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**Denmark-Aarhus N: Radiotherapy, mechanotherapy, electrotherapy and physical therapy devices
2014/S 058-096820**

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

Central Denmark Region
Olof Palmes Allé 15, 1
Contact point(s): Department of Procurement & Clinical Engineering
For the attention of: Sidsel Marcussen
8200 Aarhus N
DENMARK
Telephone: +45 78414500
E-mail: sidsel.marcussen@stab.rm.dk

Internet address(es):

General address of the contracting authority: <http://www.dnu.rm.dk>
Address of the buyer profile: <http://www.udbud.rm.dk>
Electronic access to information: <http://www.udbud.rm.dk>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

Regional or local authority

I.3) Main activity

Health

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

Equipment and Services for the delivery of Proton Beam Therapy at DNU, The New University Hospital in Aarhus.

II.1.2) Type of contract and location of works, place of delivery or of performance

Supplies

Purchase

Main site or location of works, place of delivery or of performance: DNU, The New University Hospital in Aarhus.

NUTS code DK04

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves a public contract

II.1.4) Information on framework agreement

II.1.5) Short description of the contract or purchase(s)

The Central Denmark Region (the "Authority") is developing a Danish national Proton Beam Therapy (PBT) service treating a complex case mix of pediatric and adult tumors, in total up to 1,200 patients per year. The establishment will be an integral part of the construction of DNU, the New University Hospital in Aarhus, and it is intended that the facility will have 3 rooms with gantries for clinical treatments and a dedicated research beamline. Further details on the planned facility and service can be obtained from the initial project proposal submitted by the Authority on September 30, 2012; the evaluation report by the Danish Health and Medicines Authority, November 19, 2012 and the Strategic Business Plan from Danish Ministry of Health and Prevention, July 4, 2013. See the relevant links listed in the prequalification material (Section VI.3) Additional information).

The procurement will be undertaken using the competitive dialogue procedure in accordance with the public contract regulations in directive NO. 2004/18/EC 31 March 2004. This procurement seeks to secure for the Authority, equipment and services for PBT. Potential bidders should note that site build requirements are excluded from this procurement and will be procured separately. However the Authority's requirements will be discussed with shortlisted bidders in greater detail during the competitive dialogue process, and the Authority reserves the right to evaluate the integration between the supply of PBT (which is the subject of this notice) and the construction works contract (to be separately procured) as part of this competitive dialogue process.

It is intended that the agreements will allow for long term development of proton therapy in Aarhus. Potential bidders should note the following high level needs for Danish proton beam therapy equipment and services:

- It shall be safe for patients, staff and the general public and shall be highly reliable.
- It shall deliver proton radiotherapy with the best possible quality of beam. The Authority intends to deliver PBT using only scanning beam technology including IMPT.
- The center should provide value for money as assessed by total lifetime costs.
- Ensure that services provided enable the continued development of the technologies involved and that workforce and training issues are appropriately addressed.
- One supplier which is able to provide a total system for proton therapy is requested.

In addition to the requirements listed above and in section II.2.1 the following requirements among others may be discussed with shortlisted bidders in greater detail during the competitive dialogue process: installation, time schedule, project execution, acceptance testing, quality assurance, warranties, spare parts, repairs, power consumption, clinical and technical functionality and specifications, patient workflow, ancillary equipment, third party integration, and may include design, building/engineering interface, documents and other associated needs.

Timeframe of delivery and installation, and length and terms of service agreements will be included as part of the competitive dialogue. Installation of proton therapy equipment is expected to start late 2016.

Expressions of interest are invited from suppliers with the appropriate capability to tender for an agreement with the Authority for the provision of Proton Beam Therapy equipment and services. As part of the competitive dialogue stage of the procurement process, shortlisted bidders will be invited to propose equipment and services to deliver Proton Beam Therapy.

