

Denmark-Ballerup: Security, fire-fighting, police and defence equipment

OJ S 240/2019 12/12/2019

Contract notice

Supplies

Directive 2009/81/EC

Section I: Contracting authority/entity

I.1. Name and addresses

Official name: Danish Defence Acquisition and Logistics Organizations

Postal address: Lautrupbjerg 1-5

Town: Ballerup

Postal code: 2750

Country: Denmark

Contact person: Martin Sigsgaard Gustavson

Telephone: +45 72814224

Internet address(es):General address of the contracting authority/entity: www.fmi.dkElectronic access to information: <https://www.ethics.dk/ethics/eo#/e8cc2fd3-3fa0-4604-8039-34507e64c682/homepage>Electronic submission of tenders and requests to participate: <https://www.ethics.dk/ethics/eo#/e8cc2fd3-3fa0-4604-8039-34507e64c682/homepage>**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

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

Explosive Ordnance Disposal (EOD) Equipment in Service

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

Supplies

NUTS code DK0 Danmark

II.1.3. Information about framework agreement

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with a single operator

Duration of the framework agreement

Duration in months: 84

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT: 140 000 000 DKK

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

DALO is tendering a range of framework agreements for 'EOD Equipment in Service'. The requirement specification for this framework agreement is a list of specific EOD equipment addressed by NATO stock number, manufacturer/NCAGE and manufacturer's part number, meaning that the tenderers shall be able to supply the original equipment manufacturers (OEM) items specified in the requirement specification. A list of the main equipment groups including NATO stock number, manufacturer/NCAGE and manufacturer's part number can be found along with the pre-qualification questionnaire (PQQ) at ETHICS via the internet address stated in Section I.1) of this contract notice.

This tender concerns the acquisition of approximately 500 different products/spare parts divided into 51 product groups in 7 main equipment groups.

It is not a mandatory requirement that tenderers bid on all main equipment groups or product groups, but for tenderers bidding on a specific product group(s) it is a mandatory requirement that they shall offer all products/spare parts defined in Appendix A – requirement specification under that specific product group(s).

Main equipment groups for this tender are:

01. disrupters + ammunition;
02. firing device;
03. X-ray;
04. EOD robots UMV;
05. mine detection;
06. hand-held metal detection;
07. EOD tools.

A more detailed split can be found in Section II.2.1) of this notice.

Each of the main equipment groups contains a range of product groups. For example main equipment group 01. disrupters + ammunition consists of 12 product groups, 01.1 T-3 Disrupter kit, 01.2 T-3 Disrupter Kit WO Stand, 01.3 Disruptersæt, neutrex, 12,5 mm, recoilles, etc.

Some of the product groups contain a range of products and spare parts. If a tenderer bids on the product group they shall bid on all products contained in the group.

Furthermore, the product group 01.3. disruptersæt, neutrex, 12,5 mm, recoilless contains several products/spare parts all of which (including the product 01.3. disruptersæt, neutrex, 12,5 mm, recoilless) shall offer in order to participate in the tender for that specific product group.

After identifying the winning offer per product group DALO will split the framework agreement into lots.

The main users are:

— the Danish NAVY EOD, conducting Explosive Ordnance Disposal (EOD), Improvised Explosive Device Disposal (IEDD) and supports special operations units, as well as when deployed in naval missions.

The Danish Bomb Squad within Danish EOD ARMY, performs demining, improvised explosive devices (IED), IEDD and Unexploded Ordnance (UXO) tasks, as well as supporting chemical, biological, radiological, nuclear and explosive (CBRNe) tasks in Denmark as well as when

deployed in theater abroad (international operations).

However, mine detectors and manual firing devices are used widely in the Danish Defense. DALO wishes by this tender to be able to purchase both complete equipment/systems i.e. 01.1 T-3 disrupter kit and products/spare parts related to this i.e. recoil reduction kit, as well as upgrades to the existing systems.

