

**Denmark-Ballerup: Ammunition**  
**OJ S 164/2016 26/08/2016**  
**Contract notice**  
**Supplies**

**Directive 2009/81/EC**

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: The Danish Defence Acquisition and Logistics Organization

Postal address: Lautrupbjerg 1

Town: Ballerup

Postal code: 2750

Country: Denmark

For the attention of: Thomas Dam Jensen

E-mail: [fmt-id-s204@mil.dk](mailto:fmt-id-s204@mil.dk)

Telephone: +45 72572204

**Internet address(es):**

General address of the contracting authority/entity: <http://forsvaret.dk/FMI/ENG/Pages/default.aspx>

Electronic access to information: <http://permalink.mercell.com/59516105.aspx>

Electronic submission of tenders and requests to participate: <http://permalink.mercell.com/59516105.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.com](mailto:support.dk@mercell.com)

Internet address: <http://permalink.mercell.com/59516105.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.com](mailto:support.dk@mercell.com)

Internet address: <http://permalink.mercell.com/59516105.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.com](mailto:support.dk@mercell.com)

Internet address: <http://permalink.mercell.com/59516105.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**

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### **II.1. Description**

#### **II.1.1. Title attributed to the contract by the contracting authority**

Training ammunition with colour marking and bolt carrier.

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

Supplies

Purchase

NUTS code DK Danmark

#### **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: 20 000 000 DKK

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

This contract notice concerns The Danish Defence Acquisition and Logistics Organisation (DALO) tender for a framework agreement that covers DALO's need for 5,56mm training ammunition with colour marking and bolt carrier.

The training ammunition and bolt carrier will be used in military training exercises with Colt Canada C7 and C8 rifle variants. The exercises can be performed inside buildings, vehicles, ships or at outdoor training facilities. The contract is constructed as a framework agreement with a duration of 4 years with 1 option for a 3-year prolongation. It is however DALO's expectation that the contract duration is the full 7 years (i.e. 4 years + 3 years).

A maximum of 5 candidates will be pre-qualified for the framework agreement contract.

The purchaser is using Merzell Sourcing Services for this tender. To notify your interest and get access to any documents, you must copy and paste the link below into the address-part on your browser: <http://permalink.merzell.com/59516105.aspx> Then choose the relevant tender.

#### **II.1.6. CPV code(s)**

35330000 Ammunition, 35331000 Ammunition for firearms and warfare, 35331100 Bullets, 35331500 Cartridges, 35341000 Parts of light firearms

#### **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**

### **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: 36 (from the award of the contract)

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

Duration in months: 48 (from the award of the contract)

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

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### **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**

#### **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 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**

#### **III.2.2. Economic and financial ability**

**Criteria regarding the economic and financial standing of subcontractors (that may lead to their rejection)**

List and brief description of conditions: A statement of the company's overall turnover for the last 3 financial years, in so far as information on such turnovers is available.

A statement of the company's equity ratio at the end of the last 3 financial years, in so far as such information is available.

Minimum level(s) of standards possibly required: The candidate must have had an overall turnover of at least 5 000 000 DKK in each of the preceding (three) 3 financial years. (If the turnover is not stated in said currency, the contracting authority will calculate the turnover based on the official Exchange rate on the date this notice was published). The candidate must have had a positive equity ratio (calculated by dividing the company's equity with the

candidate's total assets (equity/total assets x 100) at the end of the preceding 3 financial years).

### **III.2.3. Technical and/or professional capacity**

**Criteria regarding the technical and/or professional ability of subcontractors (that may lead to their rejection)**

List and brief description of conditions:

A list containing the most important similar deliveries carried out over the past 5 years. The list should preferably include:

A description of each delivery, information on when it was carried out, the size and value of the deliveries, the recipients of the deliveries (specific countries are preferred, but need not necessarily be included. If no country specific information is included, the candidate is asked to specify the different deliveries according to type of country, example given: Nato country A, Nato country B, Nato country C, etc. or other country A, Other country B, Other country C, etc.).

The most relevant deliveries will be evaluated on basis of the below hierarchy with no 1 being most relevant deliveries and no 2 being the least relevant deliveries:

- 1) Deliveries made to a NATO member country within the past 5 years of items: 5,56mm colour marking ammunition and bolt carrier;
- 2) Deliveries made to other countries within the past 5 years of items: 5,56mm colour marking ammunition and bolt carrier.

### **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**

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### **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 the following criteria: (a) and (b), where the weight of criteria (a) is 30 % and the weight of criteria (b) is 70 % : Criteria (a): The economic and financial standing of the candidate, in terms of yearly turnover and equity ratio as described in section III.2.2) Criteria (b): The relevance of the candidate's previous deliveries in terms of size, value and recipient country as described in section III.2.3)

#### **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**

no

**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**

27.9.2016 - 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**

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**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**

This tender is conducted according to a restricted procedure, cf. Directive 2009/81/EC of the European Parliament and of the Council.

Candidates are asked to submit applications for pre-qualification via Merccell Sourcing Service: <http://permalink.mercell.com/59516105.aspx> The application for pre-qualification cannot be submitted by e-mail. DALO have prepared 1 pre-qualification 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 Merccell Sourcing Service: <http://permalink.mercell.com/59516105.aspx>

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 pre-

qualification questionnaire referred to above.

Non-compliance with formal requirements: DALO reserves the right — but is not obliged — to use remedies equal to the remedies provided for in Section 159(5) of the Danish Act No 1564 of 15.12.2015 on tender procedures 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](mailto:klfu@erst.dk)

Telephone: +45 35291095

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

##### **VI.4.2. 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)), the following time limits for filing a complaint apply: 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: 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 starting the day after the contracting authority has informed the candidates in question, that the contracting authority has entered into a contract based on a framework agreement through reopening of competition or a dynamic purchasing system, provided that the notification includes a short account of the relevant reasons for the decision; 3) 6 months starting the day after the contracting authority has sent notification to the candidates 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; 4) 20 calendar days starting the day after the contracting authority has published a notice concerning his decision to uphold the contract. 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 stating whether the complaint has been lodged in the standstill period, cf. § 6(4) of the act on The Complaints Board for Public Procurement. If the complaint has not been lodged in the standstill period, the complainant must also state whether it is requested that the appeal is granted delaying effect, cf. § 12(1) of the said act. The e-mail of The Complaints Board for Public Procurement is stated in Section VI.4.1) The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the internet address stated in Section VI.4.1)

##### **VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Danish Competition and Consumer Authority (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**  
22.8.2016