

Denmark-Taastrup: Railway and tramway locomotives and rolling stock and associated parts
OJ S 95/2023 17/05/2023
Contract notice – utilities
Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: DSB

National registration number: 25 05 00 53

Postal address: Telegade 2

Town: Taastrup

NUTS code: DK Danmark

Postal code: 2630

Country: Denmark

Contact person: Line Westh

E-mail: line@dsb.dk

Internet address(es):

Main address: <http://www.dsb.dk>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/63264>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=364227&B=DSB

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=364227&B=DSB

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

I.6. Main activity

Railway services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Supply and Maintenance of automated S-trains - (New automated S-trains)

II.1.2. Main CPV code

34600000 Railway and tramway locomotives and rolling stock and associated parts

II.1.3. Type of contract

Supplies

II.1.4. Short description

DSB seeks to acquire automated s-trains and a variety of interconnected deliverables. The purpose of the acquisition is to enable DSB to carry out its passenger transport operations. Furthermore, DSB intends to acquire maintenance including a maintenance solution, maintenance operations by use of DSB's maintenance personnel, technical support and delivery of spare parts for the automated s-trains and other supplier services. Thus, the procurement consists of an agreement for acquisition of automated s-trains and other deliverables (Supply Agreement, "SA") and maintenance services as a Technical Support and Spare Parts Supply Agreement (TSSSA) and other supplier services for the automated s-trains (Maintenance Agreement, "MA"). The two agreements are interconnected and the tender procedure for the agreements is the same. Award will take place for both agreements to the same tenderer in accordance with the common award criteria, see section II. 2.5.

II.1.5. Estimated total value

Value excluding VAT: 3 500 000 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

34620000 Rolling stock, 34622000 Railway and tramway passenger coaches, and trolleybuses , 34622200 Railway passenger coaches, 34630000 Parts of railway or tramway locomotives or rolling stock; railways traffic-control equipment, 34631000 Parts of locomotives or rolling stock, 50220000 Repair, maintenance and associated services related to railways and other equipment, 50222000 Repair and maintenance services of rolling stock

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

Main site or place of performance: Copenhagen

II.2.4. Description of the procurement

The SA covers electric automated trainsets and interconnected deliverables (e.g. documentation, training, related IT systems including wayside and services). The SA has a committed main purchase of 226 trainsets for operation in GoA4 (Grade of Automation level 4) mode and the possibility to acquire up to one hundred (100) additional trainsets and interconnected deliverables. The trainsets shall be self-propelled electric automated trainsets for passenger transport on the Copenhagen S-network. It shall be possible to operate the trainsets coupled in multiple formation. The trainsets will be for mass suburban transit and thereby required to have the functionality to support short travel times, which may include high operational speed (expected to be between 120-160 km/h), good acceleration and fast passenger exchange. Given the nature of the infrastructure and other circumstances of the Copenhagen S-network it is expected that the trainsets will need a certain level of custom design. Furthermore, the Copenhagen S-network is equipped with a CBTC signaling system (Communication Based Train Control) type Trainguard MT from Siemens. For the trainsets procured under the SA DSB will provide the CBTC onboard equipment which shall be installed and integrated into the trainsets by the supplier.

The SA shall be valid as long as the Supplier has outstanding obligations towards DSB under the SA, including the period until all Warranty Periods and Extended Warranty Periods have expired and the Supplier has performed all of its obligations, including Warranty Repairs.

The delivery time and rate of delivery depend on a variety of circumstances and hence these may be changed during the tender phase. For instance, DSB's roll out of other projects related to the automation of the S-network and political decisions for potential future expansions of the S-network, and delays in these projects may influence the needed time and rate of delivery. The MA is expected to have a duration of 30 years from PTO of the first trainset. However, the MA shall commence at contract signature. The maintenance shall be carried out in an existing maintenance facility (incl. handover points) provided by DSB. The supplier shall deliver a detailed facility plan and shall furnish the maintenance facility with machinery, special tools and other equipment needed to maintain the trainsets. The maintenance services shall consist of management of all maintenance incl. planning, onsite fault finding, technical support, provision of spare parts, documentation and training. The maintenance services shall be ECM certified by a certification body following the ECM requirements from Commission Implementing Regulation (EU) 2019/779 and the Supplier shall have ECM Level 1-4 responsibility. For the actual execution of preventive and corrective maintenance tasks, the supplier shall use DSB maintenance personnel. The average mileage per vehicle per year is expected to be approximately 115.000 km. Other services consist of configuration and documentation management, obsolescence management, life cycle management, engineering support, design authority services, IT services and help desk. Since the trainsets are presumed to have a life expectancy of at least 30 years and potentially more, DSB has an option to extend the MA for up to 2 times 5 years (in total approx. 44 years from contract signature). Furthermore, a great deal of knowledge and experience will be gathered throughout the contract period, and there is in general a need to minimize the technical and logistical difficulties that a change of supplier would result in. These factors, in particular, necessitates a contract of said length with the same supplier. This procurement is a part of the Future S-Network Programme, see further in section II.2.14.

