

DK-Ballerup: telescopic sights

OJ S 178/2012 15/09/2012

Contract notice

Supplies

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Forsvarets Materieltjeneste (Danish Defence Acquisition and Logistics Organization)

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Michael Schwartz

E-mail: FMT-PM-FP12@mil.dk

Telephone: +45 72572032

Internet address(es):

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

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

Purchase of Thermal Weapon Sights for M2 heavy machine guns to the Royal Danish Navy.

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

Supplies

Purchase

II.1.3. Information about framework agreement

II.1.4. Information about framework agreement

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

Danish Defence Acquisition and Logistics Organization (DALO) intends to purchase 24 Thermal Weapon Sights to be used on M2 heavy machine guns. The Thermal Weapon Sights will be used on Royal Danish Navy Ships. The Thermal Weapon Sights shall be delivered with an initial spare parts packet with the most common spare part and include a training course of the relevant user personnel of the Danish Defence.

II.1.6. CPV code(s)

38633000 Telescopic sights

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

DALO intends to purchase 24 Thermal Sights including initial spare parts and training of the Danish Defence personnel.

The purchase is to include the following options:

1. Purchases of up to 46 extra Thermal Weapon Sights.
2. Establishment of a non-exclusive framework agreement under which DALO can buy all relevant spare parts needed for keeping the Thermal Weapon Sights in function and training of the Danish Defence personnel.

II.2.2. Information about options

Options: yes

Description of options: The purchase is to include the following options:

1. The option to purchase up to 46 Thermal Weapon Sights extra. The provisional timetable for recourse to this option is 36 month after signing of the Contract.
2. Establishment of a non-exclusive framework agreement under which DALO can buy all relevant spare parts needed for keeping the Thermal Weapon Sights in function and training of the Danish Defence personnel. The provisional timetable for recourse to this option is 12 month after signing of the initial acquisition contract. The optional framework agreement regarding spare parts and training of the Danish Defence Personnel has an ordinary duration of 7 years plus an option for renewal for another 7 years. This option for renewal for another 7 years will only be exercised by DALO if there is no relevant market for spare parts and training to the Thermal Weapon Sights at the time of expiration of the ordinary frame work period.

Provisional timetable for recourse to these options:

in months: 36 (from the award of the contract)

II.2.3. Information about renewals

This contract is subject to renewal: yes

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

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 for domestic tenderers be done in accordance with the at any time applicable 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 special 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

III.1.5. Information about security clearance

III.2. Conditions for participation

III.2.1. Personal situation

Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: 1) A solemn declaration stating to which degree the candidate has fulfilled his 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. An outline of the declaration will can be obtained by emailing a request for the outline to the contact point stated in I.1. If an application to participate is submitted by a joint group of suppliers (e.g. a consortium) each participants are required to submit the declaration.

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:

1) A list of the total value (purchase prices, in euro) of any type of Thermal Weapon Sights deliveries carried out over the last five years. The list shall indicate the recipients involved (names not required, but information regarding whether or not the customer(s) involved were NATO countries and a part of the Armed Forces of the relevant country).

2) A list of the total number (quantity) of Thermal Weapon Sights for M2 HMG delivered over the past five years. The list shall indicate the recipients involved (names not required, but information regarding whether or not the customer(s) involved were NATO countries and a part of the Armed Forces of the relevant country).

If the application is submitted by a joint group of suppliers (e.g. a consortium) each member of the consortium must fulfil these requirements relating to documentation. 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

- 1) The economic operator must have delivered Thermal Weapon Sights to Armed Forces in the last five years.
- 2) The economic operator must have delivered Thermal Weapon Sights for M2 heavy machine guns to Armed Forces in the past five 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: 1) The total value (in euro) of the candidates' previous deliveries of Thermal Weapon Sights carried out over the last five years. 2) The candidates' total number of Thermal Weapon Sights for M2 heavy machine guns delivered over the past five years. DALO reserves the right to reject an application for pre-qualification if the candidate or any sub-supplier is deemed unsuitable for participation in the competition and/or as supplier to the Danish Defence, cf. Clause 39(2) in Directive 2009/81 /EC.

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

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

16.10.2012 - 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

VI.2. Information about European Union funds

VI.3. Additional information

Re. section III.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 relies on other entities the candidate must prove to the contracting authority the disposal of the resources necessary for performance of the contract. A candidate may, for example, rely on other entities' technical capacity, cf. clause 42 (2) in Directive 2009/81/EC. If so, the candidate must provide with documentation that the other entities will and shall put the relevant technical resources at the disposal of the candidate. The documentation must be submitted with the application.

Re. section IV 3.4).

The application should preferably be submitted in 2 paper copies and 1 electronic copy on a CD-ROM or an equivalent medium. The application should preferably be marked "Thermal Weapon Sights – Confidential, att.: Michael Schwartz, FMT-PM-FP12 – må ikke åbnes ved intern postfordeling". The application must be delivered in a sealed envelope to the address stated in section I.1 and may not be forwarded by e-mail. Furthermore the candidate is requested to submit an e-mail address of a contact person to which relevant information may be forwarded.

The candidates are specifically made aware that it is a condition for the award of contract that the supplier before the signing of contract have also entered into an industrial cooperation contract (ICC) with the Danish Enterprise and Construction Authority in accordance with the Danish "Erhvervsfremmeloven" and the associated "Circular on Industrial Cooperation in connection with Procurement of Defence Equipment" No. 88 of 27.10.2010, and that such ICC can encompass an obligation for the Contractors to provide a bank guarantee.

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 East

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: Precise information on deadline(s) for lodging appeals: As a consequence of the Danish act no. 492 of 12.5.2010 regarding enforcement of the rules for procurement etc. complaints regarding a candidate not being pre-qualified must be filed with The Complaints Board for Public Procurement within 30 calendar days starting the day after the contracting authority has sent 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 6 months 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 6 month 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 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, Center for Tjenesteydelser, Udbud og Karteller (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

Fax: +45 41715100

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

VI.5. Date of dispatch of this notice

13.9.2012