Denmark-Billund: Explosives detection system
OJ S 220/2021 12/11/2021
Contract notice – utilities
Supplies

Legal Basis:
Directive 2014/25/EU

Section I: Contracting entity

I.1. Name and addresses

Official name: Billund Lufthavn A/S
National registration number: 23343118
Postal address: Passagerterminalen 10
Town: Billund
NUTS code: DK03 Syddanmark
Postal code: 7190
Country: Denmark
Contact person: Ivan Smedegaard Meic
E-mail: kontakt@tohv.dk
Telephone: +45 25194111
Internet address(es):
Main address: www.bll.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#/743a89ff-c06f-47a7-8e8b-248c085f6028/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#/743a89ff-c06f-47a7-8e8b-248c085f6028/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#/743a89ff-c06f-47a7-8e8b-248c085f6028/homepage

I.6. Main activity

Airport-related activities

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Negotiated procedure of Explosive Detection Systems (EDS) for Billund Lufthavn A/S

II.1.2. Main CPV code

38546000 Explosives detection system

II.1.3. Type of contract
Supplies

II.1.4. Short description
In order to meet new EU standards for security in European Airports an update of the Contracting Authority's existing baggage handling system and security checkpoint of baggage is planned at Billund Lufthavn.

II.1.5. Estimated total value

II.1.6. Information about lots
This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)
38581000 Baggage-scanning equipment, 34961100 Baggage-handling equipment

II.2.3. Place of performance
NUTS code: DK03 Syddanmark
Main site or place of performance: Billund Airport, Denmark

II.2.4. Description of the procurement
In order to meet new EU standards for security in European Airports an update of the Contracting Authority's existing baggage handling system and security checkpoint of baggage is planned at Billund Airport. The Contracting Authority intends to invest in two (2) new ECAC /EU std. 3.1. approved Explosive Detection Systems (herein referred to as EDS) in its security check of baggage.
This tender regards a Contract on the Delivery, installation and commissioning of two (2) EDS as well as extended service agreement for two years after the passed Confidence trail. The requirements for the EDS are described in detail in Contract Appendix A – General descriptions, minimum requirements and competitive parameters.

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
Start: 01/06/2022 End: 01/11/2023
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: 4Objective criteria for choosing the limited number of candidates:
Among the compliant Applicants which meet the above suitability and documentation requirements, see Tender Conditions clause 2.1, up to four (4) Applicants are selected on an objective, impartial and factual basis which are requested to submit tenders if four (4) compliant and suitable applications are received.
If the above number of compliant and suitable applications are not received, the Contracting Authority will select the Applicants which are compliant and suitable, as long as the Contracting Authority finds that the number of selected Applicants can ensure adequate competition on the assignment.

The selection is made on the basis of the most relevant references, where particularly the number of and relevance of the references will be of importance.
The Contracting Authority will regard the following as positive:
- The Tenderer has experience with delivery, installation, commissioning and service of EDS ECAC/EU std. 3.1 or higher to European Airports.
- The number of references

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes
Description of options:
1. As an option the Contract Authority may buy Service Contract of EDS for the first two years (Year 3 and 4) after expiration of the warranty period, cf. the Contract, clause 1.11 and 5.1.1.
2. As an option the Contract Authority may buy extension of the Service Contract for two years (Year 5 and 6) after the expiration of the Service Contract for Year 3 and 4, cf. the Contract, clause 1.11 and 5.1.2
3. As an option the Contract Authority may buy extension of the Service Contract for one additional year (Year 7) after the expiration of the Service Contract for Year 5 and 6 , cf. the Contract, clause 1.11 and 5.1.3

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 III: Legal, economic, financial and technical information

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:
The Application must consist of the Single European Tender Document (ESPD), in which the requested information is referred to in Section III.1. must be disclosed. The ESPD is a self-declaration that serves as preliminary proof that the Applicant, Other Entities or the Association meet the criteria for exclusion, suitability and selection. This information must be verified later.
Part II: Information concerning the economic operator
Section A: Information about the economic operator
Section B: Information about the economic operator’s representatives
Section C: Information about reliance on the capacities of Other Entities (see Tender Conditions clause 2.2 for further details)
Section D: : Information concerning Subcontractors on whose capacity the economic operator does not rely
Part III: Exclusion Grounds
Section A: Grounds relating to criminal convictions
Section B: Grounds relating to the payment of taxes or social security contributions: If there are any outstanding payments, tick ‘Yes’ and state the outstanding amount.
Section C: Grounds relating to insolvency, conflicts of interest or professional misconduct:

