

**Denmark-Ballerup: Footwear**  
**OJ S 172/2019 06/09/2019**  
**Contract award notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Danish Defence Acquisition and Logistics Organization (DALO)

National registration number: 16287180

Postal address: Lautrupbjerg 1

Town: Ballerup

NUTS code: DK Danmark

Postal code: 2750

Country: Denmark

Contact person: KAPS — Line Westh

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

**Internet address(es):**

Main address: <http://www.fmi.dk/Pages/forside.aspx>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/281402>

**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

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**Section II: Object**

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

**II.1.1. Title**

Acquisition of Work- and Safety Footwear to the Danish Defence

**II.1.2. Main CPV code**

18800000 Footwear

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

The Danish Defence wants to acquire new work- and safety footwear.

The footwear is intended to be used for certain activities that requires various types of specific footwear. The supplier shall deliver work- and safety footwear for job positions in the complete organization of the Danish Defense, where work- and safety footwear are required. The

supplier shall deliver work- and safety footwear, that is compatible with the work conditions, use case descriptions and function definitions illustrated in the requirements specification (Appendix A), and therefore are part of the framework agreement.  
The background philosophy of this procurement is for DALO to be on the front end of product development, in order to procure latest new products on the market.

#### **II.1.6. Information about lots**

This contract is divided into lots: no

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

Value excluding VAT: 120 000 000,00 DKK

### **II.2. Description**

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

18800000 Footwear, 18810000 Footwear other than sports and protective footwear, 18840000 Parts of footwear, 18811000 Waterproof footwear, 18812000 Footwear with rubber or plastic parts, 18812300 Town footwear with rubber or plastic uppers, 18813000 Footwear with uppers of leather, 18814000 Footwear with uppers of textile materials, 18821000 Ski footwear, 18821100 Cross-country ski footwear, 18830000 Protective footwear

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

NUTS code: DK050 Nordjylland

NUTS code: DK Danmark

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

The Danish Defence wants to acquire new work- and safety footwear. The footwear is intended to be used for certain activities that requires various types of specific footwear. The supplier shall deliver work- and safety footwear for job positions in the complete organization of the Danish Defense, where work and safety footwear are required. The supplier shall deliver work- and safety footwear, that is compatible with the work conditions, use case descriptions and function definitions illustrated in the requirements specification (Appendix A), and therefore are part of the framework agreement. The background philosophy of this procurement is for DALO to be on the front end of product development, in order to procure latest new products on the market.

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

Quality criterion - Name: Conditional requirements / Weighting: 12

Quality criterion - Name: Quality evaluated by test / Weighting: 33

Price - Weighting: 55

#### **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 not divided into lots on the grounds that a division of the contract would not ensure a sufficient competition in the current market.

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.

## 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

#### 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: [2019/S 031-069100](#)

#### 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

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**Contract No:** 1

**Title:**

Acquisition of Various Work- and Safety Footwear to the Danish Defence

A contract/lot is awarded: yes

### V.2. Award of contract

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

23/08/2019

#### V.2.2. Information about tenders

Number of tenders received: 4

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

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

Official name: Bacher A/S

National registration number: 10626870

Postal address: Kirstinehøj 5

Town: Kastrup

NUTS code: DK Danmark

Postal code: 2770

Country: Denmark

Telephone: +45 32505200

The contractor is an SME: yes

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

Initial estimated total value of the contract/lot: 120 000 000,00 DKK

Total value of the contract/lot: 58 618,00 DKK

## V.2.5. Information about subcontracting

### Section VI: Complementary information

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#### VI.3. Additional information

Regarding V.2.4) it is noted, that the 'Total value of the contract' stated (58 618 DKK) expresses the total evaluation price calculated on basis of the prices offered in accordance with the evaluation method described in the instructions to tenderer, enclosure 2, Section 2.1. Thus, the value stated in Section V.2.4) is only a calculated price and therefore not to be mistaken as the actual full price to be paid throughout the duration of the agreement.

#### 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@naevneneshus.dk](mailto:klfu@naevneneshus.dk)

Telephone: +45 72405600

Internet address: <https://erhvervsstyrelsen.dk/klagevejledning-0>

##### 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 2.6.2016 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 public procurements and decisions subject to Chapter II or III of the Public Procurement Act, which does not concern a candidate not being invited to tender, 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 with-in:

- 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: <http://www.kfst.dk>

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

05/09/2019