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

Value excluding VAT: 3 500 000 000,00 EUR

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

Duration in months: 408

This contract is subject to renewal: yes

Description of renewals:

The MA contains options for extension for 10 years (2 times 5 years).

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

Envisaged number of candidates: 3
Objective criteria for choosing the limited number of candidates:

Objective criteria for choosing the limited number of candidates:

If more than the required number of applicants fulfill the minimum requirements, see sections III.1.2) and III.1.3), the selection of the applicants that will be invited to submit tenders will be based on an assessment of which applicants have documented the most relevant previous deliveries and services in comparison to the two main areas (i) the Supply Agreement and (ii) the Maintenance Agreement both described in sections II.1.4) and II.2.4) above, in terms of the comparability and quantity of the previous deliveries and services. It will be regarded positively in the assessment a) if the individual references fulfill as many minimum requirements as possible within the main area, see section III.1.3), b) if the individual

references cover both SA and MA, and further for SA c) if a train solution has been taken over and put in commercial operation by an external customer, and d) if a train solution has involved implementation of significant customizations due to the infrastructure of the recipients. In the assessment of which applicants have documented the most relevant previous deliveries and services for the two main areas, i.e. (i) the Supply Agreement and (ii) the Maintenance Agreement, DSB will award points on a scale from 1-7 to applicants for each main area. Each main area will be awarded points based on an overall assessment of all references for the main area. The applicant will then receive an overall score calculated as the average number of points awarded to these two main areas.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

The SA contains: 1) an option for additional trainsets to the S-train Network. The option allows DSB to order up to one hundred (100) trainsets as one or more additional purchase orders 2) an option to install a drivers cab in some or all the trainsets already produced, 3) an option to install a drivers cab in some or all the trainsets not yet produced, 4) an option for test and commissioning of CBTC onboard equipment for Trainsets # 21-226, and 5) an option for test and commissioning of CBTC onboard units for any additional trainsets.

The MA contains: 1) an option for extension for 10 years (2 times 5 years), 2) an option for a revised maintenance regime if the option to install a drivers cab in the Trainsets has been exercised in the SA. This option is automatically exercised by DSB if DSB exercises the option to install a drivers cab in the trainsets in the SA, and 3) an option for maintenance of additional Trainsets if the option to purchase additional Trainsets is exercised in the SA. This option is automatically exercised by DSB if DSB exercises the option to purchase additional Trainsets in the SA.

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

This procurement is a part of the Future S-Network Programme, see the Descriptive Document, section 2.1. DSB expects to require the supplier to manage interfaces to other contracts and thereby contribute to secure successful implementation, integration and safety demonstration of the Future S-network Programme.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The applicant must submit a completed version of the European Single Procurement Document (ESPD), including Part IV, section B, which shall contain information concerning the financial ratios, total annual turnover and balance sheet total as described below (A — D) for the last 3 financial years.

DSB can ask the applicants to provide documentation for their fulfillment of the minimum requirements concerning financial and economic standing at any time during the tender

process. Further information is provided in the tender material. The documentation shall consist of audited financial statements or excerpts thereof for the 3 latest financial years, depending on the date on which the applicant's undertaking was set up, or the applicant started trading, where publication of financial statements is required under the law of the country in which the applicant is established, or any other form of documentation which DSB deems appropriate, where the applicant is unable to present audited financial statements for a valid reason. By 'financial year' is meant either a calendar year (1 January -31 December) or a season (e.g. 1 July – 30 June).

