

**Denmark-Ballerup: Repair and maintenance services of aircraft engines**  
**OJ S 157/2016 17/08/2016**  
**Contract award notice**  
**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

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

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Bjørn Boesen

E-mail: [FMT-LU-HCH@mil.dk](mailto:FMT-LU-HCH@mil.dk)

**Internet address(es):**

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

**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**

Global support package for Turbomecca gas turbine RTM322 02/8 Mk250 engines.

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

Services

Service category No 1: Maintenance and repair services

NUTS code

**II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)**

**II.1.4. Short description of the contract or purchase(s)**

The contract regards service and maintenance of the Danish Defence's RTM322 engines to the EH101 helicopters, including spare parts and special tools. The purpose of this contract is to ensure that the engines will be serviceable and that the helicopters at all times are airworthy and crash-worthy. In order to be airworthy and crash-worthy the European Aviation Safety Agency has decided that only companies authorised by the National Aviation Authority can perform the service and maintenance of the engines. Furthermore only certified spare parts with a Part Number from the producers IPC can be used. The undertaking Turbomecca is the only supplier certified to maintain and repair RTM322 engines and the only undertaking that is

capable of delivering certified Spare Parts, while only Turbomecca has the necessary system documentation. Therefore DALO has entered into a contract with Turbomecca regarding service and maintenance of the RTM322 engines.

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

50211210 Repair and maintenance services of aircraft engines

#### **II.1.6. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

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

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

## **Section IV: Procedure**

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

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

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

Justification for the award of the contract without prior publication of a call for competition in the Official Journal of the European Union:

Directive 2004/18/EC

#### **1) Justification for the choice of the negotiated procedure without prior publication of a contract notice in the OJEU in accordance with Directive 2004/18/EC**

The works, supplies or services can be provided only by a particular economic operator for the following reason:

technical,

protection of exclusive rights, including intellectual property rights

Due to the fact that Turbomecca is the only supplier certified to maintain and repair RTM322 engines and the only undertaking capable of delivering certified Spare Parts to the RTM322 engines, while only Turbomecca has the necessary system documentation, the contract cannot be fulfilled by any other supplier for the reasons of protection of exclusive rights, including intellectual property rights. Furthermore no other supplier can perform the maintenance, etc. due to the absence of competition for technical reasons as only Turbomecca holds the system documentation and is the only certified supplier. Accordingly the contract was excluded from Directive 2004/18/EF, cf. article 31, litra 1 (b).

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

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

#### **IV.2.2. Information about electronic auction**

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

4600004261

#### **IV.3.2. Previous publication concerning this procedure**

##### **Voluntary ex ante transparency notice**

Notice number in the OJ S: [2016/S 120-214089](#) of 24.6.2016

## Section V: Award of contract

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Contract No: 4600004261

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

24.6.2016

### V.2. Information about tenders

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

Official name: Turbomeca Germany GmbH

Postal address: Borsteller Chaussee 43

Town: Hamburg

Postal code: 22453

Country: Germany

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

### 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

### VI.2. Additional information

### VI.3. Procedures for review

#### VI.3.1. Review body

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

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: Copenhagen

Postal code: 2100

Country: Denmark

E-mail: [kifu@erst.dk](mailto:kifu@erst.dk)

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

#### VI.3.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to Danish Act on The Complaints Board for Public Procurement (act no 492 of 12.5.2010 with subsequent amendments — available at: [www.retsinformation.dk](http://www.retsinformation.dk)) § 7, the following time limits for filing a complaint apply:

- 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 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) if the contracting authority has followed the procedure in § 4 of the above mentioned Act and the complaint regards the contracting authority's conclusion of a contract without prior publication of a contract notice in conflict with Directive 2004/18/EC of the European Parliament and of the Council.

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 must also state whether it is requested that the appeal is granted delaying effect, cf. § 12(1) of the said Act.

The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the following internet address: <http://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

**VI.3.3. 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@kfs.dk](mailto:kfst@kfs.dk)

Internet address: <http://kfst.dk>

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

12.8.2016