

**Denmark-Copenhagen: Detection and analysis apparatus**

OJ S 198/2023 13/10/2023

Contract notice

Supplies

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

---

**I.1. Name and addresses**

Official name: University of Copenhagen

National registration number: 29979812

Postal address: Nørregade 10

Town: København K

NUTS code: DK01 Hovedstaden

Postal code: 1165

Country: Denmark

Contact person: Anne Thoisen

E-mail: [at@adm.ku.dk](mailto:at@adm.ku.dk)

Telephone: +45 35337507

**Internet address(es):**Main address: <http://www.ku.dk/>Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/166597>**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=381387&B=KU](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=381387&B=KU)

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=381387&B=KU](http://eu.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=381387&B=KU)

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**

Education

**Section II: Object**

---

**II.1. Scope of the procurement****II.1.1. Title**

Tender for a Gas Chromatography Mass Spectrometer (GC-MS)

Reference number: 043-0764/23-7000

**II.1.2. Main CPV code**

38430000 Detection and analysis apparatus

### **II.1.3. Type of contract**

Supplies

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

The University of Copenhagen puts out for tender a contract for a Gas Chromatography Mass Spectrometer (GC-MS) as an open procedure.

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

Value excluding VAT: 4 000 000,00 DKK

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

This contract is divided into lots: no

## **II.2. Description**

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

38432210 Gas chromatographs, 38433100 Mass spectrometer

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

NUTS code: DK01 Hovedstaden

Main site or place of performance: 2200 København N, Denmark

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

The contracting entity wish to purchase one Gas Chromatography Mass Spectrometer (GC-MS) for use in research and teaching at the Novo Nordisk Foundation Center for Basic Metabolic Research at the Faculty of Health and Medical Sciences of University of Copenhagen.

The contract encompasses purchase, delivery and installation of the complete system of GC-MS, including software, a computer and user training of the contracting entity's local technical staff. The contract also encompasses support and a warranty period. The time of delivery of the complete system is no later than 12 weeks after the Customer's written notice of ordering of the Deliverables.

The contract includes three options, which the contracting entity during the contract period may – but is not obliged to – utilise. This covers an option regarding additional software license for data preprocessing, an option regarding additional ionization methods and an option for additional injectors

### **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**

Value excluding VAT: 4 000 000,00 DKK

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

Duration in months: 15

This contract is subject to renewal: no

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

Variants will be accepted: no

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

Options: yes

Description of options:

The contract includes three options, see the description in section II.2.4 and Appendix 1.

### **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**

Sections II.1.5) and II.2.6): Note that the amount is an estimate of the expected contract price for the entire term of the contract, including the price of all options. The estimate is based on the Contracting Entity's experiences with similar purchases.

Section IV.2.4: Note that tenders must be in Danish and/or English.

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

---

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

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

The contract has incorporated the corporate social responsibility considerations, as appropriate, as laid down in the conventions on the basis of which the principles of the UN Global Compact are worded and as laid down in the OECD Guidelines for Multinational Enterprises. The contract furthermore lays down requirements pursuant to ILO Convention no. 94 on labour clauses in public contracts and Circular no. 9471 of 30 June 2014.

If the contract is awarded to a group of operators (such as a consortium), the participants of the group must undertake joint and several liability and appoint a joint representative.

## **Section IV: Procedure**

---

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

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

Open procedure

#### **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: 09/11/2023 Local time: 23:59

#### **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**

Danish, 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)

#### **IV.2.7. Conditions for opening of tenders**

Date: 09/11/2023 Local time: 23:59

Information about authorised persons and opening procedure: The tenderers are not permitted to attend the opening of the offers.

## **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**

Participation in the tendering procedure may only take place by electronic means via the electronic tendering system, see the address set out in section I.3). For access to the tender documents, the tenderer must be registered or register as a user. If the tender contains several versions of the same document, the latest uploaded version will apply. Interested operators are requested to keep updated via the electronic tendering system.

All communication in connection with the tender procedure, including questions and answers, must take place through the electronic tendering system. Questions must be submitted not later than the date specified in Appendix B. Questions asked after this date will be answered if they are received in time for the contracting entity to provide the information required and communicate the answers not later than six days before expiry of the application deadline. Questions received later than six days before expiry of the deadline cannot expect to be answered unless the deadline is also postponed.

