

**Denmark-Esbjerg: IT services: consulting, software development, Internet and support**  
**OJ S 104/2019 31/05/2019**  
**Contract notice – utilities**  
**Supplies**

**Legal Basis:**

Directive 2014/25/EU

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**Section I: Contracting entity**

**I.1. Name and addresses**

Official name: SE Service A/S

National registration number: 20705833

Postal address: Edison Park 1

Town: Esbjerg N

NUTS code: DK032 Sydjylland

Postal code: 6715

Country: Denmark

Contact person: Jesper Fruerlund

E-mail: [jesf@se.dk](mailto:jesf@se.dk)

Telephone: +45 75188838

**Internet address(es):**

Main address: <https://www.ethics.dk/ethics/eo#/7dd6a712-c1a5-4b73-8650-4544d9fabbe3/homepage>

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/7dd6a712-c1a5-4b73-8650-4544d9fabbe3/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/7dd6a712-c1a5-4b73-8650-4544d9fabbe3/homepage>

Tenders or requests to participate must be submitted to the abovementioned address

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/7dd6a712-c1a5-4b73-8650-4544d9fabbe3/homepage>

**I.6. Main activity**

Electricity

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**Section II: Object**

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

**II.1.1. Title**

Tender for a Contract for the Delivery of an SDN Solution for Location for IT Connectivity (vol. II)

**II.1.2.**

**Main CPV code**

72000000 IT services: consulting, software development, Internet and support

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

The agreement consists of 4 elements. The main component is the SDN software which is handled under an ELA agreement that handles all licenses and usage cost. The same software solution is used both central and decentral at the locations. The software is what describes the solution and what is requested the hardware is just capacity and ports. The contract has a duration of 5 years.

**II.1.5. Estimated total value****II.1.6. Information about lots**

This contract is divided into lots: no

**II.2. Description****II.2.2. Additional CPV code(s)**

32420000 Network equipment, 32430000 Wide area network, 72200000 Software programming and consultancy services, 72230000 Custom software development services, 72400000 Internet services, 72500000 Computer-related services, 72600000 Computer support and consultancy services

**II.2.3. Place of performance**

NUTS code: DK032 Sydjylland

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

Prior to the initiation of this procurement procedure, the Contracting Entity has performed a market survey to investigate the potential suppliers and possible solutions for the performance of the works procured. The Contracting Entity found that the use case is very special and that large manufacturers do not support such use. In addition, the Contracting Entity found many ways to solve the problems and reach the goals set, which is also supported in this tender procedure. By way of the market analysis, the Contracting Entity also gathered the information and the knowledge required to prepare and conduct this tender procedure, which would otherwise not have been possible. The agreement consists of 4 elements. The main component is the SDN software which is handled under an ELA agreement that handles all licenses and usage cost. The same software solution is used both central and decentral at the locations. The software is what describes the solution and what is requested the hardware is just capacity and ports. The hardware is divided into 2 areas, one used centrally to run the software solution provided and one for ports and connectivity to the software solution at the locations:

(i) hardware centrally is used to support the software solution and consists of either dedicated hardware or standard components. This is where the software is installed and operated from. The environment is datacenters and normal conditions;

(ii) hardware locally at the locations is used for connectivity back to the datacenters and ports locally at the location. This is where we connect both the fiber to support our topology and our local hardware to the devices offered. These are used for running the network and is a part of the software solution offered.

Other than the described requirements there are no implementation or maintenance services part of the agreement. We will operate the solution offered after we implement this. The

Contracting Entity expects that, in connection with the pre-qualification, no more than 6 applicants will be pre-qualified to submit preliminary tenders. The Contracting Entity will make such selection on the basis of the references stated by the applicants in respect of the delivery of continuous technical consultancy services. The selection process is further described in the procurement documents. The contract has a duration of 5 years.