II.1.6) Common procurement vocabulary (CPV)

33150000, 33151000, 38341000, 48180000, 50421000, 51413000

II.1.7) Information about Government Procurement Agreement (GPA)

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

II.1.8) Lots

This contract is divided into lots: no

II.1.9) Information about variants

Variants will be accepted: no

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope:

The contract includes the:

- Supply of Proton Beam Therapy Equipment;
- Supply of Proton Beam Therapy Services;
- Installation of Proton Beam Therapy Equipment and;
- Maintenance of Proton Beam Therapy Equipment.

It is intended that the facility will have 3 rooms with gantries for clinical treatments and a dedicated research beamline, and in addition the Authority would like to explore the possibility of in the future expanding the number of treatment rooms.

II.2.2) Information about options

Options: yes

Description of these options: Dose planning software and electronic information system will be part of the competitive dialogue as an option to the total system for proton beam therapy.

II.2.3) Information about renewals

This contract is subject to renewal: no

II.3) Duration of the contract or time limit for completion

Section III: Legal, economic, financial and technical information

III.1) Conditions relating to the contract

III.1.1) Deposits and guarantees required:

Collateral in the form of a bank guarantee will be required. The scope and terms will be part of the competitive dialogue.

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:

The scope and terms will be part of the competitive dialogue.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

If the application is submitted by a consortium, the application must include a declaration whereby all participants of the consortium have assumed direct, unlimited and joint liability and whereby one participant of the consortium has been duly authorised to unrestrictedly bind the other participants of the consortium by such participant's sole signature. The declaration is to be enclosed as specified in the prequalification material (see Section VI.3) Additional information). In addition, the application must be accompanied by the information required under contract notice Section III.2 Conditions for participation with respect to all participants of the consortium. If such information is not included, or is not fully sufficient, for one participant of the consortium, the application will not necessarily be regarded as non-compliant, but any such failure to include this information may influence the prequalification evaluation process.

III.1.4) Other particular conditions

III.2) Conditions for participation

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if the requirements are met: — Company name, address and company reg. no., telephone no., e-mail address, name of contact person with the applicant.

— Information on the company's corporate form.

— Description of the company's organization, business strategy, and strategy for development of proton therapy.

— A solemn declaration on debt and exclusion scenarios, pursuant to the Procurement Directive, Article 45 (1) and (2). The solemn declaration should be submitted in a template provided by the Authority. The template will be part of the prequalification material (see Section VI.3 Additional information).

— A list of the most significant subcontractors and external partners anticipated for the present assignment. At minimum specify subcontractors that are expected to deliver products or services corresponding to a value of more than 10 percent of the contract price.

To the extent that the applicant wishes that emphasis should be placed on collaborative partners / subcontractors economic or technical capacity in the prequalification evaluation, the application shall be accompanied by a declaration stating that the partner / subcontractor makes its economic or technical skills available to the applicant in connection with the project. For such partners / subcontractors the application shall also be accompanied by the required information listed in contract notice section III.2.1 (personal matters), III.2.2 (financial capacity) and III.2.3 (technical capacity).

III.2.2) Economic and financial ability

Information and formalities necessary for evaluating if the requirements are met: The tenderer should submit the following documentation:

— A declaration certified by the tenderer's auditor and listing the tenderer's turnover, result before tax, equity capital, and balance sheet total for the most recent three financial years. Alternatively audited and approved annual reports for the most recent three financial years can be submitted.

— Declaration certifying to which extent material changes have occurred in the enterprise's financial situation since the most recent financial year. Such declaration must be made by the bank, auditor, or the enterprise's chief executive officer or chief financial officer under penalty of perjury. The declaration must be made for the purpose of this tender procedure, and therefore the date of such declaration must be later than the date of publication of the tender procedure. The declaration must address the applicant's financial situation in the period from the most recent financial year and until the date of issue of the declaration.

III.2.3) Technical capacity

Information and formalities necessary for evaluating if the requirements are met:

The tenderer should provide references from similar assignments within proton therapy completed within the last 5 years (or ongoing). The tenderer should anticipate that the Authority will be contacting the listed references during the pre-qualification phase for reference purposes.

