

**Denmark-Ballerup: Transport equipment and auxiliary products to transportation**

OJ S 134/2021 14/07/2021

Contract notice

Supplies

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistics Organizations

National registration number: 16-28-71-80

Postal address: Lautrupbjerg 1-5

Town: Ballerup

NUTS code: DK Danmark

Postal code: 2750

Country: Denmark

Contact person: Per Christiansen

E-mail: [fmi-sd-aam07@mil.dk](mailto:fmi-sd-aam07@mil.dk)

Telephone: +45 72814226

**Internet address(es):**Main address: <https://www.ethics.dk/ethics/eo#/d0423b3e-bd92-4233-9aeb-611b6d3a03c8/homepage>**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/d0423b3e-bd92-4233-9aeb-611b6d3a03c8/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/d0423b3e-bd92-4233-9aeb-611b6d3a03c8/homepage>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/d0423b3e-bd92-4233-9aeb-611b6d3a03c8/homepage>

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

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.5. Main activity**

Defence

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Electric Towing Vehicles for Aircraft

**II.1.2. Main CPV code**

34000000 Transport equipment and auxiliary products to transportation

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

This tender concerns electrical towing vehicles to The Royal Danish Air Force. The towing vehicles shall tow all aircraft types and Ground Support Equipment (GSE), and shall operate at the Danish airbases in Denmark, the Faroe Islands and Greenland, and will also be used in international military operations abroad, where Denmark is participating. The towing vehicles will be used inside hangars and on the apron. The tender is divided in 3 lots, which is related to the different aircraft types. DALO expects that a number of approx. 40-50 vehicles will be required. The estimated number of vehicles are without any obligations for DALO.

**II.1.5. Estimated total value**

Value excluding VAT: 88 000 000,00 DKK

**II.1.6. Information about lots**

This contract is divided into lots: yes  
Tenders may be submitted for all lots

**II.2. Description****II.2.1. Title**

Electrical Towing Vehicles for Helicopters and Ground Support Equipment  
Lot No: 01

**II.2.2. Additional CPV code(s)**

34000000 Transport equipment and auxiliary products to transportation

**II.2.3. Place of performance**

NUTS code: DK Denmark

Main site or place of performance: Domestic bases (in Denmark, the Faroe Islands and Greenland) and in connection with international military operations.

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

Electrical towing vehicles for helicopters and Ground Support Equipment. 1 type of vehicle will cover all helicopters and GSE. Towing will be with a towbar solution and the vehicle shall be non-remote controlled and with a cabin. Lot 1 also covers 2 options for 2 different versions of the same vehicle, prepared for extreme heat and extreme cold climate.

**II.2.5. Award criteria**

Criteria below  
Price

**II.2.6. Estimated value**

Value excluding VAT: 35 000 000,00 DKK

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

Duration in months: 48  
This contract is subject to renewal: no

**II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: yes

Description of options:

Lot 1 also covers 2 options for 2 different versions of the same vehicle, one prepared for extreme heat and one for extreme cold climate.

### **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**

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement. For further information please look at VI.3) 'Additional Information'.

## **II.2. Description**

### **II.2.1. Title**

Electrical Towing Vehicles for Bombardier Challenger 604 and General Dynamics F-16

Lot No: 02

### **II.2.2. Additional CPV code(s)**

34000000 Transport equipment and auxiliary products to transportation

### **II.2.3. Place of performance**

NUTS code: DK Danmark

Main site or place of performance: Domestic bases (in Denmark, the Faroe Islands and Greenland) and in connection with international military operations.

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

Electrical towing vehicles for Bombardier Challenger 604 (Challenger) and General Dynamics F-16 (F-16). 1 type of vehicle shall cover both Challenger and F-16. Towing will be towbarless and the vehicle shall be remote controlled. The vehicle shall fit the helicopters Lockheed Martin /Sikorsky MH-60R Seahawk and Agusta Westland EH-101 as well.

### **II.2.5. Award criteria**

Criteria below

Price

### **II.2.6. Estimated value**

Value excluding VAT: 8 000 000,00 DKK

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

Duration in months: 48

This contract is subject to renewal: no

### **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**

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement. For further information please look at VI.3) 'Additional Information'.

## **II.2. Description**

### **II.2.1. Title**

Electrical Towing Vehicles for Lockheed Martin F-35 and Lockheed Martin C-130J Hercules  
Lot No: 03

### **II.2.2. Additional CPV code(s)**

34000000 Transport equipment and auxiliary products to transportation

### **II.2.3. Place of performance**

NUTS code: DK Denmark

Main site or place of performance: Domestic bases (in Denmark, the Faroe Islands and Greenland) and in connection with international military operations.