- The Applicant must confirm that the Applicant is not covered by the mandatory exclusion grounds laid down in Section 135(1)-(3) and Section 136 of the Danish Public Procurement Act. Otherwise, the Contracting Authority is obliged to exclude the Applicant, see, however, Section 135(4) and (5) of the Danish Public Procurement Act.
- The Applicant must further confirm, that the Applicant is not covered by the following optional exclusion grounds cf. section 137 (1) of the Danish Public Procurement Act:
- Conditions concerning insolvency/bankruptcy or the like cf. no. 2
- Agreement for distortion of competition cf. no. 4

III.1.2. Economic and financial standing

List and brief description of selection criteria:
Not relevant in relation to the concrete tender

III.1.3. Technical and professional ability

List and brief description of selection criteria:
The Applicant may provide up to six (6) references which the Tenderer finds most comparable with this invitation to tender, see Tender Conditions clause 1.5, and which alone or jointly meet the minimum requirements.
If more references are provided, the Contracting Authority will only assess the six (6) latest references. Latest references mean unconcluded references or references with termination closest to the tender deadline. If more references are unconcluded, the Contracting Authority will (where relevant) assess the references with the latest commencement date.
The references must have been carried out within the last three (3) years calculated from the date of the application deadline.
The Contracting Authority will disregard references concluded more than three (3) years before the application deadline.
For references with an older commencement date, but where services (part assignments) have been concluded within the last three (3) years, the Contracting Authority will only assess the services (part assignments) which the Applicant has performed within the last three (3) years calculated from application deadline. The Applicant is responsible for specifying the contents of the reference, so that the services (part assignments) in question are clearly stated.
The references must contain the following:
1. Description: Description of the assignment(s) with focus on the elements which make the reference comparable and compliant with the minimum requirements, see the last bullet. The description may also contain information about the period(s) in which the assignment has been performed (start and conclusion dates).
2. Amount: The value of the assignment(s) in DKK, i.e. the amount paid by the customer for the performance of the assignment(s).
3. Date: Date for start-up (commencement date) and date for completion (conclusion date) of the most recent assignment listed under ‘Description’. For references which have not yet been concluded, the field ‘conclusion date’ is left blank/empty.
4. Recipients: Customer name incl. contact person and contact person’s telephone number.
Minimum level(s) of standards possibly required:
It is a minimum requirement that the Applicant holds at least three (3) reference containing delivery of ECAC/EU std. 3.0 approved Explosive Detection Systems with associated service contract to a European Airport within the last three years.

III.1.4. Objective rules and criteria for participation

List and brief description of rules and criteria:
The application for pre-qualification must consist of the European Single Procurement Document (ESPD), in which the requested information, see also section VI.3) Additional

information about the Investment Screening Act. The ESPD is a self-declaration form which serves as initial documentation that the Applicant, Other Entities or the Association meets the criteria for exclusion, suitability and selection. This information must subsequently be verified, see Tender Conditions, section 3.1. The application for pre-qualification must be submitted via the link in Section 1.3) Communication.

III.1.6. Deposits and guarantees required

The terms of payment must be in accordance with
- Contract Appendix A – General descriptions, specifications and requirements
- Contract Appendix B – Outline of Delivery, Payment, Demand Guarantee, Penalty and Billing

III.1.7. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

The terms of payment must be in accordance with
- Contract Appendix A – General descriptions, specifications and requirements
- Contract Appendix B – Outline of Delivery, Payment, Demand Guarantee, Penalty and Billing

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The Contract contains terms regarding breach and complaints, see Draft for Contract, section 3.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Negotiated procedure with prior call for competition

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.2.2. Time limit for receipt of tenders or requests to participate

Date: 09/12/2021 Local time: 10:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 20/12/2021

IV.2.4. Languages in which tenders or requests to participate may be submitted

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)

Section VI: Complementary information

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

According to the Investment Screening Act (https://www.retsinformation.dk/eli/lta/2021/842), economic actors i) who are domiciled outside the EU or EFTA, or ii) who are under the control of or subject to significant influence as defined must in the law of a company domiciled or a citizen of a country outside the EU or EFTA, apply to the Danish Business Authority for permission to enter into a “special economic agreement” within a particularly sensitive sector or activity. The contracting authority assesses that the conclusion of the contract may be subject to permit requirements. The applicant should clarify whether the applicant's contracting will be covered by such a requirement.
The applicant should clarify whether the applicant's conclusion of the agreement will be covered by such a requirement. Look into this at this site: https://erhvervsstyrelsen.dk/aftaler-omfattet-af-investeringsscreeningsloven.

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
Telephone: +45 72405708
Internet address: https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Konkurrence- og Forbrugerstyrelsen
Postal address: Carl Jacobsens Vej 35
Town: Valby
Postal code: 2500
Country: Denmark
E-mail: kfst@kfst.dk
Telephone: +45 41715000
Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

08/11/2021