

Denmark-Ballerup: Security, fire-fighting, police and defence equipment
OJ S 229/2022 28/11/2022
Contract award notice
Supplies

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Danish Defence Acquisition and Logistics Organisation

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: Claes Kennie Jørgensen

E-mail: fmi-sd-alj12@mil.dk

Telephone: +45 72814000

Internet address(es):

Main address: www.fmi.dk

I.2. Information about joint procurement

The contract is awarded by a central purchasing body

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

II.1. Scope of the procurement

II.1.1. Title

Acquisition of Weapon Oil

Reference number: 2021/010212

II.1.2. Main CPV code

35000000 Security, fire-fighting, police and defence equipment

II.1.3. Type of contract

Supplies

II.1.4. Short description

The Danish Ministry of Defense Acquisition and Logistic Organisation (DALO) do hereby launch a tender for a 4-year framework agreement covering the purchase of weapon oil, which are to be used as a cleaner, lubricant and for preservation of small to large calibre weapons across all three services (Army, Navy, Air force).

II.1.6. Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Value excluding VAT: 2 934 059,34 DKK

II.2. Description

II.2.1. Title

1. Acquisition of Weapon Oil S-758 (LOT 1) Lubricant, Cleaner and Preservative for Weapons.
Lot No: 1

II.2.2. Additional CPV code(s)

09210000 Lubricating preparations, 09211000 Lubricating oils and lubricating agents

II.2.3. Place of performance

NUTS code: DK Danmark

II.2.4. Description of the procurement

Acquisition of Weapon Oil S-758 (LOT 1) Lubricant, Cleaner and preservative for Weapons in accordance to Appendix A (LOT 1) Requirements Specification.

The Agreement does not concern other goods/services etc. than those specified in the Requirement Specification, cf. Appendix A (LOT 1). Therefore, it is not within the scope of this Agreement to deliver any other weapon oil or weapon cleaning remedies, e.g. cloth, brushes, swabs, etc. Please note DALO will place an initial order in accordance to the Agreement clause 3.2.

II.2.5. Award criteria

Quality criterion - Name: Corrosion Protecting / Weighting: 30

Quality criterion - Name: Delivery Time / Weighting: 20

Quality criterion - Name: BIO-version availability / Weighting: 5

Price - Weighting: 45

II.2.11. Information about options

Options: no

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 Agreement is entered into by DALO, however, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the Agreement.

II.2. Description

II.2.1. Title

2. Acquisition of Weapon Oil S-761 (LOT 2) General Purpose, Weapons Oil.
Lot No: 2

II.2.2. Additional CPV code(s)

09210000 Lubricating preparations, 09211000 Lubricating oils and lubricating agents

II.2.3. Place of performance

NUTS code: DK0 Danmark

II.2.4. Description of the procurement

Acquisition of Weapon Oil S-761 (LOT 2) General Purpose, Weapons Oil.

The agreement regarding Weapon Oil S-761 (LOT 2) does not concern other goods/services etc. than those specified in the Appendix A (LOT2) Requirement Specification. Therefore, it is not within the scope of agreement to deliver any other weapon oil or weapon cleaning remedies, e.g. cloth, brushes, swabs, etc. Please note DALO will place an initial order in accordance to the Agreement clause 3.2.

II.2.5. Award criteria

Quality criterion - Name: Delivery Time / Weighting: 20

Price - Weighting: 80

II.2.11. Information about options

Options: no

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 Agreement is entered into by DALO. However, all divisions of the Danish Ministry of Defence, including all units of the Danish Defence subject to the command of the Chief of Defence is entitled to use the Agreement.

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

The procurement involves the establishment of a framework agreement

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: [2022/S 021-051434](#)

IV.2.8. Information about termination of dynamic purchasing system**IV.2.9. Information about termination of call for competition in the form of a prior information notice****Section V: Award of contract**

Contract No: 4600006165

Lot No: 1

Title:

Framework Agreement No. 4600006165 for Weapon Oil S-758

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

17/07/2022

V.2.2. Information about tenders

Number of tenders received: 4

Number of tenders received from SMEs: 3

Number of tenders received from tenderers from other EU Member States: 3

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 4

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Milispec International b.v.

