

**Denmark-Lyngby: Research services**  
**OJ S 134/2018 14/07/2018**  
**Contract award notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

---

**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Danmarks Tekniske Universitet / Technical University of Denmark

Postal address: 2800

Town: Lyngby

NUTS code: DK012 Københavns omegn

Country: Denmark

Contact person: Johanne Liv Pedersen

E-mail: [jolip@dtu.dk](mailto:jolip@dtu.dk)

**Internet address(es):**

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

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Education

---

**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

DTU-ESA Spherical Near-Field Antenna Test Facility Performance Upgrade

**II.1.2. Main CPV code**

73110000 Research services

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

DTU-ESA Spherical near-field antenna test facility performance upgrade.

**II.1.6. Information about lots**

This contract is divided into lots: no

**II.1.7. Total value of the procurement**

Value excluding VAT: 200 000,00 EUR

**II.2. Description**

**II.2.2.**

**Additional CPV code(s)**

38300000 Measuring instruments, 31711422 Microwave equipment

**II.2.3. Place of performance**

NUTS code: DK012 Københavns omegn

**II.2.4. Description of the procurement**

This Contract concerns 0,1 to 60 GHz microwave signal generator and receiver components as well as measurement data acquisition system for the DTU-ESA Spherical near-field antenna test facility. This facility is an European space agency external reference laboratory at the Technical university of Denmark for high-accuracy calibration and measurement of space antenna technology. The deliverables of this Contract are to replace specific existing equipment but must interface to remaining existing equipment and support existing measurement techniques and procedures to achieve the same high measurement accuracy. The focus of this contract is on the technical capability and quality.

**II.2.5. Award criteria**

Price

**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 IV: Procedure**

---

**IV.1. Description****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

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

DTU has concluded a tender as an open procedure. After the time limit for receipt of tenders expired, DTU had received 2 tenders.

Only the tender from NSI-MI Technologies, LLC was technically capable with the existing equipment. This was expressed when the only other tender failed to meet the requirement put forth by DTU, which specified that "...It is a Minimum Requirement (...) that the following parts of the DTU-ESA Facility measurement system remain and that the deliverables thus interface to these:

- A) anechoic chamber including metal screen, absorber lining, and access doors / gates;
- B) access balcony, walk paths, personnel lifts, ceiling crane, instrumentation pit;
- C) antenna positioner and probe positioner including motors, gears, and slip rings;
- D) antenna positioner axes position encoders (Inductosyn encoders from Farrand);
- E) control and integration room location of operator instrumentation;

F) processing software based on SNIFTD; DTU has valid license”.

The other company than NSI-MI who submitted a tender made reservations for this requirement, making DTU responsible for the interfacing between of the new equipment and the existing.

Since the interfacing between the new and existing equipment is essential for the continuation of the project, it is assessed that only NSI-MI Technologies, LLC can deliver equipment which interfaces correctly with the existing equipment.

#### **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: [2018/S 097-221418](#)

#### **IV.2.8. Information about termination of dynamic purchasing system**

#### **IV.2.9. Information about termination of call for competition in the form of a prior information notice**

### **Section V: Award of contract**

---

A contract/lot is awarded: yes

#### **V.2. Award of contract**

##### **V.2.1. Date of conclusion of the contract**

10/07/2018

##### **V.2.2. Information about tenders**

Number of tenders received: 1

The contract has been awarded to a group of economic operators: no

##### **V.2.3. Name and address of the contractor**

Official name: NSI-MI Technologies

Town: Atlanta

NUTS code: 00 Other or Not Specified

Country: United States

The contractor is an SME: no

##### **V.2.4. Information on value of the contract/lot**

Total value of the contract/lot: 200 000,00 EUR

##### **V.2.5. Information about subcontracting**

### **Section VI: Complementary information**

---

#### **VI.3. Additional information**

#### **VI.4. Procedures for review**

##### **VI.4.1.**

## **Review body**

Official name: Klagenævnet for Udbud / The Complaints Board for Public Procurement

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 35291000

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

### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to Danish Act on the Complaints board for public procurement (act n° 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 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 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 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 / tenderers involved that the Contracting Authority has entered into the Framework Agreement, cf. § 2(2) or § 171(4) of the Act on Public Procurement, 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, cf. § 185 (2) of the Act on Public Procurement.
- 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 email 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.4.4. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen / Danish Competition and Consumer Authority

Postal address: Carl Jacobsens Vej 35

Town: Kgs. Lyngby

Postal code: 2800

Country: Denmark

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

Telephone: +45 41715000

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

## **VI.5.**

**Date of dispatch of this notice**

13/07/2018