

Denmark – Recreational, cultural and sporting services – Public procurement regarding media content for the new museum galleries at Natural History Museum of Denmark**OJ S 216/2024 06/11/2024****Contract or concession notice – standard regime****Services**

1. Buyer**1.1. Buyer**

Official name: The University of Copenhagen - The Natural History Museum of Denmark

Email: elin.gislason@snm.ku.dk

Legal type of the buyer: Body governed by public law

Activity of the contracting authority: Recreation, culture and religion

2. Procedure**2.1. Procedure**

Title: Public procurement regarding media content for the new museum galleries at Natural History Museum of Denmark

Description: This procurement procedure regards a contract for P4 Media Content. It concerns the design, production, delivery and on-site installation of media content, including software, interactives, film and animations, to the Natural History Museum of Denmark ('NHMD'). The media content must be installed, integrated, implemented, executed and/or run on the AV System in connection with presentations, exhibitions and interactive elements etc. on the site. An AV hardware system has been designed for NHMD prior to the P4 Media Content Contract and will be implemented, installed and located on site. The Contractors fee for the performance of the P4 Contract is fixed at DKK 23,000,000. Furthermore, the contract includes an option for the NHMD to – during the warranty period – request additional support such as maintenance and support. For a more thorough description of the task to be performed according to the contract, please see the Draft Media Content Services Contract and appendices, including the Scope of Works (Appendix 2). The NHMD has decided not to - further - divide the P4 Media contract into lots as it is the NHMD's assessment that a single contract with one contractor will result in the most coherent solution and the best user experience.

Procedure identifier: 91d7f724-7f22-4e7d-ba6e-5426df39cac3

Internal identifier: 2024/19

Type of procedure: Open

The procedure is accelerated: no

Main features of the procedure: The procurement procedure will be carried out as an open procedure pursuant to section 56-57 of the Danish Public Procurement Act (Act no. 1564 of 15 December 2015 with subsequent amendments). This means that any interested economic operator can submit a tender in response to the contract notice. The NHMD will award the contract to the most economically advantageous tender based on the criteria 'best price-quality ratio'. Tenderers are excluded from participating in the procurement procedure if they are subject to one or more of the grounds for exclusion in sections 134(a) and 135-136 of the Danish Public Procurement Act. Furthermore, tenderers are excluded from participating in the procurement procedure if the tenderer (including other participants in an association, consortium or similar) is covered by article 5k of Regulation (EU) No 833/2014. To document

that the tenderer is not subject to grounds for exclusion stipulated in sections 135-136 of the Danish Public Procurement Act, the NHMD expects to ask the tenderer to submit: • An extract from the relevant register or a similar document issued by a competent judicial or administrative authority stating that the tenderer is not subject to the grounds for exclusion stipulated in section 135(1). • A certificate issued by the competent authority in the country referred to as documentation that the tenderer is not subject to the grounds for exclusion stipulated in the cases stated in section 135(3). To document that the tenderer fulfils the requirements for suitability for participation in this procurement procedure the NHMD expects to ask the tenderer to submit: • An audited annual report or equivalent documentation stating the tenderer's turnover, equity and equity ratio. If an annual report is not required under the law of the country in which the tenderer is established or if the tenderer's annual report doesn't contain the required information the NHMD will accept a signed declaration from the tenderer's external accountant as equivalent documentation. • Documentation of the number of employees at the deadline for submission of the prequalification application, e.g., a signed declaration from the candidate's external accountant. • Contact information (email and telephone number) to contact persons at the costumers mentioned as references in ESPD (or an appendix to the ESPD) if such contact information is not included in the ESPD (or an appendix to the ESPD). In this procurement procedure the NHMD intends to request the documentation regarding the information provided in the ESPD from the tenderer in connection with the evaluation of the tenders. The tenderer will be asked to submit the documentation within a suitable time limit. The NHMD will not be remunerating tenderers for their participation in the procurement procedure.