National registration number: VAT No. NL816954835B01

Postal address: Huijgensstraat 15

Town: Berkel en Rodenrijs

NUTS code: NL Nederland

Country: Netherlands

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 2 630 784,03 DKK

Lowest offer: 2 630 784,03 DKK / Highest offer: 12 591 408,34 DKK taken into consideration

V.2.5. Information about subcontracting

Section V: Award of contract

Contract No: 4600006166

Lot No: 2

Title:

Framework Agreement No. 4600006165 for Weapon Oil S-761

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

17/07/2022

V.2.2. Information about tenders

Number of tenders received: 3

Number of tenders received from SMEs: 1
Number of tenders received from tenderers from other EU Member States: 1
Number of tenders received from tenderers from non-EU Member States: 2
Number of tenders received by electronic means: 3
The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Milispec International b.v.
National registration number: VAT No. NL816954835B01
Postal address: Huijgensstraat 15
Town: Berkel en Rodenrijs
NUTS code: NL Nederland
Postal code: 2652XK
Country: Netherlands
The contractor is an SME: yes

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 303 275,31 DKK
Lowest offer: 303 275,31 DKK / Highest offer: 1 010 853,95 DKK taken into consideration

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

Regarding section II.1.5): The estimated value of the framework agreement is DKK 3-4 mio. The reason for the interval stated is uncertainty regarding final value of the agreement. Hence, the lower limit of the interval constitutes DALO's most qualified estimate of the actual value of the agreement at present moment, while the upper limit constitutes the expected maximum value of the agreement in its duration.

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The uncertainty regarding the final value of the framework agreement is primarily caused by uncertainty regarding the Danish Defence' operational needs through the duration of the framework agreement, including un-certainty about specific deployments and mission areas in particular, which is not possible to foresee for the entire span of the framework agreement. Thus, changes to the operational needs of the Danish Defence compared to the existing situation and needs may cause a significant larger expenditure on the framework agreement than what is expected at the moment.

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DALO demands that the tenderer and each of the legal entities whose economic and financial capacities the tenderer relies on undertake joint and several liability for the performance of the contract.

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Regarding section IV.2.4): Note, that the procure documents is in English. However, it is permissible to submit applications for participation and offers in either Danish or English. Questions submitted during the tender procedure shall be written in English and DALO will answer these questions in English.

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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 tenderer apply the ESPD as preliminary evidence that the tenderer is not subject to the grounds of exclusion stipulated in

§§ 135 and 136 of the said Act, that the tenderer fulfils the minimum requirements for suitability fixed in accordance with § 140, cf. section III.1.2), and how the candidate fulfils the objective and non-discriminatory criteria of selection, cf. § 145(2), cf. section II.2.9).

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The tenderer and, if relevant, the participants in the group of entities or/and entities on which the tenderer relies on, must use the electronic version of the ESPD available at ETHICS' web portal. The ESPD shall be fulfilled and submitted at ETHICS' web portal in accordance with the instructions given by ETH-ICS. The ESPD document must be signed by the supporting entity. It is not necessary for the tenderer to sign the ESPD document. If the tenderer is a group of entities (consortiums), each participant's ESPD document must be signed by the participant in question. It is not necessary for the participant submitting the tender to sign his ESPD document. The tenderer may submit an ESPD for each lot.

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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. Please see the document "Additional information", which is located at the ETHICS-webportal, cf. section I.3), for further information on the matter.

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For further information regarding this procurement, please see the document "Additional information", which is located at the ETHICS-webportal, cf. section I.3).

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DALO does not provide remuneration for the participants in the tender.

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The value stated in section II.1.7) og V.2.4) is an evaluation price of the winning tender only, and does not constitute the exact value of the framework agreement nor a minimum committed purchase by DALO.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for Udbud (The Complaints Board for Public Procurement)

Nævnenes Hus

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kfu@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 Consolidation Act no. 593 of 2 June 2016 on the Complaints Board for Public Procurement (available at www.retsinformation.dk), the following time limits for filing a complaint apply:

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Complaints regarding public procurements and decisions subject to Chapter II or III of the Public Procurement Act, which does not concern a candidate not being invited to tender, 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 with-in:

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/tenderers involved, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included an account of the 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.

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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).

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Contact information for The Complaints Board for Public Procurement is stated in section VI.4.1).

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The Complaints Board for Public Procurement's own guidance note concerning complaints is available on the website stated in section VI.4.1).

VI.4.4. 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

23/11/2022