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **II.2.6. Estimated value**

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 60

This contract is subject to renewal: no

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 6  
Objective criteria for choosing the limited number of candidates:

The Contracting Entity expects that, in connection with the pre-qualification, no more than 6 applicants will be pre-qualified to submit preliminary tenders.

In the event of more than 6 applicants not excluded from participating in the tender procedure pursuant to Paragraph 7.4 and otherwise compliant, the Contracting Entity will select the tenderers on the basis of the financial capacity in respect of the financial ratios stated for equity, profit/loss before tax and solvency ratio as well as references provided by the applicants. In this process the Contracting Entity will primarily select the tenderers on the basis of the listed relevant references and secondly on the basis of the financial capacity in respect of the financial ratios, etc. Consequently, the Contracting Entity will make an overall evaluation of the applicants who have the best economic and technical capacity and select the tenderers on the basis thereof.

With a view to ensuring that the Contracting Entity generates effective competition in respect of the contract for which tenders are hereby invited, the Contracting Entity will select the participants in this tender procedure on the basis of the hardware and software manufacturer stated by the applicants in the 'PQQ — manufacturer information'.

Thus, to be used for the selection of participants, the applicants must complete the published document 'PQQ — manufacturer data', and this document must accompany the application for pre-qualification. The applicants are entitled to list three (3) different combinations of hardware manufacturers and software manufacturers. The applicants are obliged to ensure that the listed combinations will also be presented in the tenders submitted.

The Contracting Entity intends to select no more than 2 participants for each of the listed identical combinations of hardware and software manufacturers.

The combinations of hardware and software manufacturers stated in the applications filed will consequently be arranged in groups. Within each group of identical combinations of hardware and software manufacturers, the Contracting Entity will select the 2 best qualified applicants. This qualification and selection will be made on the basis of the references, performing similar work and secondly on the listed financial capacity as stated by the applicants, cf. above and in Paragraph 7.4, and as elaborated on immediately below.

Selection:

The Contracting Entity will pre-qualify no more than 6 applicants who, in the opinion of the Contracting Entity, are most suitable for performing the work.

The Contracting Entity will make such selection on the basis of the references stated by the applicants in respect of the delivery of continuous technical consultancy services and assistance within the areas and deadlines mentioned in Paragraph 7.4 above.

Great importance will be attached to the applicant having stated references in respect of the delivery of technical consultancy services within all the areas mentioned in Paragraph 7.4.

The Contracting Entity will only consider 5 completed or pending references per applicant within the most recent 3 years (including any consortium parties/supporting entities). If applicants have stated more references than 5, the Contracting Entity will at its discretion select which 5 references will be included in its evaluation.

#### **II.2.10. Information about variants**

Variants will be accepted: no

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

Options: yes

Description of options:

There are 3 voluntary options:

- (i) an option that the customer does not migrate each location to the new SDN solution but procures this from the tenderer;
- (ii) an option that the customer does not deploy the new hardware placed centrally nor the software part of this but procures this from the tenderer;
- (iii) SFP and optics is offered as an option where the option is per unit and several options are needed. All is single mode optics and different versions can be offered. The options are also described further in the procurement documents.

#### **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**

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions for participation**

##### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Applicants are excluded from participating in the tender procedure if they are subject to the grounds for exclusion laid down in ss 135-137 of the Danish Public Procurement Act (udbudsløven), see Article 80 of the Utilities Directive.

The Contracting Entity will also exclude a tenderer from participating in the tender procedure if, during the tender procedure, the tenderer becomes subject to the grounds for exclusion provided for in ss 135-137 of the Public Procurement Act.

If applicants/tenderers are subject to the grounds for exclusion provided for in ss 135-137 of the Public Procurement Act, such applicants/tenderers may, however, by producing adequate documentation of their reliability, prove that they must not be excluded after all, see the conditions laid down in s. 138 of the Public Procurement Act.