Minimum level(s) of standards possibly required:

The applicant must meet the following minimum requirements at the time of prequalification as an average of the last 3 financial years prior to the deadline for submission of application for prequalification: (A) An annual turnover of at least EUR 1,000 million

(B) A balance sheet total of at least EUR 1,500 million

(C) An EBIT margin of at least 5% - calculated by dividing EBIT with annual turnover ($\text{EBIT} / \text{annual turnover} * 100$) or A Net Income Margin of at least 4% - calculated by dividing Net Income with annual turnover ($\text{Net Income} / \text{annual turnover} * 100$) (by Net Income is understood income after tax and net interest)

(D) A debt ratio of under 4 – calculated by dividing net (interest bearing) debt with EBITDA (net interest bearing debt/EBITDA)

or A solvency ratio of at least 20 % – calculated by dividing equity with total assets ($\text{equity} / \text{total assets} * 100$). If the applicant is the parent company of a group of companies (i.e. the same legal group), or the applicant is relying on the economic and financial capacity of such an parent company, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio may be based on the financial figures of the consolidated financial statement of the group of companies. 'The same legal group' shall be defined as entities covered by directive 2013/34/EU (directive on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings) art. 22 (1). If the applicant is an intermediate parent company (i.e. the parent company of a "sub group" of companies), or the applicant is relying on the economic and financial capacity of such an intermediate parent company, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio may be based on the financial figures of the consolidated financial statement of the "sub group" of companies. If the applicant is relying on the capacity of one or more other entities, the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be calculated on the basis of the combined financial figures of the applicant and the supporting entities. This means, e.g. in relation to solvency ratio, that the calculation will be based on the combined equity of the applicant and the supporting entities calculated as an average of the last 3 financial years and the combined total assets of the applicant and the supporting entities calculated as an average of the last 3 financial years. If the applicant and the supporting entity/entities have consolidated financial statements, the calculations of the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be based on such consolidated financial statements; in this case, the applicant and supporting entities should provide the information necessary in the ESPD to allow for correct calculations. The applicant must prove that the necessary resources from the supporting entity/entities will be made available to the applicant, e.g. by producing an undertaking on the part of those entities to that effect, see TC.006 to the Descriptive Document. If the applicant is awarded the agreements, the supporting entity/entities shall undertake joint and several liability and co-sign the agreements. If the applicant is a group of economic operators (e.g. a consortium), the annual turnover, balance sheet total, EBIT margin, Net Income Margin, debt ratio and solvency ratio will be calculated in the same manner as applicants with one or more supporting entities, i.e.

on the basis of the combined financial figures of the participating economic operators. If any of the participating economic operators (in the consortium) have consolidated financial statements, the calculations concerning these economic operators will be made based on such consolidated financial statements. Please see TC.003 for examples.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The applicant must submit the ESPD part IV.C including the following information:

Firstly, references concerning train solutions. The description should include: Recipient name and contact information (in the "Recipients" section), duration of the contract (start date, i.e. the effective date of the contract, and end date) (in the "Start date" and "End date" sections), value of contract (EUR) (in the "Amount" section). Further, the description should include the following (in the "Description" section): 1) Vehicle type/name, 2) number of vehicles delivered and if the vehicles delivered are under production for or taken over and put into commercial service by an external customer (within the past 5 years prior to the deadline for submission of application for prequalification), 3) provider name and role in the delivery (e.g. sole supplier, consortia member, sub-supplier etc.), 4) technical data for vehicles in terms of maximum operational speed, power supply, equipped with Signaling onboard units (including type/name and supplier name of onboard units) and the Grade of Automation which the vehicles are designed and contracted for 5) information on to what extent the project has involved implementation of significant customizations due to the infrastructure of the recipient, and 6) information on which minimum requirements each reference covers (minimum requirement 1, 2, 3, 4 and 5).

Secondly, references concerning maintenance services. The description should include: Recipient name and contact information (in the "Recipients" section), duration of the contract (start date, i.e. the effective date of the contract, and end date) (in the "Start date" and "End date" sections). If the tasks were performed on an ongoing basis under a framework agreement, the applicant is asked to indicate this in the description, value of contract (EUR) (in the "Amount" section). Further, the description should include the following (in the "Description" section): 1) Provider name and role in the delivery (e.g. sole supplier, consortia member, sub-supplier etc.), 2) Contract type (FSA, TSSSA or other), scope of services such as onsite fault finding, training of maintenance personnel, management and execution of maintenance and spare part supply and if it included safety management (e.g. safety assurance, safety assessment or safety approval) including cooperation with accredited safety assessor , 3) Number of vehicles covered and approximate average mileage of vehicles per year, and, 4) Information on which minimum requirements each reference covers (minimum requirement 6, 6a and/or 6b).