The tenderer must together with its tender 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) ("The Act").

The tenderer will be excluded from participation in the tender procedure if the tenderer is subject to the compulsory grounds for exclusion set out in sections 134 a, 135 and 136 of the Act, unless the tenderer has submitted sufficient documentation of its reliability in accordance with section 138 of the Act.

Before the award decision is made, the tenderer to whom the contracting entity intends to award the contract must provide documentation of the information submitted in the ESPD pursuant to sections 151-152, cf. section 153 of the Act. As an alternative to the documentation mentioned in sections 153-155, 157 and 158 of the Act, the tenderer may submit to the contracting entity a certificate of registration in an official list of approved economic operators, see section 156 of the Act, issued by the competent authority. The contracting entity only accepts certificates of registration in an official list from tenderers established in the country holding the official list.

It is not necessary for the Tenderer to sign the ESPD document. For groups of operators (e.g. a consortium), a separate ESPD must be submitted for each participating operator. Where the Tenderer is a group of operators, the ESPD document of each participant in the group must be signed by the participant in question. The Tenderer heading the group and submitting the tender is not required to sign its ESPD document. If the tenderer relies on the capacities of other entities, an ESPD must be submitted for and signed by each of the entities on which it relies.

Attention is drawn to Article 5k in Regulation (EU) No 833/2014 as later amended which applies for the tender procedure. The provision contains a prohibition against award of contracts to Russian companies and Russian controlled companies etc. (reference is made to

Article 5k, section 1, for the exact delimitation of the actors covered by the prohibition). The contracting entity may at any time during the tender process require that the economic operators prove that they are not covered by the prohibition, for example by requiring a declaration to this effect and/or documentation regarding the economic operators' and any subcontractors' place of establishment and ownership.

Section II.2.7): Note that the indicated term will commence from ordering the GC-MS (delivery time 12 weeks) and that it is based on the minimum warranty period of 12 months. The tenderers may offer a longer warranty period, thus the duration can be longer.

The contracting entity may use the procedure of section 159(5) of the Act in the event that applications or tenders do not comply with the formal requirements of the procurement documents.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: The Danish 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://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Pursuant to the Danish Act on the Complaints Board for Public Procurement, etc. (lov om Klagenævnet for Udbud m.v.) (the Act is available (in Danish) at [www.retsinformation.dk](http://www.retsinformation.dk)), the following deadlines apply to the lodging of complaints:

Complaints for not having been selected must be submitted to the Danish Complaints Board for Public Procurement before the expiry of 20 calendar days, see section 7(1) of the Act, from the day after submission of notification to the candidates concerned of the identity of the successful tenderer where the notification is accompanied by an explanation of the grounds for the decision in accordance with section 2(1), para (1) of the Act and section 171(2) of the Danish Public Procurement Act.

In other situations, complaints of award procedures, see section 7(2) of the Act, must be lodged with the Danish Complaints Board for Public Procurement before the expiry of:

1) 45 calendar days after the contracting entity has published a notice in the Official Journal of the European Union that the contracting entity has entered into a contract. The deadline is calculated from the day after the day when the notice was published.

2) 30 calendar days calculated from the day after the day when the contracting entity has notified the candidates concerned that a contract based on a framework agreement with reopening of competition or a dynamic purchasing system has been entered into where the notification has included an explanation of the relevant grounds for the decision.

3) 6 months after the contracting entity entered into a framework agreement calculated from the day after the day when the contracting entity notified the candidates and tenderers concerned, see section 2(2) of the Act and section 171(4) of the Danish Public Procurement Act.

4) 20 calendar days calculated from the day after the contracting entity has submitted notification of its decision, see section 185(2) of the Danish Public Procurement Act.

Not later than at the time of lodging a complaint with the Danish Complaints Board for Public Procurement, the complainant must notify the contracting entity in writing that a complaint has been lodged with the Danish Complaints Board for Public Procurement and whether the appeal was lodged during the standstill period, see section 6(4) of the Act. In cases where the complaint was not lodged within the standstill period, the complainant must furthermore indicate whether a suspensory effect of the complaint has been requested, see section 12(1) of the Act.

The e-mail address of the Complaints Board for Public Procurement is set out in section VI.4.1. The Complaints Board's own complaints procedure is available at <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: 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**

10/10/2023