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

Electrical towing vehicles for Lockheed Martin F-35 (F-35) and Lockheed Martin C-130J Hercules (C-130J). 1 type of vehicle shall cover both F-35 and C-130J. Towing shall be with a towbar and the vehicle shall be non-remote controlled and with a cabin. Lot 3 also covers 3 options: Two options regarding 2 different versions of the same vehicle, prepared for extreme heat and extreme cold climate, and 1 option regarding delivery of an electric towing vehicle for even larger aircraft.

### **II.2.5. Award criteria**

Criteria below

Price

### **II.2.6. Estimated value**

Value excluding VAT: 45 000 000,00 DKK

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

Duration in months: 48

This contract is subject to renewal: no

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: yes

Description of options:

Lot 3 also covers 3 options: two options regarding 2 different versions of the same vehicle, one prepared for extreme heat and one for extreme cold climate, and 1 option regarding delivery of an electric towing vehicle for even larger aircraft 400T.

### **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**

The agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the agreement. For further information please look at VI.3) 'Additional Information'.

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

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### **III.1. Conditions for participation**

#### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

DALO has decided that all tenderers must submit documentation that the information stated in the European Single Procurement Documenter (hereafter 'ESPD') is accurate. This is to ensure that the procedure is properly conducted and in order to finish the tender within the deadline for the budget for procurement. In order for DALO to proceed with the tender procedure, you must together with the tender submit documentation for the information stated in the ESPD, cf. section 151 (2) of the Public Procurement Act (Act No 1564/2015 in Danish: 'Udbudsloven').

#### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

Not relevant.

#### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

The candidate must use the European Single Procurement Document (electronic version, hereafter ESPD) and provide the following information in the ESPD:

To be sent with the offer — a list of the most important similar deliveries (references), cf. section II.1.4) and II.2.4), in regard to the lot or lots in respect of which the candidate has requested to participate carried out within the past 3 (three) years, prior to the deadline for the request to participate/submission of the offer, cf. Part IV, section C.

The list should preferably include a short description of each delivery. The description should include a clear indication of which specific parts of the deliveries that are similar to the supplies as described in section II.1.4) and II.2.4), in regard to the lot or lots in respect of which the tenderer has requested to participate. The description should also include a description of the candidates participation/role in the performance of the deliveries. The description should contain information on the date of the deliveries, the size/quantity/volume and value of the deliveries, the recipients of the deliveries (specific names/countries are preferred, but not necessary; if no country specific information is included, the tenderer is asked to provide as much generic information as possible about the delivery)]. When specifying the date for the deliveries, the candidate should state the date of commencement and completion. If this is not possible, e.g. because the delivery in question is performed on an ongoing basis according to a framework agreement, the description of the deliveries should nonetheless contain information on how the date is set. A candidate may rely on the technical and professional capacity of other entities (e.g. a parent or sister company or a sub supplier), irrespective of the

legal nature of the relations between the candidate and the entity or entities on which the candidate relies. In this case, the candidate shall ensure that an ESPD from the entity or entities on which the candidate relies is submitted along with the candidate's own ESPD. The entity or entities' ESPD must equally provide the information listed above.

The candidate will not be required to present further documentation for the technical and professional capacity (i.e. the information stated in the ESPD is considered sufficient).

However, DALO reserves the right to contact the candidate and/or the recipients of the deliveries in order to verify the information stated in Part IV, section C in the ESPD, including details on the specified dates of the performance of the deliveries.

Please note: DALO has decided that all tenderers must submit information stated in the European Single Procurement Document (hereafter 'ESPD') is accurate. This is to ensure that the procedure is properly conducted and in order to finish the tender within the deadline for the budget for procurement. In order for DALO to proceed with the tender procedure, you must submit documentation for the information stated in the ESPD, cf. section 151(2) of the Public Procurement Act (Act No 1564/2015 in Danish 'Udbudsloven').

Minimum level(s) of standards possibly required:

The candidate shall document previous deliveries of the offered electric towing vehicle to other airports, airbases or aircraft producers and demonstrate experience with as a minimum of 1 similar electrical towing vehicle delivered within the past 3 years, prior to the deadline for the request to participate. A list of the most important similar deliveries (references) cf. section II. 1.4) and II.2.4), in regard to the lot or lots in respect of which the candidate has requested to participate carried out within the past 3 (three) years, prior to the deadline for the request to participate/submission of the offer, cf. Part IV, section C.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

Reference is made to the tender documents regarding payment terms. Invoicing must be done in accordance with the applicable Danish legislation on public payments. At present, this is Danish consolidation act. No 798 of June 2007 which requires electronic invoicing. Exact terms are stated in the contract. No particular legal form is required. If the contract is awarded to a group of suppliers (e.g. a consortium), the participants shall undertake joint and several liabilities and to appoint one supplier to represent the group. The framework agreement must be conducted in consideration of corporate social responsibility (CSR) and it contains a labour clause, please see Appendix [indsæt CSR bilag] for further information. Regarding delivery of electric towing vehicles, no prototype will be accepted but only standard vehicles.