Only references relating to supplies/services carried out at the time of submission of the application will be taken into account in the evaluation of which applicants have documented the most relevant deliveries, see section II.2.9) and in the evaluation of whether the minimum requirements in respect of technical and professional capacity have been complied with, see below. Hence, in the case of an ongoing task, only the part of the supplies already performed at the time of application will be included in the evaluation of the reference.

If a contract for a train solution or maintenance services has a duration that covers more than 5 years before the deadline for submission of application, the applicant should state which part of the contract has been performed within the last 5 years before the deadline for submission of application.

The applicant may state up to 10 references in total.

See also the document “Additional information about the contract notice” which contains additional information regarding this section. The document is accessible via the electronic tendering system at the address set out in section I.3).

Minimum level(s) of standards possibly required:

The applicant must meet all the minimum requirements below:

Regarding train solution

1. The applicant has delivered a fleet of minimum 20 electric trainsets of the same type for metro, commuter or regional services for 1435 mm track width and with an operational speed between 120-160 km/h
2. The applicant has delivered an electric trainset for metro, commuter or regional services for operation in GoA4 mode (fully automated train operation)
3. The applicant has delivered an electric trainset for metro, commuter or regional services for operation in multiple formation of minimum 3 units
4. The applicant has delivered rolling stock containing integration of advanced signaling onboard units into own rolling stock such as CBTC (GoA 2, 3 or 4), ETCS level 2 or equivalent. By ‘advanced signaling onboard units’ is understood signaling onboard units with continuous information exchange with wayside signaling.

Deliveries in minimum requirements 1) - 4) shall have been made within the past 5 years prior to the deadline for submission of application for prequalification. By “delivered” in minimum requirements 1), 3) and 4) is understood when a train is taken over and put in commercial service by an external customer. By “delivered” in minimum requirement 2) is understood when a train is under production for or taken over and put in commercial service by an external customer.

5. The applicant has experience with safety management (e.g. safety assurance, safety assessment or safety approval), including cooperation with an accredited safety assessor in relation to electric trainsets for metro, commuter, or regional services, or in relation to advanced signaling onboard system integration applying the framework of CSM-RA and/or EN 50126 or equivalent.

Experience in minimum requirement 5 shall have been obtained within the past five (5) years prior to the deadline for submission of application for prequalification.

Regarding maintenance services

6. The applicant has 3 references for maintenance services (TSSSA or FSA) for electric metro, commuter or regional train solution, provided for an external customer within the past five (5) years prior to the deadline for submission of application for prequalification. Of the 3 references:

6.a At least one (1) reference shall include maintenance of a fleet of minimum 20 trains of the same type.

6.b At least one (1) reference shall be a Technical Support and Spare part Supply Agreement (TSSSA).

By “TSSSA” is understood Technical Support and Spare Part Supply Agreement, incl. at least maintenance management, technical support in any form (e.g. in relation to fault finding etc.) and spare part supply in full or part. By “FSA” is understood Full Service Agreement incl. at least all preventive and corrective maintenance, maintenance management, fault finding and technical support in any form, and all spare part supply.

If the application is submitted by a joint group of economic operators or the applicant is relying on the capacity of one or more other entities, the minimum requirements must be fulfilled by the joint group/the applicant and the supporting entity/entities as a whole.

Please see TC.003 (Request for prequalification and guide for the ESPD) for examples.

If the applicant is relying on the capacity of one or more other entities, the applicant must prove that the necessary resources from the supporting entity/entities will be made available to

the applicant, e.g. by producing an undertaking on the part of those entities to that effect, see TC.006 (Letters of commitment). In relation to services the applicant may only rely on the capacity of another entity in regard to technical and professional ability where the latter will perform the services for which these capacities are required.

III.1.6. Deposits and guarantees required

The supplier is expected to provide a parent company guarantee as well as an advance payment guarantee and a performance and warranty guarantee; however, DSB's requirements regarding these guarantees may be subject to dialogue during the tender process. Thus, the requirements for the guarantees may be changed or withdrawn entirely according to DSB's decision.

