

**Denmark-Ballerup: Ships and boats**  
**OJ S 241/2017 15/12/2017**  
**Contract notice**  
**Services**

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

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

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: Mia Bjerring Birkebæk

E-mail: [FMI-JA-S116@mil.dk](mailto:FMI-JA-S116@mil.dk)

**Internet address(es):**

Main address: [www.fmi.dk](http://www.fmi.dk)

**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/520f31dd-a9ff-45a0-ad55-b6d515e78ca3/homepage>

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#/520f31dd-a9ff-45a0-ad55-b6d515e78ca3/homepage>

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

**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**

Development and the Possible Purchase of 3 New Innovative All Weather Rescue Boats for the Danish Coastal Rescue Service

**II.1.2. Main CPV code**

34500000 Ships and boats

**II.1.3. Type of contract**

Services

#### **II.1.4. Short description**

DALO wishes to procure 3 All Weather Rescue Boats (AWRB) that are capable of performing search and rescue operations in any type of weather in the seas of the North West Denmark. The AWRBs shall live up to new and increasing demands for greater flexibility, better sea maneuverability, greater speed, bollard pull and personal safety.

A new larger AWRB that is still conforming to the strict requirements for vessels for the Danish Coastal Rescue Service leads to a vessel design, that today is simply not on the market and DALO envisages that it is necessary to use new and innovative solutions in the design. DALO wishes to enter into an Innovation Partnership with a single supplier that is able to design and build the vessels.

The procurement includes, in addition to the build process, an Innovation and Development Process where the supplier will, in a partnership with DALO, design and qualify a vessel design that incorporates all the operational requirements for a Danish SAR-vessel.

#### **II.1.5. Estimated total value**

Value excluding VAT: 140 000 000,00 DKK

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

This contract is divided into lots: no

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

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

34520000 Boats, 34521000 Specialised boats, 34521400 Lifeboats

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

NUTS code: DK Danmark

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

The All Weather Rescue Boats shall have excellent sea keeping characteristics that makes it possible to operate in any kind of weather. This shall be achieved while the vessels still offer a stable platform for the crew, especially while rescuing people from the water.

Due to the fact that these SAR vessels are regulated by an extensive regulation set, and as a marked survey has not shown any existing vessel which fulfils the regulations, the design process for new All Weather Rescue Boats will naturally become complicated. The requirement for the vessels to be self-righting from all angles is not unusual among SAR vessels, but the Danish rules (Annex A2) require that this is done with partially water-filled compartments.

Another factor that will be a challenge is the requirement for relatively fast boats (25 knots speed), this while still being equipped with a crane, towing winches, etc. In this context, larger weight/displacement means larger main engines to ensure compliance with the speed requirement. The speed requirement is also challenged by increased requirements for strength of the ship structure.

As a result of these requirements, there are high demands for innovative solutions with regard to position of compartments and buoyancy and optimisation of sea keeping performance while still offering a stable platform. These things shall come together in a relatively small vessel of maximum 24 metres. There are several parameters to be adjusted, while exactly observing the effects and influences of different parameters. The goal is to end up with a vessel design that not only meets some of the requirements, but in fact comply with all the requirements simultaneously.

The procurement includes, in addition to the build process of 3 boats, an innovations process where the supplier will, in a partnership with DALO, design and qualify a design that

incorporates a list of operational requirements with all the specific rules regarding safety and capability in search and rescue operations that takes place in all kinds of weather. The innovations process is open for the supplier to search out and to innovate new and better solutions that exist on the market today. The innovations process is governed by outline requirements, but is open to new and innovative solutions.

#### **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**

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

Duration in months: 28

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: 5  
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.1.4) and section II.2.4) above and Annex A, including development and implementation of innovative solutions, in terms of the nature and quantity of the previous deliveries. When considering the relevance of each individual reference, DALO will review whether the candidate has previous experience with designing, building and delivering similar vessels.

DALO will when evaluating the references consider the following parameters listed in prioritised order:

- Similarity of vessel type (Search and Rescue vessels),
- Similarity of vessels that have been designed and dimensioned to Class rules,
- Vessels of similar hull material and approx. same length (15 – 24 metres),
- Designs that have exhibits relevant innovative solutions that increase performance, safety and/or comfort,
- Vessels that are used for operations in rough weather conditions,
- Similarity in order and contract size,
- Similarity in vessel equipment regarding propulsion and steering.

The evaluation will be based on the list submitted by the candidates in the European Single Procurement Document (eESPD) and Enclosure A according to section III.1.3. Please note that any ambiguities and/or incomprehensibilities in the information submitted may be regarded negatively in the evaluation when selecting the limited numbers of candidates.

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

Variants will be accepted: no

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

Options: yes

Description of options:

Once the Innovation and Development Process is completed after a maximum of 24 months, DALO has an option to purchase the developed solution. The option can be exercised for a period of 6 months after the end of the Innovation and Development Process.

