

Denmark-Copenhagen: Mass spectrometer
OJ S 247/2023 22/12/2023
Contract award 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: Krystalgade 25

Town: Copenhagen K

NUTS code: DK01 Hovedstaden

Postal code: 1172

Country: Denmark

Contact person: Anne Thoisen

E-mail: at@adm.ku.dk

Internet address(es):

Main address: www.ku.dk

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

Acquisition of a Bruker Compact QqTOF System

II.1.2. Main CPV code

38433100 Mass spectrometer

II.1.3. Type of contract

Supplies

II.1.4. Short description

The Department of Plant and Environmental Sciences at University of Copenhagen carries out research in the fields of biotechnology, plant science and environmental sciences from the molecular scale to the entire ecosystems. The Plant Biochemistry section intends to purchase a MS QqTOF from Bruker to replace a current instrument that is broken.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 1 680 470,00 DKK

II.2. Description

II.2.3. Place of performance

NUTS code: DK01 Hovedstaden

II.2.4. Description of the procurement

At Plant Biochemistry section, there is a high demand for Metabolomics analysis (~20000 injections/year), where of the ten instruments managed, two QqTOFs carries out 56% of the analysis. Currently, one of the QqTOFs is broken due to the high usage over the last six years (~6500 injections/year). The intended acquisition of a new QqTOF will help to recover the research rate. It is the contracting entity's assessment that there is no other supplier than Bruker that can meet the technical requirements for the instrument due to a need for compatibility to an existing LC instrument and software, as well as interoperability with an existing LC-MS QqTOF system.

This notice is sent in continuation of the University of Copenhagen's voluntary ex ante transparency notice no. [2023/S 230-724396](#) where University of Copenhagen published its intention to enter into the contract with Bruker. After the expiry of 10 calendar days calculated from the day after the date where the voluntary ex ante transparency notice was published, see section 4(1), para 2, of the Danish Act on the Complaints Board for Public Procurement, the University of Copenhagen has entered into the contract with Bruker.

II.2.5. Award criteria

Price

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

Regarding section II.2.5) and V.2.2) it is noted that this procurement has been subject to a negotiated procedure without prior publication. Reference is made to the reasoning in section IV.1.1) and the voluntary ex ante transparency notice referred in section IV.2.1). Therefore, only one tender was received.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

The Plant Biochemistry section intends to purchase a MS QqTOF from Bruker to replace a current instrument that is broken. It is the contracting entity's assessment that there is no other supplier than Bruker that can meet the technical requirements for the instrument due to a need for compatibility to an existing LC instrument and software, as well as interoperability with an existing LC-MS QqTOF system. The MS QqTOF will be connected to an existing LC system (Thermo Scientific Dionex Ultimate 3000 HPLC from 2013) and it is imperative that the MS QqTOF is fully compatible with the existing system as well as the existing software HyStar Version 3.2 and DataAnalysis Version 4.3 to ensure that already developed LC and MS methods can be easily transferred to the new system and will be comparable and applicable to previous data. The Plant Biochemistry section holds two Bruker LC-MS QqTOF systems, and it is imperative that the new MS QqTOF, replacing the broken MS QqTOF on one of the systems, is interoperable to the existing LC-MS QqTOF, allowing then the direct transfer of methods and users between the two instruments.

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 230-724396](#)

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

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

13/12/2023

V.2.2. Information about tenders

Number of tenders received: 1

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

V.2.3. Name and address of the contractor

Official name: Bruker Nordic AB

National registration number: 556577-2364

Postal address: Torshamnsgatan 44

Town: Kista

NUTS code: SE Sverige

Postal code: 164 40

Country: Sweden

The contractor is an SME: no

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

Total value of the contract/lot: 1 680 470,00 DKK

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

Official name: Danish Complaints Board for Public Procurement

Postal address: Nævnenes Hus, Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: nh@naevneneshus.dk

Telephone: +45 72405600

Internet address: www.klfu.dk

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), the following deadlines apply to the lodging of complaints: Pursuant to section 7(3) of the Act, in the case where the contracting authority has followed the procedure in section 4, complaints regarding that a contracting authority in conflict with Directive 2014/24/EU has entered into a contract without prior publication of a contract notice in the Official Journal of the European Union, must be filed with Danish Complaints Board for Public Procurement within 30 calendar days calculated from the day after the day when the contracting entity has published a notice (i.e. this contract award notice) in the Official Journal of the European Union regarding that the contracting entity has entered into a contract, provided that the notice includes the reasons for the contracting entity's decision to award the contract without prior publication of a contract notice in the Official Journal of the European Union. 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/klagenavnet-for-udbud/vejledning/>

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Danish Competition and Consumer Authority

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
18/12/2023