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Open procedure

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

The procurement involves the establishment of a framework agreement  
Framework agreement with a single operator

#### **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: 30/08/2021 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, Danish

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 6 (from the date stated for receipt of tender)

#### **IV.2.7. Conditions for opening of tenders**

Date: 30/07/2021 Local time: 13:00

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

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#### **VI.1. Information about recurrence**

This is a recurrent procurement: no

#### **VI.2. Information about electronic workflows**

Electronic invoicing will be accepted

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

Regarding pkt.II.1.5): the value of the framework agreement is expected to be between DKK 88 000 000-170 000 000. The estimated value of the framework agreement is DKK 88 000 000, and the maximum value of the framework agreement is DKK 170 000 000. The reason for the difference between the stated value is the uncertainty regarding the final value of the framework agreement, cf. below. Hence, the estimated value constitutes DALO's most qualified estimate of the value of the framework agreement at the present moment, while the maximum value constitutes the maximum value of purchases under the framework agreement in its duration. The uncertainty regarding the final value of the framework agreement is primarily caused by uncertainty regarding the result of the upcoming budget negotiations for the Danish Defence undertake joint and several liability for the performance of the contract

Regarding section IV.2.4): the request to participate shall be in the language stated in section IV.2.4). However, the candidate can provide the following requested documentation /certificates in Danish and/or English — user manuals and service manuals. The use of the ESPD is a precondition for participation in the procurement procedure, cf. § 148 of the Public Procurement Act. DALO shall require that the candidate apply the ESPD as preliminary evidence that the candidate is not subject to the grounds of exclusion stipulated in §§ 135 and 136 of the said Act, that the candidate fulfils the minimum requirements for suitability fixed in accordance with § 140, cf. section III.1.2) and III.1.3), and how the candidate fulfils the objective and non-discriminatory criteria of selection, cf. § 145(2), cf. section II.2.9). The candidates and, if relevant, the participants in the group of entities and/or supporting entities, must use the electronic version of the ESPD. DALO available at ETHICS web portal in accordance with the instructions given by ETHICS. The ESPD document must be signed by the supporting entity. It is not necessary for the tenderer to sign the ESPD document. If the tenderer is a group of entities (consortiums), each participants ESPD document must be signed by the participants in question. It is not necessary for the participant submitting the tender to sign his ESPD document. DALO strongly encourages the candidate to use this XML-file when completing the ESPD. DALO shall require that the tenderers together with the tender, shall deliver documentation for the information stated in the ESPD, cf. §§ 151-155 of

the said Act. If a candidate relies on the capacity of other entities, cf. section III.1.2) and III.1.3), the candidate shall upon request provide statements of support or other documentation proving that the candidate has access to the necessary technical and professional capacity, and that the entity referred to has a legal obligation to the candidate. If such documentation is not provided, DALO cannot consider the technical and professional capacity of the other entity or entities. DALO has prepared a template to be used to confirm the legal obligation which is available at ETHICS. DALO strongly encourages the candidates to use this form. However, it is emphasised that it is the sole responsibility of the candidate that the information provided fulfils the requirements.

DALO shall exclude a candidate from participation in the procurement procedure, if the candidate is subject to one of the compulsory grounds for exclusion in §§ 135 and 136 of the said Act unless the candidate has provided sufficient documentation that the candidate is reliable in accordance to § 138 of the said Act. Please note that certain voluntary exclusion grounds in Directive 2014/24/EU on public procurement have been made compulsory in § 136 of the said Act. Please note, that the tenderer can only submit one offer for each lot. For further information regarding this procurement please see the enclosed document 'Additional information to Contract Notice No 01'.

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

##### **VI.4.1. Review body**

Official name: Klagenævnet for udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 72405600

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

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

Precise information on deadline(s) for review procedures:

Pursuant to Section 3 of the Danish Consolidation Act No 593 of 2 June 2016 on the Complaints Board for Public Procurement (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, cf. § 7(1) of the Act on The Complaints Board for Public Procurement, provided that the notification includes a short account of the relevant reasons for the decision.

Other complaints must in accordance with § 7(2) of the Act on The Complaints Board for Public Procurement 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 Public Procurement Act, 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 Public Procurement Act. 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 stand-still period, cf. § 6(4) of the Act on The Complaints Board for Public Procurement. If the complaint has not been lodged in the stand-still 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.4.4. 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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Internet address: [www.kfst.dk](http://www.kfst.dk)

#### **VI.5. Date of dispatch of this notice**

09/07/2021