T E N D E R C O N D I T I O N S

for

Delivery

Of

300 pcs. F-16 Main Landing Gear Tires, P/N 461B-3529-TL

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# Contracting Authority

The Danish Defence Acquisition and Logistics Organization (DALO)

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# introduction to the tender

This tender is carried out according to the rules of Danish act no. 1410 of 7 December 2007 regarding tender procedures not covered by the EU directive on procurement.

These tender conditions are published at the Danish website: [www.udbud.dk](http://www.udbud.dk) in accordance with the rules of act no. 280 of 23 March 2012.

The description below in this clause 2 is meant as an introductory guide to tenderers, explaining the tender procedure and the tender documents.

For their preparation of tenders, the tenderers have received the tender documents listed in clause 3.

The following is a brief description of how to deal with the documents received. If, contrary to DALO's expectations, there are inconsistencies between these instructions and other parts of the tender documents, the latter is to be given priority.

These instructions lay out the formal rules of the tender procedure. Included is a description of the criteria for the award of the Contract, deadline for submission of tender, the format of the tender documents, etc. It is therefore important that the tenderers thoroughly familiarize themselves with these instructions before and during the preparation of their tenders.

The Terms and Conditions for Trade with the Danish Defence Acquisition and Logistics Organization contain legal provisions that govern the relations between DALO and the seller (supplier) during the term of the Contract. When drawing up the tenders, the tenderers should duly note that the tenderers cannot make reservations to the Terms and Conditions for Trade with DALO.

The tender documents furthermore include a draft solemn declaration that may be used by the tenderer when submitting the required declaration stating whether the tenderer has outstanding debt to any public authorities at the time of the tender.

Clause 9 of these instructions contains directions and recommendations as to the layout and structure of the tender. It must be emphasised, however, that it is the sole responsibility of the tenderer to submit a complete tender.

# Tender material

The complete tender material consists of:

* These tender conditions
* DALO's Terms and Conditions for Trade with the Danish Defence Acquisition and Logistics Organization
* DALO's Requirement Specification
* DALO's draft solemn declaration regarding the tenderer's payment of taxes and social security contributions

# THE delivery

The full and detailed description of the delivery is contained in DALO's Requirement Specification.

# award criteria

The Contract will be awarded on the basis of the award criterion "the most economically advantageous tender". In the evaluation of the tenders the Contracting Authority will use the following criteria with the specified weighting.

Should the situation arise, that two tenders achieve the exact same evaluation, and are these two tenders the economically most advantageous tenders, DALO will award the contract after drawing lots under strict observation of the principle of equal treatment.

*1.* *Price 60%*

Assessed on the basis of the following element:

* The overall contract price

The tenderer must state the overall contract price excluding VAT and any other taxes in the tender.

When evaluating this award criterion a low overall contract price will be viewed positively.

*2.* *Time of delivery 40 %*

Assessed on the basis of the following element:

* The date of delivery.

The tenderer is asked to indicate in the tender the date of delivery in calendar days calculated from the signing of the agreement between the tenderer and DALO.

When evaluating this award criterion, a short delivery time will be viewed positively.

Please note that the date for the signing of the agreement between the tenderer and DALO is subject to change.

# alternative offers, TERMINOLOGY and reservations

## Alternative offers

The tenderer is not allowed to submit alternative offers.

## Reservations

Attached is the Terms and Conditions for Trade with the Danish Defence Acquisition and Logistics Organization, and the Requirements Specification.

DALO's requirements in the Terms and Conditions for Trade with the Danish Defence Acquisition and Logistics Organization and the Requirement Specification are all minimum requirements.

Reservations regarding DALO's Terms and Conditions for Trade with the Danish Defence Acquisition and Logistics Organization and the Requirement Specification will not be accepted. If a tender contains such reservations it will be considered non-compliant and not be taken into consideration.

# Questions in writing

Tenderers may obtain additional information regarding the Tender Documents and the subject-matter of the tender by submitting questions in writing.

Questions must be drawn up in English and submitted in writing, and should contain a reference to the relevant section(s) to which the question(s) refer(s) to.

Questions should be sent by e-mail, to the contact person as stated in point 1.

Questions and answers (anonymized) will be uploaded to the udbud.dk-website.

Consequently, questions and answers are to seen as a part of the tender material which the tenderer accepts in its entirety when submitting the tender.

Questions received no later than 26.08.2014 will be answered by the DALO no later than 27.08.2014.

Questions received later than 26.08.2014 will not be answered.

# The structure and content of the tender

## In general

Tenders must be in English or Danish.

Tenders must be submitted by e-mail to the contact person as stated in point 1.

Marked "300 pcs. F-16 Main Landing Gear Tires, P/N 461B-3529-TL confidential - att: Morten Winther".

The tender shall contain the documents and information stated in section 8.2.

Tenders that do not include these documents and information cannot be expected to be taken into consideration.

## Content of the tender

The tender shall be submitted to DALO and contain the following:

1. The name and address of the tenderer, and preferably a statement of which undertaking or consortium that is submitting the bid.
2. A solemn declaration regarding payment of taxes and social contributions
3. Information regarding the overall contract price excluding VAT and any other taxes.
4. Information regarding delivery time.
5. Filled out Requirement Specification

If the tender is submitted by a consortium, each participant of that consortium must submit the declaration mentioned in point 2.

# Deadline for submitting bids; Timeframe during which the tenderer must maintain the tender

The tender must be received by DALO no later than:

**29.08.2014 at 10:00 CET.**

It is emphasized that tenders received after this deadline will not be taken into consideration.

The tenderer must maintain the bid for a period of 3 months after the deadline.

# Handling of tenders

Tenderers do not have the opportunity to be present when the tenders are opened.

DALO is not obliged to return the tender documents to the tenderer.

DALO does not consider the tender procedure concluded until the contract is signed and reserves the right to terminate the procedure without an award. Regardless of whether the contract is awarded or not, all tenderers are bound by the terms of the bid until DALO has entered into a contract or the period set out in clause of these Instructions to tenderers has expired.

Should the contract be awarded to a joint group of economic operators (a consortium) the participants of such consortium must assume joint and several liabilities and appoint a representative of the group who is authorized to be DALO's contact to the consortium.

The costs incurred by the tenderer by participating in the tender are of no concern to DALO. This includes a situation where the tender is terminated without an award.

# confidentiality

The tenderers must observe unconditional confidentiality towards third parties with regard to any information that may come to the tenderer's knowledge in connection with this tender procedure.

The tenderer should be aware that the documents, including any tenders, in this tender procedure may be subject to regulations on the right of access to documents. This means that competitors and others may be given access to tender documents submitted by the tenderer.

Accordingly, if a tenderer requests that any information or elements in the tender should be exempted from the right of access to documents (e.g. due to business considerations) the tenderer should state so explicitly in his tender.

However, notwithstanding any such statement DALO must give access to the documents to the extent required by law.

# schedule for the tender procedure

|  |  |
| --- | --- |
| Date, time | Event |
| 22.08.2014 | Submission of the tender notice at udbud.dk. |
| 26.08.2014 | Deadline for the submission of questions regarding the tender documents expires. |
| 27.08.2014 | Deadline for DALO's reply to questions regarding the tender document expires. |
| 29.08.2014 at 10.00 | Tender deadline. |