The candidate is kindly asked to submit information regarding which product group(s) the candidate intends to bid on in the tender. The candidate should list in the PQQ, which 'numbers e.g (01.1. + 05.8.)' they wish to bid on.

II.1.6. CPV code(s)

35000000 Security, fire-fighting, police and defence equipment, 38000000 Laboratory, optical and precision equipments (excl. glasses)

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

The total estimated value of the tender is 70 000 000 DKK-140 000 000 DKK. The reason for the interval stated is the uncertainty regarding the actual value of the framework agreement(s). Hence, the lower limit of the interval constitutes DALO's most qualified estimate of the actual value of the framework agreement(s) at the present moment, while the upper limit of the interval constitutes the expected maximum value of the framework agreement(s) in its duration. Below is a table of the main equipment groups and the sub-equipment groups with the estimated value. A tender is awarded a framework agreement including each of the sub-equipment groups where the tender has submitted the lowest evaluation price.

E.g. if company 'A' has the lowest price on 01.3. T-3 disrupter kit W.O. stand and 01.4. Neutrex Distrupter, 20 mm, komplet and all of its sub-components. Company A will be awarded a framework agreement for the equipment and components in sub-equipment group 01.3 and 01.4.

Equipment groups with sub-equipment groups/value low (DKK) value high (DKK)

