (CWA) and Toxic Industrial Chemicals (TIC) when they are deployed in missions. Further, the chemical detectors are used for training for such operations. The chemical detectors will function as the units' primary detector for surveying the environment for chemical threats. By rapid and reliable point detection of vaporized CWA and TIC, the chemical detectors shall provide a decision foundation for the unit's protective measures. The protective measures shall ensure: a) that the individual protective measures against CWA and TIC can be put on in due time, so the combat force is not affected by CWA or TIC; b) that the individual and collective protective measures against CWA and TIC are not used unnecessarily, so the combat force is not diminished; c) that the individual and collective protective measures against CWA and TIC can be called off as quickly as possible, so the combat force is not diminished unnecessarily. The chemical detectors will be used both as a personal detector and as a remote detector. When used as a personal detector it will be carried by a soldier in the unit for surveillance of chemical threats in the environment. When used as a remote detector it will be mounted on a land vehicle or a warship, placed in the perimeter of a temporary camp or in the projected trajectory of a known contamination for surveillance of chemical threats in the environment. When the chemical detectors are used as a remote detector, point detection will be done separate from the personnel that are monitoring the detection. Further, when used as a remote detector DALO will integrate the detector with the Danish Defence Sensor Connectivity Information Management (SCIM), in order to transfer alarms and data of the detected chemicals to the Battle Management System (BMS) and CBRN-Analysis. The purchaser is using Merzell Sourcing Services for

this tender. To notify your interest and get access to any tender documents, you must copy and paste the link below into the address-part on your browser. <http://permalink.mercell.com/51942936.aspx> Then choose the relevant tender. If you are not a licensee of Mercell Denmark A/S, fill out a registration of your company. This registration is required for your continued participation and is free of charge. After sending the registration you have free access to all tender documents. You will receive access codes to www.mercell.dk during normal working hours.

Cf. section II.1.5.

II.1.6. CPV code(s)

35113200 Nuclear, biological, chemical and radiological protection equipment

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: yes

Number of possible renewals: 1

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 12 (from the award of the contract)

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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

If prepayments are made, an on-demand guarantee from a recognized financial institution must be presented. The financial institution has to be approved by DALO.

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 (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

Candidates are specifically made aware that it may be a condition precedent for signing the contract that the tenderer has entered into an Industrial Cooperation Contract with the Danish Business Authority (Erhvervsstyrelsen). Candidates should also note that the Danish legislation on industrial cooperation has been amended and that — as of 1.7.2014 — new rules on industrial cooperation have entered into force. Pursuant to the new rules, industrial cooperation may be required, in so far as a concrete assessment shows that such cooperation is necessary in order to safe-guard essential Danish security interests. Such an assessment is currently being made in relation to this contract. Prequalified tenderers will be informed of the outcome. The new rules are available at: <http://danishbusinessauthority.dk/file/490061/guidelines-for-industrial-cooperation-in-denmark.pdf>

Candidates should note that the contract will include a labour clause.

III.1.5. Information about security clearance

III.2. Conditions for participation

III.2.1. Personal situation

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 carried out over the past 3 (three) years. The list should preferably include: a) A description of each delivery; b) Information on when it was carried out; c) The size and value of the deliveries; d) The recipients of the deliveries (specific names/countries are preferred, but need not necessarily be included; if no country specific information is included the candidate is asked to provide as much generic information as possible about the delivery). 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 candidate must demonstrate experience with 1 (one) or more similar deliveries within the past 3 (three) years.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

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: The limitation of candidates will be based on an evaluation of which candidates have documented the most relevant previous deliveries in comparison to the contract/purchases described in section II.1.5) above, in terms of the nature and quantity of the previous deliveries. Please note that any ambiguities and/or incomprehensibilities in the information submitted under section III.2.3) may be regarded negatively in the evaluation when selecting the limited numbers of candidates.

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

Other previous publications

Notice number in the OJ S: [2014/S 134-240273](#) of 16.7.2014

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

11.8.2015 - 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

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

Prequalification Questionnaire: 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 Merzell Sourcing Service, cf. Section II.1.5). Candidates are asked to submit applications for prequalification via Merzell Sourcing Service, cf. Section II.1.5). The application for prequalification cannot be submitted by e-mail. Re. Section III.2.1): Solemn declaration regarding the candidate's payment of taxes and social security contributions: When submitting the offers (but not the application for prequalification), 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 legal provisions of the country in which the candidate is established and in Denmark in accordance with consolidation act no. 336 of 13.5.1997 regarding public payments. A template for the declaration will be provided with the tender documents. Re. Section III.2): Relying on the capacities of other entities: According to the EU public procurement directives, 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 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.

User tests: Candidates are made aware that DALO will perform user tests on the chemical detectors offered in the submitted offers. Hence, candidates should note that DALO will require submission of a minimum of 2 (two) chemical detectors and that it will be a condition for acceptance of offers. A Borrowing Agreement will be included in the tender documents and may become effective if so required by the candidate. Non-compliance with formal requirements: DALO reserves the right — but is not obliged — to use the remedies provided for in Section 12 of the Danish statutory order on procedures for the award of public supply contracts, public service contracts and public construction contracts (Order no. 712 of 15.6.2011) if applications or tenders do not fulfil the formalities of the tender documents.

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: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: klfu@erst.dk

Telephone: +45 35291095

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

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to Danish act no. 492 of 12.5.2010 with subsequent amendments on enforcement of the public procurement rules, 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 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). However, if the tender concerns a framework agreement complaints must be filed with The Complaints Board for Public Procurement within 6 months 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.

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. The complainant shall state whether the complaint has been lodged in the stand-still period. If the appeal has not been lodged in the stand-still period, the appellant 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 (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: www.kfst.dk

VI.5. Date of dispatch of this notice

10.7.2015