2.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 92000000 Recreational, cultural and sporting services

Additional classification (cpv): 72000000

IT services: consulting, software development, Internet and support, 72200000

Software programming and consultancy services, 92100000 Motion picture and video services

, 92500000 Library, archives, museums and other cultural services, 92520000

Museum services and preservation services of historical sites and buildings

2.1.2. Place of performance

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

2.1.3. Value

Estimated value excluding VAT: 23 000 000,00 DKK

2.1.4. General information

Additional information: The NHMD invites all tenderers to a site visit at: Natural History Museum of Denmark Botanical Garden Gothersgade 130 1123 Copenhagen K The site visit will take place on 14 November 2024. The site visit will consist of a guided tour of the Underground Galleries and the Ocean Hall. During the site visit it is possible for the tenderers to ask questions to the NHMD regarding the facilities at the site. However, the NHMD may ask the tenderer to submit the question in writing via the tendering system if the question is not suitable to be answered orally and/or without further contemplation. After the site visit, the NHMD will publish the questions asked and answers given during the site visit via the tendering system. Tenderers who would like to participate in the site visit must sign up by informing the NHMD via the tendering system of the name and position of the person(s) to

participate on behalf of the tenderer no later than 12 November 2024. Due to safety precautions on the building site, each tenderer may only sign up a maximum of two persons to participate in the site visit.

Legal basis:

Directive 2014/24/EU

2.1.6. Grounds for exclusion

Corruption: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for corruption, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator.

Participation in a criminal organisation: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

Money laundering or terrorist financing: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for money laundering or terrorist financing, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

Fraud: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

Child labour and other forms of trafficking in human beings: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

Guilty of misrepresentation, withheld information, unable to provide required documents and obtained confidential information of this procedure: Can the economic operator confirm that: a) It has been guilty of serious misrepresentation in supplying the information required for the

verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, b) It has withheld such information, c) It has not been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and d) It has undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

Conflict of interest due to its participation in the procurement procedure: Is the economic operator aware of any conflict of interest, as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure?

Direct or indirect involvement in the preparation of this procurement procedure: Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure?

Guilty of grave professional misconduct: Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents.

Payment of social security contributions: Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Payment of taxes: Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Terrorist offences or offences linked to terrorist activities: Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

5. Lot

5.1. Lot: LOT-0000

Title: Public procurement regarding media content for the new museum galleries at Natural History Museum of Denmark

Description: This procurement procedure regards a contract for P4 Media Content. It concerns the design, production, delivery and on-site installation of media content, including software, interactives, film and animations, to the Natural History Museum of Denmark ('NHMD'). The media content must be installed, integrated, implemented, executed and/or run on the AV System in connection with presentations, exhibitions and interactive elements etc. on the site. An AV hardware system has been designed for NHMD prior to the P4 Media Content Contract and will be implemented, installed and located on site. The Contractors fee for the performance of the P4 Contract is fixed at DKK 23,000,000. Furthermore, the contract includes an option for the NHMD to – during the warranty period – request additional support such as maintenance and support. For a more thorough description of the task to be performed according to the contract, please see the Draft Media Content Services Contract and appendices, including the Scope of Works (Appendix 2). The NHMD has decided not to -

further - divide the P4 Media contract into lots as it is the NHMD's assessment that a single contract with one contractor will result in the most coherent solution and the best user experience.

Internal identifier: 2024/19

5.1.1. Purpose

Main nature of the contract: Services

Main classification (cpv): 92000000 Recreational, cultural and sporting services

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, 92500000 Library, archives, museums and other cultural services, 92520000

Museum services and preservation services of historical sites and buildings

Options:

Description of the options: The Draft Media Content Services Contract includes an option for the NHMD to – during the warranty period – request additional support such as maintenance and support.

5.1.2. Place of performance

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

5.1.3. Estimated duration

Duration: 36 Months

5.1.5. Value

Estimated value excluding VAT: 23 000 000,00 DKK

5.1.6. General information

Reserved participation: Participation is not reserved.

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA): yes

This procurement is also suitable for small and medium-sized enterprises (SMEs)

Additional information: The NHMD invites all tenderers to a site visit at: Natural History Museum of Denmark Botanical Garden Gothersgade 130 1123 Copenhagen K The site visit will take place on 14 November 2024. The site visit will consist of a guided tour of the Underground Galleries and the Ocean Hall. During the site visit it is possible for the tenderers to ask questions to the NHMD regarding the facilities at the site. However, the NHMD may ask the tenderer to submit the question in writing via the tendering system if the question is not suitable to be answered orally and/or without further contemplation. After the site visit, the NHMD will publish the questions asked and answers given during the site visit via the tendering system. Tenderers who would like to participate in the site visit must sign up by informing the NHMD via the tendering system of the name and position of the person(s) to participate on behalf of the tenderer no later than 12 November 2024. Due to safety precautions on the building site, each tenderer may only sign up a maximum of two persons to participate in the site visit.

5.1.9. Selection criteria

Criterion:

Type: Economic and financial standing

Name: General yearly turnover

Description: The tenderer must have a turnover equivalent to at least DKK 10 million in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification. The tenderer must fill in the required information regarding turnover in the following field in the ESPD, Part IV B: 'General Yearly Turnover'.