01. Disrupters + ammunition 5 510 000-10 920 000

01.1. T-3 Disrupter kit 900 000-1 800 000

01.2. T-3 Disrupter kit W.O. stand 100 000-200 000

01.3. Disruptersæt, neutrex, 12,5 mm, recoilless 350 000-700 000

01.4. Neutrex Distrupter, 20 mm, komplet 500 000-1 000 000

01.5. Disrupter, recoilless RE 70 M3 plus 700 000-1 400 000

01.6. Disrupterkit, cased, ABL 2000 L 1 300 000-2 600 000

01.7. Disrupterkit, cased, ABL 3000 L 775 000-1 550 000

01.8. disrupterkit, EOD cased, Needle plus 350 000-700 000

01.9. EOD/IED Disrupter MEL 220,AR 175 000-350 000

01.10. Fuse extractor No 8 MK3 200 000-300 000

01.11. Aquaset, single user disrupter 80 000-160 000

01.12. DE-Armer 80 000-160 000

02. Firing device 7 825 000-15 650 000

02.1. Transmitter, firefly 2 000 000-4 000 000

02.2. Mini-DRFD transmitter 2 500 000-5 000 000
 02.3. Transmitter, Janus 1 500 000-3 000 000
 02.4. Receiver, STIX radio firing device 650 000-1 300 000
 02.5. TX196, Transmitter breach JGK, TX196 breach transmitter, final assembly 350 000-700 000
 02.6. Controller, FUS 300 000-600 000
 02.7. Mini controller, FUS M/13 275 000-550 000
 02.8. Tændmateriel, EL Shocktube man D80 250 000-500 000
 03. X-ray 5 800 000-11 600 000
 03.1. Røntgengeneratorsystem, Yxlon 300 KV, KOMPL 200 000-400 000
 03.2. Fremkalder, Durr CR 35 SEC 1 250 000-2 500 000
 03.3. Televis, X-ray camera system 2 000 000-4 000 000
 03.4. Røntgenkilde, Golden engineering XRS-3 (14,4 V battery) 1 000 000-2 000 000
 03.5. Talon, X-ray golden engineering XR-200 (14,4 V battery) 100 000-200 000
 03.6. Røntgenkanon XR150 M/Dewalt batteri (14,4 V battery) 200 000-400 000
 03.7. Røntgenkilde, golden XRS-4 komplet 250 000-500 000
 03.8. Nexray, digital røntgentoptageplade 800 000-1 600 000
 04. EOD robots UMV 35 600 000-71 200 000
 04.1. Bomb disposal robot (TEODor) (Gul) 2 100 000-4 200 000
 04.2. TEO-01/Teodor II 1, 3 GHZ, ISAF Config (Ørken) 14 500 000-29 000 000
 04.3. TAlon gen IV, bomb robot, basis vehicle 13 000 000-26 000 000
 04.4. Dragon runner 20 vehicle 6 000 000-12 000 000
 05. Mine Detection: ('Search Materiel' in general) 14 325 000-28 750 000
 05.1. Minesøger, vallon, VMC1 1 000 000-2 000 000
 05.2. Minehound VMR2 komplet set 250 000-500 000
 05.3. Minesøger, dual S.Minehound kit, VMR3 5 000 000-10 000 000
 05.4. Minesøger, dual S.Minehound kit, VMR3G 700 000-1 400 000
 05.6. Metaldetektor, Underwater VMW1 250 000-500 000
 05.7. Minesøger, vallon, VMC4 2 000 000-4 000 000
 05.8. Minesøger, vallon, VMF4 2 000 000-4 000 000
 05.9. Minesøger, vallon, VMX3CS, UXO-detector 250 000-600 000
 05.10. Kablesøger, quartel, WD100 1 600 000-3 200 000
 05.11. Kablesøger, quartel, WD100AM 1 200 000-2 400 000
 05.12. Detector, CIEA, mine-cabel-carbon, CMD3 75 000-150 000
 06. Hand held metal detection: ('Search Materiel' in general) 350 000-700 000
 06.1. Detektor, metal, crushwire, håndh, ceia 200 000-400 000
 06.2. Etaldetektor, håndholdt taktisk garrett 100 000-200 000
 06.3. Detektor, metal, håndh., Pro-pointer AT 7 000-14 000
 06.4. Detektor, metal, håndh., Pro-pointer II Black 300 000-600 000
 06.5. HD7, Hand H, metal det. desert colour 60 000-120 000
 07. EOD tools 80 000-160 000
 07.1. Termisk kikkert, LTO-tracker HD 55 000-110 000
 07.2. Dive camera+, 200M, Paralenz, EOD/MTJ 25 000-50 000
 Estimated total value of the tender 70 000 000-140 000 000
 Estimated value excluding VAT: 140 000 000 DKK

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

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

Reference is made to the procurement 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 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 1 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

The framework agreement must be conducted in consideration of corporate social responsibility and it contains a labor clause, please see Appendix B for further information. Appendix B and the rest of the tender material will be made available to the pre-qualified candidates once the pre-qualification phase has ended.

III.1.5. Information about security clearance

III.2. Conditions for participation

III.2.1. Personal situation

Criteria regarding the personal situation of economic operators (that may lead to their exclusion) including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: When submitting the offers (but not the request for participation), the tenderers must submit a solemn declaration stating (1) that the tenderer is not subject to any of the reasons for exclusion stated in Art. 39(1) or 39(2) of the Defence and Security Directive (2009/81/EC) and (2) to which degree the tenderer has unpaid overdue debt in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established. A template for the declaration will be provided with the procure documents and the tenderer is encouraged – but not obliged — to use it. If the tenderer is composed of a group of entities (e.g. consortium), including temporary joint ventures, a solemn declaration must be submitted for each participating entity.

Be advised that DALO shall exclude a tenderer which has unpaid overdue debt of 100 000 DKK or more to public authorities in relation to tax, duties or social security contributions under Danish law or under the law of the country in which the tenderer is established, unless the tenderer has provided collateral for the overdue debt, will provide collateral for the overdue debt or has entered into an installment agreement, which has not been breached at the time of submitting the offer.

However, DALO may not exclude a tenderer which has provided sufficient documentation that

the tenderer is reliable. DALO will decide whether the documentation is sufficient, hence the tenderer is considered reliable, based on guidelines equal to the guidelines provided for in Section 138(1-4) of the Danish Act No 1564 of 15.12.2015 – the Public Procurement Act.

