

Denmark-Brøndby: Financial and insurance services
OJ S 223/2021 17/11/2021
Contract notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Danske Licens Spil A/S
National registration number: 33034474
Postal address: Korsdalsvej 135
Town: Brøndby
NUTS code: DK Danmark
Postal code: 2605
Country: Denmark
Contact person: Jakob Johansen
E-mail: jajo@danskespil.dk
Telephone: +45 30858517

Internet address(es):

Main address: <http://www.danskespil.dk>
Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/62993>

I.1. Name and addresses

Official name: Danske Lotteri Spil A/S
National registration number: 33034482
Postal address: Korsdalsvej 135
Town: Brøndby
NUTS code: DK Danmark
Postal code: 2605
Country: Denmark
Contact person: Jakob Johansen
E-mail: jajo@danskespil.dk
Telephone: +45 30858517

Internet address(es):

Main address: <http://www.danskespil.dk>
Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/62993>

I.2. Information about joint procurement

The contract involves joint procurement

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=315206&B=DS
Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=315206&B=DS

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

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Other activity: Gambling, lottery and betting

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Contract regarding acquiring services, including related and complementary services
Reference number: Acquiring services

II.1.2. Main CPV code

66000000 Financial and insurance services

II.1.3. Type of contract

Services

II.1.4. Short description

Contract regarding acquiring services, including related and complementary services, and including options regarding acquiring services for the activities related to Tivoli Casino, Swush and Klasselotteriet. The contract also includes acquiring services for new business activities in the future including those who offspring from new brands and from the Contracting Authority's subsidiaries. The contract is not divided into subcontracts, as significant economies of scale are expected by consolidating the activities. The time indications in the tender material are stated based on the time zone of Denmark. The estimated value is an estimate of the costs and fees, including options, that are estimated to accrue during the seven years the contract may run. In the tender phase, 1-3 negotiation meetings are expected to take place. Participants will not receive remuneration for participating in the tender procedure.

II.1.5. Estimated total value

Value excluding VAT: 58 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

72000000 IT services: consulting, software development, Internet and support

II.2.3. Place of performance

NUTS code: DK Denmark

II.2.4. Description of the procurement

In the tender phase, 1-3 negotiation meetings are expected to take place. Participants will not receive remuneration for participating in the tender. The services included in the contract are services such as Acquiring services, Compliance, Finance & reconciliation, Retail services, Ad-

hoc consultancy and Additional related and complementary services. For a short high-level description please see section II.1.4).

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Quality / Weighting: 35%

Price - Weighting: 65%

II.2.6. Estimated value

Value excluding VAT: 58 000 000,00 DKK

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

Duration in months: 84

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: 3
Objective criteria for choosing the limited number of candidates:

3 applicants will be pre-qualified to submit initial tenders, if the contracting authority receives a request for pre-qualification from 3 suitable applicants. If the contracting authority receives a request for pre-qualification from more than 3 suitable applicants, the pre-qualification of the most suitable candidates will be based on which applicants document the most relevant references, based on the information in the references provided by the applicant in Part IV, C of the ESPD, "Technical and professional capacity". Each applicant may only submit up to three (3) references, regardless of whether the applicant e.g. chooses to rely on the capacity of others, or whether the applicant is an association e.g. a consortium. If more than 3 references are submitted by the applicant, only the three (3) first references will be included. The rest will be disregarded. Please see the description of the selection criteria in section III. 1.3).

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Similar services for the activities related to Tivoli Casino, Swush and Klasselotteriet

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

An information meeting will be held on Friday, November 26 from 13:30-15:00, which will focus on the tender procedure and how to complete the ESPD.

The information meetings will be held online via Microsoft Teams.

The meeting can be accessed via the link in the invitation letter in the electronic tender management system (EU-Supply), which can be accessed via the link in section I.3).

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

Minimum level(s) of standards possibly required:

As a minimum requirement, an equity is required of at least DKK 8,3 million in the most recent annual report/financial statement available. If the candidate relies on the capacities of other entities, the equity is to be calculated as the total equity of the operator and such other entities in the most recent annual report/financial statement available. For groups of operators (e.g. a consortium), the equity is calculated as the total equity of the operators in the most recent annual report/financial statement available. The information is to be stated in section IV.B of the ESPD.