In the event that the Contracting Entity contemplates to exclude an applicant/tenderer, the Contracting Entity will fix a suitable deadline for providing adequate documentation of the applicant's/tenderer's reliability.

Applicants must declare that they do not find themselves subject to any of the aforesaid grounds for exclusion. Such declaration is made by completing Part III, paragraphs A, B and C, of the ESPD.

Applicants' attention is drawn to the fact that, as a general rule, the grounds for exclusion have been completed by a 'No'. Consequently, applicants do not have to complete Part III, paragraphs A, B and C, of the ESPD, unless such applicants are subject to one of the grounds for exclusion.

### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

The applicant must provide the following information which must be provided for each of the 3 most recent financial years available and having ended:

- revenue,
- equity,
- profit/loss before tax,
- solvency ratio.

If the applicant is not able to provide the information required on financial ratios (for example due to the fact that the applicant is a newly established business), the applicant must state when the applicant was established. Such information must be provided by completing the section 'Establishment of business'.

The applicant must declare that the information provided in the ESPD is true and correct. Such declaration is made by completing Part VI of the ESPD.

In the event that the application is filed by a consortium, all consortium parties must submit a separately completed ESPD.

If applicants use the economic and financial capacities of other sub-consultants/entities these sub-consultants/entities must submit a separately completed ESPD.

Minimum level(s) of standards possibly required:

The Contracting Entity imposes the following minimum requirements as to applicants' economic and financial capacity:

- the applicant must have had a total annual revenue of at least 12 000 000 DKK in each of the 2 most recent financial years available and having ended.

The said information must be provided by completing Part IV, paragraph B, of the ESPD in the section 'Total annual revenue'.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

The applicant must provide information in the ESPD as to applicants' most important references for the 3 most recent years in respect of:

- 1) Delivery of an SDN solution, which, however, do not need to be within the same line of business;
- 2) Delivery of an SDN-solution for location IT connectivity, as the one for which tenders are hereby invited, in respect of the following elements:

The primary components consist of the following:

- hardware components delivered to be installed centrally at our data centres,
- hardware components delivered to be installed decentrally at our locations. Several options are specified among which the volume will be distributed.

The references listed in the ESPD may be completed as well as be ongoing projects.

However, delivery of part of the system must be operative.

Applicants are urged to state as follows in respect of each reference:

- (i) period within which the consultancy services were rendered;

- (ii) name of the customer;
- (iii) brief description of the work, including the applicant's role in performing the work;
- (iv) the applicant's total fee for the work;
- (v) number of units/locations involved in the delivery system.

Such information is provided by completing Part IV, paragraph C, of the ESPD. If the applicant so wishes, the applicant may instead enclose a list of references in a separate appendix. If so, the ESPD must include a reference to such appendix only.

If applicants use the technical and professional capacities of other sub-consultants/entities these sub-consultants/entities must submit a separately completed ESPD.

Minimum level(s) of standards possibly required:

The Contracting Entity will impose the following minimum requirements as to the applicants' technical and professional capacity:

— applicants must, as a minimum, provide references for the delivery of an SDN solution, which, however, do not need to be within the same line of business.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

A draft of the contract is available in the procure documents.

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Negotiated procedure with prior call for competition

#### **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: [2019/S 040-091616](#)

#### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 12/06/2019 Local time: 12:00

#### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 3 (from the date stated for receipt of tender)

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: no

## **VI.2. Information about electronic workflows**

Electronic invoicing will be accepted

Electronic payment will be used

## **VI.3. Additional information**

### **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@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405600

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

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

Precise information on deadline(s) for review procedures:

Complaints against not being pre-qualified shall be lodged to Klagenævnet for Udbud no later than 20 calendar days from the day after the day the Contracting Entity has sent a notification to the affected applicants. Complaints in respect of other issues than not being pre-qualified shall be lodged to Klagenævnet for Udbud no later than 45 calendar days after the award of contract has been published in TED.

#### **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**

27/05/2019