

**Denmark-Kgs. Lyngby: Laboratory, optical and precision equipments (excl. glasses)**  
**OJ S 240/2023 13/12/2023**  
**Contract award notice**  
**Supplies**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Danmarks Tekniske Universitet - DTU

National registration number: 30060946

Postal address: Anker Engelunds Vej 1

Town: Kgs. Lyngby

NUTS code: DK01 Hovedstaden

Postal code: 2800

Country: Denmark

Contact person: Katrine Freiesleben Petersen

E-mail: [kafre@dtu.dk](mailto:kafre@dtu.dk)

Telephone: +45 45252525

**Internet address(es):**

Main address: <http://www.dtu.dk>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/165863>

**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Education

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**Section II: Object**

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

**II.1.1. Title**

Instrument for real-time live-cell imaging and cellular impedance analysis

**II.1.2. Main CPV code**

38000000 Laboratory, optical and precision equipments (excl. glasses)

**II.1.3. Type of contract**

Supplies

**II.1.4. Short description**

DTU has bought an instrument that can analyze behavior of live mammalian cells (incl. proliferation/morphology/death) in real-time using both impedance (label-free, high sensitivity) and live-cell imaging (precision and confirmation of cell behavior).

**II.1.6.**

## Information about lots

This contract is divided into lots: no

### II.1.7. Total value of the procurement

Value excluding VAT: 2 700 871,00 DKK

## II.2. Description

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

38400000 Instruments for checking physical characteristics, 38420000 Instruments for measuring flow, level and pressure of liquids and gases, 38430000 Detection and analysis apparatus, 38434000 Analysers, 38434500 Biochemical analysers, 38434540 Biomedical equipment, 38434580 Immunoassay analysers, 38500000 Checking and testing apparatus, 38510000 Microscopes, 38515000 Fluorescent and polarising microscopes, 38515200 Fluorescent microscopes, 38519000 Miscellaneous compounds for microscopes, 38519300 Photo or video attachments for microscopes, 38519310 Photo attachments for microscopes, 38519320 Video attachments for microscopes, 38600000 Optical instruments, 38620000 Polarising material, 38623000 Optical filters

### II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

Main site or place of performance: Kgs. Lyngby

### II.2.4. Description of the procurement

DTU's purpose with this tender was to enter into an agreement with an external supplier regarding an instrument that can analyze behavior of live mammalian cells (incl. proliferation /morphology/death) in real-time using both impedance (label-free, high sensitivity) and live-cell imaging (precision and confirmation of cell behavior).

### II.2.5. Award criteria

Price

### II.2.11. Information about options

Options: yes

Description of options:

The agreement includes the following options:

Workstation, see requirement number 11.

Consumables, see requirement number 15.

Second year of warranty, see requirement 18.2.

Service agreement, see requirement number 21.

### 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

## Section IV: Procedure

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### 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.2.1. Previous publication concerning this procedure**

Notice number in the OJ S: [2023/S 170-534455](#)

##### **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**

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**Contract No:** 1

**Title:**

Instrument for real-time live-cell imaging and cellular impedance analysis

A contract/lot is awarded: yes

#### **V.2. Award of contract**

##### **V.2.1. Date of conclusion of the contract**

07/11/2023

##### **V.2.2. Information about tenders**

Number of tenders received: 1

Number of tenders received by electronic means: 1

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

##### **V.2.3. Name and address of the contractor**

Official name: AH diagnostics

National registration number: DK26718023.

Postal address: Gammel Viborgvej 11A

Town: Tilst

NUTS code: DK04 Midtjylland

Postal code: 8381

Country: Denmark

E-mail: [hso@ahdiagnostics.dk](mailto:hso@ahdiagnostics.dk)

Telephone: +45 87459010

Internet address: <http://www.ahdiagnostics.dk>

The contractor is an SME: yes

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

Total value of the contract/lot: 2 700 871,00 DKK

##### **V.2.5. Information about subcontracting**

### **Section VI: Complementary information**

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#### **VI.3. Additional information**

DTU did only receive irregular and unacceptable tenders for the open procedure. Therefore, DTU annulled the opened procedure and switched to a competitive procedure with negotiation in accordance with the Danish Public Procurement Act, section 61.

In accordance with section 61(4) in the Danish Public Procurement Act, DTU did not publish a contract notice, because tenderers included in the previous open procedure had submitted tenders in accordance with the formal requirements of the procedure, and they complied with the requirements stipulated in accordance with section 159(2)(2)(1-3) in the Danish Public Procurement Act.

The competitive procedure with negotiation has now been concluded and the agreement has been awarded.

#### **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@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

Internet address: <http://www.klfu.dk>

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

Precise information on deadline(s) for review procedures:

Complaint regarding prequalification:

Complaint regarding prequalification must be submitted no later than 20 calendar days after notification has been sent to the concerned Candidates informing them who has been selected, if the notification includes the grounds for the decision, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, Section 1.

Complaint regarding award of contract:

Complaint regarding the award of a contract must be submitted no later than 45 calendar days from the date after the Contracting Authority has published a notice in the European Union Official Journal informing that the Contracting Authority has awarded/concluded a contract, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, Section 2, no. 1.

Complaint regarding award of a contract under a framework agreement with a reopening of the competition (mini-tender):

Complaint regarding the award of a contract under a framework agreement with a reopening of the competition must be submitted no later than 30 calendar days from the date after the Contracting Authority has notified the concerned Tenderers that a contract based on a framework agreement with a reopening of the competition has been awarded/concluded, if the notification includes the grounds for the decision, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, Section 2, no. 2.

Complaint regarding the award of a framework agreement:

Complaint regarding the award of a contract must be submitted no later than 6 months from the date after the Contracting Authority has notified the concerned Candidates and Tenderers that a framework agreement has been concluded, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, Section 2, no. 3.

Complaint regarding direct award of contract:

Complaint that the Contracting Authority, contrary to the Public Procurement Act, has concluded a contract without prior publication of a contract notice in the European Union

Official Journal must be submitted no later than 30 calendar days from the date after a contract award notice has been published by the Contracting Authority in the European Union Official Journal and that contract award notice includes the grounds for the decision to award the contract directly, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, section 3.

Compliant regarding public procurements below the EU threshold:

Complaint regarding violation of public procurements below the EU threshold must be submitted no later than 45 calendar days from the date after the Contracting Authority has notified the Tenderers about the award of contract, if this notification includes the grounds for the decision; and no later than 6 months from the date after the Contracting Authority has notified the concerned Candidates and Tenderers that a framework agreement has been concluded, if the notification includes the grounds for the decision, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders) § 7, section 4, no. 1 and 2. Compliant regarding prequalification on procurement below the EU threshold must be submitted no later than 20 calendar days from the date after the Contracting Authority has sent a notification to the concerned Candidates who has been selected and this notification includes the grounds for the decision, cf. lov om Klagenævnet for Udbud (Complaints Board for Tenders)) § 7, Section 5.

#### **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](mailto:kfst@kfst.dk)

Telephone: +45 41715000

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

#### **VI.5. Date of dispatch of this notice**

08/12/2023