Use of this criterion: Used

Criterion:

Type: Economic and financial standing

Name: Equity

Description: The tenderer must have a positive equity in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification. The tenderer must fill in the required information regarding equity in the following field in the ESPD, Part IV B: 'Other economic or financial requirements'.

Use of this criterion: Used

Criterion:

Type: Economic and financial standing

Name: Equity ratio

Description: The tenderer must have an equity ratio $((\text{equity}/\text{assets}) * 100)$ equivalent to at least 30 % in the most recently concluded and audited financial year at the deadline for submission of the application for prequalification. The tenderer must fill in the required information regarding equity ratio in the following field in the ESPD, Part IV B: 'Other economic or financial requirements'.

Use of this criterion: Used

Criterion:

Type: Suitability to pursue the professional activity

Use of this criterion: Not used

Criterion:

Type: Technical and professional ability

Name: For service contracts: performance of services of the specified type

Description: The tenderer must provide 3 references concerning ongoing or completed projects within the last 5 years. The NHMD defines "completed projects" as projects where hand over has been completed before the tender deadline. The tenderer's references must fulfil the following requirements: 1) At least 1 of the references must regard the delivery of at least 70 pieces of mixed media types. However, in each reference a maximum of 10 % of the deliveries mentioned can be of purely audio. 2) At least 1 of the references must regard the delivery of complex multi-user interactives including sensor based interaction and interactives that explain complex processes. 3) At least 2 of the references must regard a project for which the tenderer's fee was equivalent to at least DKK 4,500,000. The tenderer must fill in information regarding its references in the following field in the ESPD, Part IV C: 'For service contracts: performance of deliveries of the specified type'. For each reference the tenderer is required to describe the reference regarding the following information: i. The tenderer's scope of works, including the deliveries under the reference (number and type (e.g. purely audio, interactives, multi-user interactives etc.) of media content delivered) and the location of performance ('Description') ii. The final contract sum for the reference/contract ('Amount'), if the project is handed over or the latest estimated contract sum for projects that are not completed. iii. The time of performance, i.e., the date of commencement and completion data

(‘Start date’ and ‘End date’) iv. The name of the costumer and contact information, i.e., email and telephone number, to a contact person at the costumer (‘Recipient’) The tenderer can add references by clicking the ‘+’ button. As an alternative to describing the references in the ESPD, the tenderer may submit its references in a separate appendix to the ESPD. If so, the NHMD asks that the tenderer uses the template for references provided in Annex VII and that the tenderer refers to the appendix in the ESPD. The NHMD will accept references which have been performed by the following entities/persons as the tenderer’s references: • The tenderer itself • Supporting entities By submitting the references, the tenderer accepts that the NHMD may contact the customers’ contact persons regarding the tenderer’s performance of the contract. If necessary, the tenderer must assist the NHMD in contacting the customer.

Use of this criterion: Used

Criterion:

Type: Technical and professional ability

Name: Average annual manpower

Description: The tenderer must fulfil the following requirements: • The tenderer must have at least 10 employees The tenderer must fill in information regarding its organisation in the following field in the ESPD, Part IV C: ‘Average annual manpower’. Here, the tenderer is expected to fill in the following information: • Line 1: In the field ‘Year’: 2024, and the field ‘Number’: The candidate’s number of employees, including managerial staff, at the tender deadline.

Use of this criterion: Used

5.1.10. Award criteria

Criterion:

Type: Quality

Name: Organisation

Description: For a more detailed description of the evaluation of the criterion, please refer to the tender specifications, including its Annex I.

Weight (percentage, exact): 15

Criterion:

Type: Quality

Name: Project Execution

Description: For a more detailed description of the evaluation of the criterion, please refer to the tender specifications, including its Annex I.

Weight (percentage, exact): 35

Criterion:

Type: Quality

Name: Creative Response

Description: For a more detailed description of the evaluation of the criterion, please refer to the tender specifications, including its Annex I.

Weight (percentage, exact): 50

5.1.11. Procurement documents

Languages in which the procurement documents are officially available: English

Address of the procurement documents: <https://www.ethics.dk/ethics/eo#/aa6b9c51-5c7a-4a7c-aa7b-d27937802eeb/publicMaterial>

5.1.12. Terms of procurement

Terms of submission:

Electronic submission: Required

Address for submission: <https://www.ethics.dk/ethics/eo#/aa6b9c51-5c7a-4a7c-aa7b-d27937802eeb/homepage>

Languages in which tenders or requests to participate may be submitted: English

Electronic catalogue: Not allowed

Variants: Not allowed

Tenderers may submit more than one tender: Not allowed

Deadline for receipt of tenders: 06/12/2024 11:00:00 (UTC)

Deadline until which the tender must remain valid: 6 Months

Information about public opening:

Opening date: 06/12/2024 11:05:00 (UTC)

Additional information: The tenderers are not allowed to attend the opening of the tenders.