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: Annual reports or excerpts hereof or other documentation stating the candidate's equity ratio (calculated by dividing the candidate's equity with the candidate's total assets (equity/total assets x 100) at the end of the last 3 financial years, to the extent such information is available.

Minimum level(s) of standards possibly required: The candidate must have had a positive equity ratio for each the last 3 financial years. The equity ratio is calculated by dividing the candidate's equity with the candidate's total assets (equity/total assets x 100).

If the candidate is composed of a group of entities (e.g. consortium), including temporary joint ventures, the equity ratio is calculated by dividing the sum of all the participants' equities with the sum of all the participants' total assets (sum of equity/sum of total assets x 100) in each of the last 3 financial years available.

If the candidate relies on the economic and financial standing of an entity or entities, the equity ratio is calculated by dividing the sum of the candidate's and the entity or entities' equity with the sum of the candidate's and the entity or entities' total assets (sum of equity/sum of total assets x 100) in each of the last 3 financial years available.

Please note that a candidate may rely on the economic and financial standing of other entities (e.g. a parent or sister company or a sub supplier), irrespective of the legal nature of the relations between the candidate and the entity or entities on which the candidate relies.

III.2.3. Technical and/or professional capacity

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged minimum number 3

Objective criteria for choosing the limited number of candidates: DALO has not set a maximum number of operators to be invited to tender.

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

IV.2. Award criteria

IV.2.1. Award criteria

Lowest price

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

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

17.1.2020 - 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. Danish.

Section VI: Complementary information

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

Please note, that each candidate can only submit 1 request for participation. If the same legal entity is a part of or in any other way participates in several applications, e.g. submits his own application and at the same time participates in a consortium which also applies, the candidates shall ensure that the same legal entity's participation does not provide for opportunity for mutual coordination of their applications and offers. DALO reserves the right to request the candidates to establish and reassure DALO that the same legal entity's participation does not threaten the transparency and distort competition between the tenderers. The total estimated value of the tender is 70 000 000 DKK-140 000 000 DKK. The reason for the interval stated is the uncertainty regarding the actual value of the framework agreement(s). Hence, the lower limit of the interval constitutes DALO's most qualified estimate of the actual value of the framework agreement(s) at the present moment, while the upper limit of the interval constitutes the expected maximum value of the framework agreement(s) in its duration. DALO reserves the right – but is not obliged – to use remedies equal to the remedies provided for in Section 159(5) of the Danish Act No 1564 of 15.12.2015, the Public Procurement Act, if applications or tenders do not fulfill the formalities of the procurement documents. Candidates are asked to submit their request to participate via ETHICS. The permalink is

stated in Section I.1). The request to participate cannot be submitted by email.

DALO has prepared a pre-qualification questionnaire in 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 fulfills the requirements.

The questionnaire is available via ETHICS. The permalink is stated in Section I.1).

According to the EU defence directive, a candidate may rely on the economic and financial standing and/or technical and/or professional 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 taken into account when DALO assesses the suitability of the candidate, the candidate must prove that the other entities will and shall put the relevant resources at the disposal of the candidate. A template for a declaration from the supporting entity to this effect is included in the pre-qualification questionnaire referred to above.

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

Telephone: +45 72405600

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

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Pursuant to the Danish Consolidation Act No 593 of 2.6.2016 on the Complaints Board for Public Procurement

(available at 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 an account of the 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. The time limit is calculated from the day after the publication date;

2) 30 calendar days starting the day after the contracting authority has notified 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 an account of the reasons for the decision;

3) 6 months after the contracting authority has entered into the framework agreement starting the day after the contracting authority has sent notification to the candidates and tenderers involved, cf. § 2(2).

— 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).

Contact information for 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 on the website stated in Section VI.4.1).

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: 2500

Postal code: Valby

Country: Denmark

E-mail: kfst@kfst.dk

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

10.12.2019