#### **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 estimated total value stated in II.1.5 represents the sum of amount allocated for the Innovation and Development Process and the maximum price budget related to the possible purchase of the developed solution.

The contract is not divided into lots on the grounds that a division of the contract would unduly increase the cost of the procurement procedure.

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

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

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

List and brief description of selection criteria:

The candidate must use the European Single Procurement Document (hereafter ESPD) and provide the following information in the ESPD and in Enclosure A:

A list of the most important similar deliveries (references), cf. section II.1.4), II.2.4) and Annex A, carried out within the past 10 (ten) years, prior to the deadline for the request to participate, cf. Part IV, section C.

The candidate shall provide:

- 1) A list of references of vessel designs previously made by the design team that will be assigned to do the design/cooperation with DALO in this project during the Innovation and Development Process. The candidate shall deliver a list of no more than 10 of the most important and relevant similar designs over the past 10 years;
- 2) A list of references of vessels previously built by the shipyard that will be assigned to do production of the 3 All Weather Rescue vessels in this tender. The candidate shall deliver a list of no more than 10 of the most important and relevant similar vessels built over the past 10 years.

If the candidate describes more than ten (10) references, only the ten (10) first references on the list will be assessed.

The lists 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), II.2.4) and Annex A. 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 designer of the deliveries, the date of the deliveries, whether the deliveries is built in accordance with applicable rules, which type of vessel the deliveries is regarding, which area of operations the deliveries operate in, whether the deliveries is designed to operate in the described weather conditions, whether the deliveries is self-righting, what material is used for the hull, what the power of the engines is, what the maximums speed is, which type of propulsions the deliveries have, the size and value of the deliveries, what equipment is on the deliveries, which innovative design solutions is incorporated in the deliveries, how many deliveries has been delivered, the price of the deliveries and the recipients of the deliveries (specific names/countries are preferred, but not necessary; if no country specific information is included, the candidate 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 in

accordance with a framework agreement, the description of the deliveries should nonetheless contain information on how the date is set.

The references shall be provided by completing the ESPD Part IV.C and optionally Enclosure A in the tender material. The candidate can choose to (optional) collect all the references and information in Enclosure A in order to make it easier for DALO to review the relevance of the references on specific parameters as specified in the contract notice. This does not relieve the candidate from completing an ESPD and the candidate shall also provide information on the references in its ESPD. Please be very clear when submitting references. List the references in Enclosure A in the same order as in the ESPD. Any ambiguities will be at the candidate's own risk.

For further information regarding this procurement, please see the enclosed document "Additional information to Contract Notice".

Minimum level(s) of standards possibly required:

The candidate must demonstrate experience with as a minimum 2 references regarding similar vessel designs within the past 10 (ten) years, prior to the deadline for the request to participate. The candidate must also demonstrate experience with as a minimum 2 references regarding the shipyard building of similar vessels within the past 10 (ten) years, prior to the deadline for the request to participate.

The reference regarding building of a similar vessel and the design of a similar vessel may be the same.

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

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

If prepayments are made, an on-demand guarantee from a recognised financial institution must be presented. The financial institution has to be approved by DALO. 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 contract must be conducted in consideration of social responsibility (CSR) and it contains a labour clause, please see Annex F for further information.

## **Section IV: Procedure**

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

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

Innovation partnership

#### **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: [2016/S 109-194133](#)

#### **IV.2.2.**

## **Time limit for receipt of tenders or requests to participate**

Date: 02/02/2018 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

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

Duration in months: 12 (from the date stated for receipt of tender)

## **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

Electronic payment will be used

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

This tender is conducted in accordance with the procedure regarding innovation partnership, cf. the Danish Act on Public Procurement (Act no. 1564 of 15.12.2015 – available at [www.retsinformation.dk](http://www.retsinformation.dk)) § 73-79.

The candidates who will be invited to submit tenders will receive further practical information regarding the negotiated procedure in the Instructions to Tenderers, including information on the submission of tenders.

DALO demands that the candidate and each of the legal entities whose capacities the candidate relies on undertake joint and several liability for the performance of the contract. 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 has prepared an ESPD (an XML-file) available at ETHICS. DALO strongly encourages the candidate to use this XML-file when completing the ESPD. The candidate must upload the XML-file to this website <https://ec.europa.eu/growth/tools-databases/espd/welcome> where the ESPD can be completed and later exported. No other versions than the EPSPD must be used.

Prior to decision on award of the contract, DALO shall require that the tenderer to whom DALO intends to award the contract presents 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 with § 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.

For further information regarding this procurement, please see the enclosed document "Additional information to Contract Notice".

#### **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: [kifu@naevneneshus.dk](mailto:kifu@naevneneshus.dk)

Telephone: +45 72405708

Internet address: <http://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 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 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 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**

12/12/2017