



Title: Denmark-Ballerup: Rack Cases

Document Type: Contract Notice

Published By: Danish Defence Acquisition and Logistics Organizations

Date Published: 13 June 2019

Deadline Date: 30 August 2019

Section I: Contracting Change entity

I.1) Name and addresses

Danish Defence Acquisition and Logistics Organizations

16-28-71-80

Lautrupbjerg 1-5

Ballerup

2750

DK

Contact person: Charlotte Glavind

Telephone: +45 72814195

E-mail: fmi-id-sla05@mil.dk

NUTS: DK

Internet address(es)

Main address: <https://www.ethics.dk/ethics/eo#/595756cf-c602-4251-90d9-14ecd49fb754/homepage>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge at:

<https://www.ethics.dk/ethics/eo#/595756cf-c602-4251-90d9-14ecd49fb754/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be sent electronically to:

<https://www.ethics.dk/ethics/eo#/595756cf-c602-4251-90d9-14ecd49fb754/homepage>

Tenders or requests to participate must be sent to the abovementioned address

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at:

<https://www.ethics.dk/ethics/eo#/595756cf-c602-4251-90d9-14ecd49fb754/homepage>

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

Rack Cases

II.1.2) Main CPV code

44000000

II.1.3) Type of contract

Supplies

II.1.4) Short description

The Danish Defence Acquisition and Logistics Organisation (DALO) is installing modern communications and information systems in many of the vehicles, containers, and other platforms of the Danish armed forces. In support of this effort daloo seeks to establish a framework agreement for the supply of 19" rack cases suitable for mounting military electronics equipment for transport, storage or installation in vehicles and containers.

DALO seeks to acquire 19" rack cases (flight cases with internally mounted 19" racks) assembled to DALO specifications from off-the-shelf materials commonly used in the

construction of rack cases. If needed, some rack cases will require customisation for special purposes.

II.1.5) Estimated total value

Value excluding VAT: 5 000 000.00 DKK

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

44619100
44617000
44617300

II.2.3) Place of performance

NUTS code:
DK

II.2.4) Description of the procurement

The rack cases will be used to store or transport military communications equipment or to temporarily install and use such equipment in vehicle and containers. The equipment includes military radio systems, computer and network equipment, mounted in individual cases and then connected by cables.

When used for storage or transport a rack case will be sealed using lids for the front and the rear of the case. 1 or 2 people must be able to handle and carry the cases safely without the need for lifting equipment. The rack cases may be transported on ground vehicles, ships and airplanes.

When used for installation, the front and rear lids are removed to allow access to equipment controls and cables, as well as to provide airflow for ventilation paths. The rack cases will be stacked in various configurations, latched together and then attached to fixed mounting points that secure the cases in place.

It must be possible to mount the equipment securely in the rack on a drawer slide system that allows the equipment to be pulled out for service while in the rack, or to be easily removed from the rack.

The rack cases should be constructed of material that makes it as light as possible to reduce strain and risk of injury to personnel when carried and handled.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Duration in months: 48
This contract is subject to renewal: No

II.2.9) Information about the limits on the number of candidates to be invited

II.2.10) Information about variants

Variants will be accepted: No

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 Framework Agreement is not divided into lots on the grounds, that a division of the contract would undermine the economies of scale obtainable by procuring one contract. 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 III: Legal, economic, financial and technical information

III.1) Conditions for participation

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

Reference is made to the tender documents regarding payment terms. Invoicing must be done in accordance with the applicable Danish legislation on public payments. At present, this is Danish consolidation act. No 798 of June 2007 which requires electronic invoicing. Exact terms are stated in the contract.

No particular legal form is required. If the contract is awarded to a group of suppliers (e.g. a consortium), the participants shall undertake joint and several liabilities and to appoint one supplier to represent the group.

The Framework Agreement must be conducted in consideration of Corporate Social Responsibility (CSR) and it contains a labour clause, please see Appendix B for further information.

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 with a single operator.

IV.1.8) Information about 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: 30/08/2019

Local time: 13:00

IV.2.4) Languages in which tenders or requests to participate may be submitted

EN

DA

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: 30/08/2019

Local time: 13:01

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

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 and how the tenderer fulfils the objective and non-discriminatory criteria of selection, cf. § 145(2), cf. Section II.2.9).

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 Ethics.

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.

DALO shall exclude a tenderer from participation in the procurement procedure, if the tenderer is subject to one of the compulsory grounds for exclusion in §§ 135 and 136 of the said Act unless the tenderer has provided sufficient documentation that the tenderer is reliable in accordance to § 138 of the said Act. Please note that certain voluntary exclusion grounds in Directive 2014/24/EU on public procurement have been made compulsory in § 136 of the said Act.

If the same legal entity is a part of or in any other way participates in several offers, e.g. submits his own offer and at the same time participates in a consortium which also submits an offer, the tenderers shall ensure that the same legal entity's participation does not provide for opportunity for mutual coordination of their offers. DALO reserves the right to request the tenderers to establish and reassure DALO that the same legal entity's participation does not threaten the transparency and distort competition between the tenderers.

The procedure for communication between the tenderers and DALO is described in the instructions to tenderers.

DALO reserves the right – but is not obliged – to use the remedies provided for in Section 159(5) of the the Danish Act on Public Procurement (act No 1564 of 15.12.2015 – available at <http://www.retsinformation.dk>) if offers do not fulfil the formalities of the tender documents.

VI.4) Procedures for review

VI.4.1) Review body

Klagenævnet for Udbud (Nævnenes hus)

Toldboden 2

Viborg

8800

DK

Telephone: +45 72405600

E-mail: klfu@naevneneshus.dk

Internet address(es)

URL: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to Section 3 of the Danish Consolidation Act No 593 of 2.6.2016 on the Complaints Board for Public Procurement (available at

<http://www.retsinformation.dk>), the following time limits for filing a complaint apply:

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 within:

- 1) 45 calendar days after the Contracting Authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date);
- 2) 30 calendar days starting the day after the Contracting Authority has informed 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 a short account of the relevant reasons for the decision;
- 3) 6 months starting the day after the Contracting Authority has sent notification to the tenderers involved that the Contracting Authority has entered into the Framework Agreement, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included a short account of the relevant 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.

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) of the said Act.

The e-mail of The Complaints Board for Public Procurement is stated in Section VI.4.1.

The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the internet address stated in Section VI.4.1.

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

Konkurrence- og Forbrugerstyrelsen

Carl Jacobsens Vej 35

Valby

2500

DK

Telephone: +45 41715000

E-mail: kfst@kfst.dk

Internet address(es)

URL: <http://www.kfst.dk>

VI.5) Date of dispatch of this notice

11/06/2019

Contact us for more information on 0845 111 1141

enquiries@makeuk.org

makeuk.org/ndi