

Denmark-Brøndby: Insurance services
OJ S 97/2023 22/05/2023
Contract notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Danske Spil A/S
National registration number: 64011715
Postal address: Korsdalsvej 135
Town: Brøndby
NUTS code: DK01 Hovedstaden
Postal code: 2605
Country: Denmark
Contact person: Christian Mols
E-mail: chrm@danskespil.dk
Telephone: +45 21717290
Internet address(es):
Main address: <http://www.danskespil.dk>

I.3. Communication

Access to the procurement documents is restricted. Further information can be obtained at:
http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=365200&B=DS
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=365200&B=DS
Tenders or requests to participate must be submitted to the abovementioned address

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Other activity: Lottery and betting

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Cyber Insurance

II.1.2. Main CPV code

66510000 Insurance services

II.1.3. Type of contract

Services

II.1.4. Short description

The purpose of this tender is to replace the existing Cyber Insurance with a new insurance, including but not limited to, coverage of the companies in the case of cyber incidents that pose a threat to the organisations IT-system. Danske Spil A/S' request consist of coverage because of cyber-attacks on the organisations IT systems, data breach and loss of data as a result of incorrect handling of IT systems.

II.1.5. Estimated total value

Value excluding VAT: 2 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

66510000 Insurance services

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

II.2.4. Description of the procurement

The purpose of this tender is to replace the existing Cyber Insurance with a new insurance, including but not limited to, coverage of the companies in the case of cyber incidents that pose a threat to the organisations IT-system. Danske Spil A/S' request consist of coverage because of cyber-attacks on the organisations IT systems, data breach and loss of data as a result of incorrect handling of IT systems.

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: 2 000 000,00 DKK

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

Duration in months: 12

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

The shortlisting of candidates invited to tender will be based on an evaluation of which candidates have documented the most relevant deliveries of cyber insurance to gambling providers or companies with the equal complexity and risk profile as Danske Spil A/S, section III.1.3), of the services covered by the contract, see the description in section II.1.4).

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

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

III.1. Conditions for participation

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The applicant must submit a maximum of three references for delivery of cyber insurance within the last 3 years before the expiry of the deadline for submission of tender. References for delivery of cyber insurance to similar industries (e.g. gambling/financial/IT) or companies with the equal complexity as Danske Spil A/S will be granted a higher positive weighting when evaluating the applicant's suitability.

The applicant shall submit:

- insurance period
- description of the policy
- description of industry and the company (how is it equally complex as Danske Spil A/S)

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive procedure with negotiation

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.5. Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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

Date: 19/06/2023 Local time: 10:00

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: 1 (from the date stated for receipt of tender)

Section VI: Complementary information

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

Appendix 1 - Risk Information will only be shared with pre-qualified candidates after submitting a signed NDA.

Danske Spil A/S estimates the contract value to DKK 1,500.000 - 2.000.000.

Participation in the tender procedure can only take place electronically via EU-Supply. To access the tender material, the tenderer must be registered or register as a user in EU-Supply, which can be done free of charge.

The tenderers may ask written questions during the tender procedure. Questions are asked via EU-Supply's dedicated module for questions. Questions can only be expected to be answered if it is possible to answer them no later than 6 calendar days before the deadline.

The tender and ESPD are submitted in EU Supply's dedicated module. In the case of an association of economic operators (a consortium), a separate ESPD must be submitted for each of the participating economic operators. By submitting the ESPD, the economic operators of the association declare to assume direct, joint and several and unlimited liability for the fulfilment of the contract.

If the tenderer relies on the ability of other entities, an ESPD must be submitted for each of the entities on which the tenderer relies on. By submitting the ESPD, each of the entities on which the tenderer bases his capacity declare, to assume direct, joint and several and unlimited liability for the fulfilment of the contract.

An economic operator can only be a participant in one association of economic operators (a consortium). However, the same economic operator may well be a participant in one association and at the same time let other tenderers rely on it or be a subcontractor to several tenderers. However, each tenderer may submit only one tender.

The tenderer will be excluded from participation in the tender procedure if the tenderer is covered by the mandatory grounds for exclusion mentioned in sections 135 and 136 of the Danish Public Procurement Act (Udbudsloven), unless the tenderer has submitted sufficient documentation that the applicant is reliable in accordance with section 138 (self cleaning).

At any time during the tender procedure before the award decision, the Contracting Authority can demand, that the tenderers who are still participating in the procedure or to whom the Contracting Authority intends to award the contract, submits documentation for the informationsubmitted in the ESPD.

Subcontractors on whom the tenderer has relied on, must sign a declaration of commitment that bind the subcontractors to be jointly and severally liable for the fulfillment of the contract, as part of the documentation.

Each economic operator in an association of economic operators, must sign a declaration concerning formation of consortium that binds each economic operator to be jointly and severally liable for the fulfillment of the contract, as part of the documentation.

Regarding section IV.2.4 in the contract notice: questions and tenders are submitted in English. The Contracting Authority reserves the right to disregard those parts of the questions and tenders which have not been submitted in English.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud
Postal address: Nævnenes Hus, Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://klfu.naevneneshus.dk/>

VI.4.2. Body responsible for mediation procedures

Official name: Klagenævnet for Udbud
Postal address: Nævnenes Hus, Toldboden 2
Town: Viborg
Postal code: 8800
Country: Denmark
E-mail: klfu@naevneneshus.dk
Telephone: +45 72405600
Internet address: <https://klfu.naevneneshus.dk/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

According to the Danish act on the Complaints Board for Public Procurement (Lov om Klagenævnet for Udbud), the following deadlines apply for filing a complaint:

Complaints must, cf. section 7, paragraph 2 of the Danish act on the Complaints Board for Public Procurement Act (Lov om Klagenævnet for Udbud), be filed with the Danish Complaints Board for Public Procurement (Klagenævnet for Udbud) 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 tenderers 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 then otification 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/tenderers 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, cf. section 2, paragraph 2 of the Act and 171, paragraph 4 of the Danish Public Procurement Act (Udbudsloven);
- 4) 20 calendar days from the day after the Contracting Authority has notified its decision, cf. section 185, paragraph 2 of the Danish Public Procurement Act (Udbudsloven).

No later than the time a complaint is submitted to the Danish Complaints Board for Public Procurement (Klagenævnet for Udbud), shall the complainant notify the Contracting Authority in writing that a complaint has been submitted to the Danish Complaints Board for Public Procurement (Klagenævnet for Udbud), and whether the complaint has been submitted during the standstill period, cf. section 6, paragraph 4 the Danish act on the Complaints Board for Public Procurement (Lov om Klagenævnet for Udbud). In cases where the complaint has not been submitted during the standstill period, the complainant shall also indicate whether a suspensory effect is requested from the complaint, cf. section 12, paragraph 1 of the Act. The Danish Complaints Board for Public Procurement (Klagenævnet for Udbud) email

addressis stated in Section VI.4.1).

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

Telephone: +45 41715000

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

VI.5. Date of dispatch of this notice

17/05/2023