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Reference is made to the tender material with regard to the payment terms.

III.1.8. 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 agreements are awarded to a group of suppliers (e.g. a consortium) the participants are required to undertake joint and several liability and to appoint one supplier to represent the group.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Please note, that the ownership of the trainsets may be transferred to one or more companies ultimately owned by DSB. Furthermore, please note that the operation of the trainsets may be performed by another train operator in the future.

DSB has assessed that the conclusion of the agreements may be subject to the authorization requirement pursuant to the Danish Investment Screening Act. See further in the Descriptive Document, section 13.

The agreements have incorporated corporate social responsibility considerations (Code of conduct).

The agreements furthermore lays down requirements pursuant to ILO Convention no. 94 on labor clauses in public contracts and Circular no. 9471 of 30 June 2014.

The agreements includes social clauses on the use of trainees.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive dialogue

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 125-306971](#)

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

Date: 03/07/2023 Local time: 13:00

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

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

1) An economic operator may only submit one application to participate. "Economic operator" shall be defined as a single economic operator or a group of economic operators (a consortium).

In addition, two or more economic operators who are part of the same legal group may not submit more than one application to participate, unless the economic operators can demonstrate that their participation in the tender process is and continuously will be autonomous and independent. "The same legal group" shall be defined as entities covered by directive 2013/34/EU art. 22(1). The same applies if an economic operator participates in more than one prequalification application, e.g. alone and in a consortium, alone and as a supporting entity or in a consortium and as a supporting entity. DSB will, where appropriate, request additional information from such applicants to verify that their participation in the tender process is and continuously will be autonomous and independent. If this cannot be verified, DSB may not take either of the applications into consideration. The same principle applies if the situation arises during the tender procedure.

2) In general, groups of economic operators, including temporary associations, may participate in the tender, just as an applicant may rely on the capacity of other economic operators (as further described elsewhere in this contract notice). It is the responsibility of the participating economic operators to ensure that the formation of such a group of economic operators / cooperation is in line with applicable legal requirements including competition law. Guidance on how to assess joint bids under competition law can be found on the Danish Competition and Consumer Authority's (Konkurrence- og Forbrugerstyrelsens) website: When companies bid jointly (www.kfst.dk).

3) The applicant must submit as its application an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras (1)-(3) of the Danish Public Procurement Act, see section 12 of Ministerial Order on procurement by entities operating in the water, energy, transport and postal services sectors (implementeringsbekendtgørelsen - "the Danish Implementing Order"). The ESPD is available via the electronic tendering system. It is not necessary for the applicant to sign the ESPD document. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating economic operator. Where the applicant is a group of operators, the ESPD document of each participant in the group must be signed by the participant in question. The applicant heading the group and submitting the application is not required to sign its ESPD document. If the applicant relies on the capacity of other entities, an ESPD must be submitted for and signed by each of the entities on which the applicant relies.

4) The applicant will be excluded from participation in the tendering procedure if the applicant is subject to the compulsory grounds for exclusion set out in sections 134 a, 135 and 136 of the

Danish Public Procurement Act, see section 11(1), para. (1) of the Danish Implementing Order, unless the applicant has submitted sufficient documentation for its reliability in accordance with section 138 of the Danish Public Procurement Act, see section 11(1), para. (2) of the Danish Implementing Order.

5) DSB reserves the right, at any time during the tender procedure, to request an applicant /tenderer to provide documentary proof, see section 151 of the Danish Public Procurement Act (Act no 1564 of 15 December 2015), see the Danish Implementation Order section 11, if required to ensure the proper execution of the procedure.

See also the document “Additional information about the contract notice” which contains additional information regarding this section. The document is accessible via the electronic tendering system at the address set out in section I.3).

VI.4. Procedures for review

VI.4.1. Review body

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

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: 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:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at www.retsinformation.dk), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published.

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision.

3) 6 months after the contracting entity entered into a framework agreement calculated from the day after the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of the Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore

indicate whether a suspensory effect of the complaint has been requested, see section 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1).

The Complaints Board's own complaints procedure is available at <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/>

VI.4.4. 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: <http://www.kfst.dk>

VI.5. Date of dispatch of this notice

12/05/2023