

**Denmark-Copenhagen: Cooling and ventilation equipment**

OJ S 211/2015 30/10/2015

Contract notice

Supplies

Directive 2009/81/EC

**Section I: Contracting authority/entity**

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**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistic Organization

Postal address: C/o Kammeradvokaten, Vester Farimagsgade 23

Town: Copenhagen

Postal code: 1606

Country: Denmark

For the attention of: Morten Grevé

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

Telephone: +45 72307814

**Internet address(es):**General address of the contracting authority/entity: <http://www.forsvaret.dk/fmi>**Additional information can be obtained from:**

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

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

Acquisition of 4 trailer mounted diesel driven cooling carts for F-16 aircrafts.

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

Supplies

Purchase

Main site or place of performance: Place of delivery shall be: FCA INCOTERMS 2010 at the supplier's place of business.

**II.1.3. Information about framework agreement****II.1.4. Information about framework agreement**

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

Due to deployment of the Royal Danish Air Force F-16 aircrafts to warm climatic zones (for example A1) the Danish Defence Acquisition and Logistics Organization (hereafter 'DALO') wishes to procure four cooling carts with sufficient cooling capacity to sustain F-16 operations under these climatic conditions.

The cooling carts shall consist of a cooling system mounted on a 4-wheeled trailer.

The cooling carts shall be driven by a diesel cycle combustion engine. This engine shall — during deployment — be able to run on military aviation jet-fuel.

The cooling carts shall be transportable by a C-130 Hercules.

Cooling air pressure and flow from the cooling carts shall be adjustable by an operator.

Each of the cooling carts shall be equipped with a 400 Hz ground power unit (GPU) in accordance with MIL-STD-704 or equivalent.

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

42500000 Cooling and ventilation equipment, 35640000 Parts for military aerospace equipment, 42113130 Condenser air-cooling systems, 42513200 Refrigerating equipment

### **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**

Estimated value excluding VAT:

Range: between 16 000 000 and 18 000 000 DKK

### **II.2.2. Information about options**

Options: yes

Description of options: DALO will have the option to purchase additional four (1+1+1+1) cooling carts.

Provisional timetable for recourse to these options:  
in months: 24 (from the award of the contract)

### **II.2.3. Information about renewals**

This contract is subject to renewal: no

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

Duration in days: 195 (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**

If prepayments are made, an on-demand guarantee from a recognized financial institution must be presented. The financial institution has to be approved by DALO.

#### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

Reference is made to the tender documents with regard to the 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 invoicing to be done electronically. Exact terms will be stated in the contract.

### **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 one 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 economic operators (that may lead to their exclusion)**

List and brief description of conditions: The candidates must submit:

— A statement of the candidate's overall turnover for the last three financial years available, in so far as information on such turnovers is available.

— A statement of the candidate's equity capital at the end of the preceding three financial years, in so far as such information is available.

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required: The candidate must have had an annual turnover of at least DKK 18 000 000 in each of the preceding 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 capital 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 economic operators (that may lead to their exclusion)**

List and brief description of conditions:

The candidates must submit:

A prioritized list of the most important similar deliveries effected in the past five years. In the event that the candidate submits a list containing more than 10 references, DALO will only evaluate the technical capacity on the basis of the first 10 stated.

The list should preferably include:

— A description of each delivery.

— Information on when it was carried out.

— The size and value of the deliveries (specific names/countries are preferred, but need not necessarily be included; if no country specific.

information is included the candidate is asked to provide as much generic information as possible about the delivery).

— The recipients of the deliveries.

Reference is made to section VI.3 with regard to the candidate's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required

The candidate must demonstrate experience with at least one delivery of trailer mounted cooling cart with 400 Hz ground power unit (GPU) to combat aircrafts within the past 5 years.

#### **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**

Negotiated

##### **IV.1.2. 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 limitation of candidates will be based on an evaluation of which candidates have documented the most relevant previous deliveries in comparison to the contract/purchases described in section II.1.5) above, in terms of the nature and quantity of the previous deliveries. Please note that any ambiguities and/or incomprehensibilities in the information submitted under section III.2.3) may be regarded negatively in the evaluation when selecting the limited numbers of candidates.

##### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

#### **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**

**Other previous publications**

Notice number in the OJ S: [2015/S 44-076156](#) of 4.3.2015

##### **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**

27.11.2015 - 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**

Negotiated procedure:

This tender is conducted according to the negotiated procedure, cf. directive 2009/81/EC, article 26. The tenderers who will be invited to submit tenders will receive further practical information regarding the negotiated procedure in the Instructions to Tenderers.

DALO have prepared a pre-qualification questionnaire (PQQ) 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 PQQ can be obtained by contacting [mogr@kammeradvokaten.dk](mailto:mogr@kammeradvokaten.dk)

Candidates are asked to submit applications for pre-qualification in 2 hard-copies and electronically on a CD/ USB or equivalent medium in a sealed envelope marked 'Cooling carts for F-16 — Application. Must not be opened in the reception'. In case of discrepancy between the hard-copy and the electronic version, the hard-copy shall take precedence.

The application for pre-qualification cannot be submitted by e-mail and must be submitted to 'Kammeradvokaten, Vester Farimagsgade 23, 1606 Copenhagen, Denmark, Att: Morten Grevé'.

Re. Section II.3): It will be a minimum requirement that the cooling carts are delivered to DALO at the latest 195 days (6,5 months) after conclusion of the contract.

Re. Section III.2.1): When submitting the offers (but not the application for pre-qualification), the tenderers must submit a solemn declaration stating to which degree the tenderer has fulfilled its obligations relating to the payment of direct and indirect taxes and social security contributions in accordance with the legal provisions of the country in which the candidate is established and in Denmark in accordance with consolidation act no. 336 of 13 May 1997 regarding public payments. A template for the declaration will be provided with the tender material.

Re. Section III.2): According to directive 2009/81, article 41(2) and 42(2), 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 included when establishing the suitability of the candidate, the candidate must 1) prove that the other entities will and shall put the relevant resources at the disposal of the candidate (e.g. by submitting a co-operation agreement or an undertaking

to that effect), and 2) provide the same type of information regarding the other entities as the candidate according to section III.2) is obliged to provide on his behalf.

Re. Section IV.1.1: DALO reserves the right not to negotiate with the tenderers. Thus, DALO has the right to accept a tenderer's first offer (INDO1) as the final offer and award the contract without conducting any negotiations.

Non-compliance with formal requirements:

DALO reserves the right — but is not obliged — to use the remedies provided for in Section 12 of the Danish statutory order on procedures for the award of public supply contracts, public service contracts and public construction contracts (Order no. 712 of 15 June 2011) 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: DK-2100

Country: Denmark

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

Telephone: +45 35291095

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

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: Pursuant to Danish act no. 492 of 12.5.2010 with subsequent amendments on enforcement of the public procurement rules, 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 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). However, if the tender concerns a framework agreement complaints must be filed with The Complaints Board for Public Procurement within 6 months 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.

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. The complainant shall state whether the complaint has been lodged in the stand-still period. If the appeal has not been lodged in the stand-still period, the appellant must also state whether it is requested that the appeal is granted delaying effect.

##### **VI.4.3. 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: DK-2500

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**

28.10.2015