Furthermore, as a minimum requirement, a total annual turnover of at least DKK 100 million is required in the most recent annual report/financial statement available. If the candidate relies on the capacities of other entities, the turnover is to be calculated as the total turnover of the candidate and such other entities in the most recent annual report/financial statement available. For groups of operators (e.g. a consortium), the turnover is calculated as the total turnover of the operators in the most recent annual report/ financial statement available. The information is to be stated in section IV.B of the ESPD.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

In the evaluation of the relevance of the up to three (3) references regarding the delivery of acquiring services cf. II.2.4) of the contract notice, it is weighted positively:

1. To which extend the acquiring services regarding Visa and Mastercard in the references together have cleared a large transaction volume (where a larger volume is preferred over a smaller volume)
2. To which extend the acquiring services regarding Visa and Mastercard in the references together have cleared a large monetary amount (where a larger amount is preferred over a smaller amount)
3. If one of the references contains acquiring services regarding Visa and Mastercard delivered to a gambling, betting or lottery company

Criteria 1-3 reflects the priority of the selection criteria, which is used in the overall assessment of the references regarding the delivery of acquiring services, where criteria 1. is given the greatest importance, while criteria 3 is given the least importance. The evaluation of the acquiring references will be conducted as an overall assessment, where a score is given from 0-10, where 10 is best.

It should be clear from the description of each reference:

- * Who the customer was (the recipient).
- * The period to which the description relates to (start date and end date).
- * Whether the reference includes deliveries of acquiring services to a recipient which is subject to EU regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).
- * Whether the reference includes deliveries of acquiring services to a recipient which is subject to the Money Laundering Directive (EU Directive 2015/849 on preventing the use of the financial system for money laundering or terrorist financing).
- * The transaction volume regarding Visa and Mastercard cleared within the periode (from the start date to the end date).
- * The monetary amount regarding Visa and Mastercard cleared within the periode (from the start date to the end date).
- * Whether the reference includes deliveries of acquiring services to a recipient that delivers gambling, betting or lottery services.

Deliveries of acquiring services to the Contracting Authority may be used as a reference.

When submitting the application, the applicant agrees that the Contracting Authority can contact the specified customer (the recipient) in the references in order to have the accuracy of the submitted information confirmed.

Only acquiring of Visa and Mastercard may be included in the references.

Furthermore, only services carried out by the tenderer before the deadline to submit application and carried out within 3 years before the deadline to submit application may be included in the references. Therefore, in the case of an ongoing delivery, only the part of the deliveries carried out before the deadline to submit application and within 3 years before the deadline to submit application may be included in the reference.

Minimum level(s) of standards possibly required:

As a minimum requirement, one (1) of the references submitted by the economic operator must include deliveries of acquiring services to a recipient which is subject to EU regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).

In addition, as a minimum requirement, one (1) of the references submitted by the economic operator must include deliveries of acquiring services to a recipient which is subject to the Money Laundering Directive (EU Directive 2015/849 on preventing the use of the financial system for money laundering or terrorist financing).

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The Code of Conduct set out in Appendix 9 must be complied with. This appendix contains requirements regarding the UN Global Compact, the UN Guidelines on Human Rights and Business, the OECD Guidelines for Multinational Enterprises and ILO Convention No. 94.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive procedure with negotiation

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

IV.1.5. Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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: 14/12/2021 Local time: 10:00

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

Date: 23/12/2021

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

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: yes

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

VI.3. Additional information

The applicants must as its application submit an ESPD as preliminary documentation of the circumstances set out in section 148(1), paras 1-3 of the Danish Public Procurement Act (udbudsløven).

Applicants and tenderers will be excluded from participation in the tender procedure if they tenderer are covered by the mandatory grounds for exclusion mentioned in sections 135 and 136 or the voluntary ground for exclusion mentioned in section 137, paragraph 1, number 2 of the Danish Public Procurement Act (Udbudsløven), unless the they submit sufficient documentation that they are reliable in accordance with section 138 (self cleaning).

At any time during the tender procedure before the award decision, the Contracting Authority can demand, that the participants in the procedure submit documentation for the information submitted in the ESPD.

Each subcontractor on whom the applicant has relies on, must submit a signed ESPD as part of the application. Furthermore, subcontractors on whom the tenderer has relied on, must sign a declaration of commitment that bind the subcontractors to be jointly and severally liable for the fulfillment of the contract, as part of the documentation requested after the pre-qualification. Each economic operator in an association of economic operators, must submit a signed ESPD as part of the application, except for the candidate heading the group and submitting the application who is not required to sign its ESPD document.

Furthermore, the economic operators in an association of economic operators, must sign a declaration concerning formation of consortium that binds each economic operator to be jointly and severally liable for the fulfillment of the contract, as part of the documentation requested after the pre-qualification.

Regarding section IV.2.4 of the contract notice: questions and tenders are submitted in English. The Contracting Authority reserves the right to disregard those parts of the questions and tenders which have not been submitted in English.

Regarding section II.2.7 of the contract notice: the duration of the contract is calculated from the "go live"-date of the Solution cf. Appendix 1.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: klfu@naevneshus.dk

Telephone: +45 72405600

Internet address: <https://klfu.naevneshus.dk/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

<https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/vejledning/>

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

VI.5. Date of dispatch of this notice

12/11/2021