Terms of contract:

The execution of the contract must be performed within the framework of sheltered employment programmes: No

Electronic invoicing: Required

Electronic ordering will be used: yes

Electronic payment will be used: yes

Information about review deadlines: The Danish Complaints Board for Public Procurement Act (Act no. 593 of 02.06.2016 which is available at www.retsinformation.dk.) contain the regulation governing the deadlines for review procedures regarding public procurement under Danish law. Complaints must be lodged with the Danish Complaints Board for Public Procurement ('the Complaints Board') within a 45 calendar day deadline initiated by the NHMD's publication of a contract award notice in the Official Journal of the European Union. The first day of the deadline is the day following the publication date, cf. section 7(2)(i) of the Danish Complaints Board for Public Procurement Act. The complainant must notify the NHMD of the complaint in writing at the latest at the same time as the complainant lodges the complaint with the Complaints Board. Furthermore, the complainant must inform the NHMD as to whether or not the complaint has been lodged in the standstill-period and whether the complainant has requested the complaint to be given suspensory effect, cf. section 6(4) of the Danish Complaints Board for Public Procurement Act. To lodge a complaint with the Danish Complaints Board for Public Procurement the complainant must pay a fee of DKK 20,000.

5.1.15. Techniques

Framework agreement: No framework agreement

Information about the dynamic purchasing system: No dynamic purchase system

5.1.16. Further information, mediation and review

Review organisation: Klagenævnet for Udbud

Organisation providing more information on the review procedures: Konkurrence- og Forbrugerstyrelsen

Organisation receiving requests to participate: The University of Copenhagen - The Natural History Museum of Denmark

Organisation processing tenders: The University of Copenhagen - The Natural History Museum of Denmark

TED eSender: Merzell Holding ASA

8.1. ORG-0001

Official name: The University of Copenhagen - The Natural History Museum of Denmark

Registration number: ORG-29979812

Postal address: Gothersgade 130

Town: København K

Postcode: 1123

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Contact point: Elin Gíslason

Email: elin.gislason@snm.ku.dk

Telephone: +45 29 87 70 52

Internet address: <https://snm.ku.dk/>

Roles of this organisation:

Buyer

Organisation receiving requests to participate

Organisation processing tenders

8.1. ORG-0002

Official name: Klagenævnet for Udbud

Registration number: ORG-37795526

Postal address: Toldboden 2

Town: Viborg

Postcode: 8800

Country subdivision (NUTS): Vestjylland (DK041)

Country: Denmark

Contact point: Klagenævnet for Udbud

Email: kfu@naevneneshus.dk

Telephone: +45 72405600

Information exchange endpoint (URL): <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

Roles of this organisation:

Review organisation

8.1. ORG-0003

Official name: Konkurrence- og Forbrugerstyrelsen

Registration number: ORG-10294819

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postcode: 2500

Country subdivision (NUTS): Byen København (DK011)

Country: Denmark

Contact point: Konkurrence- og Forbrugerstyrelsen

Email: kfst@kfst.dk

Telephone: +45 41715000

Information exchange endpoint (URL): <https://www.kfst.dk>

Roles of this organisation:

Organisation providing more information on the review procedures

8.1. ORG-0004

Official name: Mercell Holding ASA

Registration number: 980921565

Postal address: Askekroken 11

Town: Oslo

Postcode: 0277

Country subdivision (NUTS): Oslo (NO081)

Country: Norway

Contact point: eSender

Email: publication@mercell.com

Telephone: +47 21018800

Fax: +47 21018801

Internet address: <http://mercell.com/>

Roles of this organisation:

TED eSender

11. Notice information

11.1. Notice information

Notice identifier/version: 2937d7f0-45c1-4232-8623-9f98e81fa9b6 - 01

Form type: Competition

Notice type: Contract or concession notice – standard regime

Notice subtype: 16

Notice dispatch date: 04/11/2024 22:45:34 (UTC)

Notice dispatch date (eSender): 04/11/2024 22:49:19 (UTC)

Languages in which this notice is officially available: English

11.2. Publication information

Notice publication number: 674165-2024

OJ S issue number: 216/2024

Publication date: 06/11/2024