The following information should be included for each reference:

— Contact information of customer.

— Detailed description of the scope of the assignment.

— Description of the project organization for the assignment.

— Description of the delivered services in relation to the project.

— The key milestones for the assignment including dates of signed contract, delivery of key components, handover to the customer, and the first patient treated. Specify both the original dates at contract signing and actual dates if any discrepancy.

— Details of any formal court claims in relation to the assignment.

— Present status of project.

Additional information required regarding the tenderer's technical capacity:

— The number of persons employed full time on proton therapy in the company within the following areas: production, R&D, quality assurance and technical service. In addition, for each area indicate the number of employees belonging to different professions (for example engineers and physicists).

— Description of the customer service units including geographic locations, number of employees, professional skills, typical service unit-to-customer travel time, and the typical delivery time of spare parts.

— A brief description of the quality management system including any certifications.

— Description of the customer education organization for radiation therapy technologists, medical physicists, clinicians, and service engineers.

III.2.4) Information about reserved contracts

III.3) Conditions specific to services contracts

III.3.1) Information about a particular profession

III.3.2) Staff responsible for the execution of the service

Section IV: Procedure

IV.1) Type of procedure

IV.1.1) Type of procedure
competitive dialogue

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate

Envisaged minimum number 3; and maximum number 4

Objective criteria for choosing the limited number of candidates: The successful applicants will be selected among the applicants that undoubtedly possess sufficient financial and technical capacities to be able to perform the assignment for the tender. If this group of applicants consists of more than 3-4 applicants the successful applicants will be selected by the quality of the references. The 3-4 applicants who are assessed to have submitted documentation of the best and most relevant references will be selected.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

IV.2) Award criteria

IV.2.1) Award criteria

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

IV.2.2) Information about electronic auction

IV.3) Administrative information

IV.3.1) File reference number attributed by the contracting authority:

IV.3.2) Previous publication(s) concerning the same contract
no

IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

IV.3.4) Time limit for receipt of tenders or requests to participate

29.4.2014 - 12:00

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates

- IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**
Danish. English.
- IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**
- IV.3.8) **Conditions for opening of tenders**

Section VI: Complementary information

- VI.1) **Information about recurrence**
This is a recurrent procurement: no
- VI.2) **Information about European Union funds**
The contract is related to a project and/or programme financed by European Union funds: no
- VI.3) **Additional information**
The prequalification material is available at www.udbud.rm.dk no later than March 28. The tenderer is recommended to use the material presented at www.udbud.rm.dk.
The expression of interest must be sent to the address in Annex A III for the attention of Mrs. Sidsel Marcussen. Please mark the envelope:
"Equipment and Services for the delivery of Proton Beam Therapy at DNU - expression of interest - Do not open in reception."
The deadline for submission of expression of interest stated in section IV.3.4) is in Danish local time.
The expression of interest should be sent on 1 USB-stick and 1 original signed paper copy and 9 paper copies to the address in Annex A III.
The expression of interest should include a contact e-mail address.
- VI.4) **Procedures for appeal**
- VI.4.1) **Body responsible for appeal procedures**
Danish Procurement Board of Complaints
Dahlerups Pakhus Langelinie Allé 17
2100 Copenhagen
DENMARK
E-mail: kfu@erst.dk
Internet address: <http://www.kfu.dk>
Fax: +45 33307799
- VI.4.2) **Lodging of appeals**
Precise information on deadline(s) for lodging appeals: A complaint lodged on the grounds that the entity was not prequalified for the further tender proceedings must be submitted to the Danish Procurement Board of Complaints within 20 calendar days. The 20 calendar days are calculated from the day where the contractor issued information to the entities expressing interest on which entities has been prequalified, provided that this information contains a short explanation on the relevant reasons for the decision.
Aside from complaints on prequalification, complaints must be submitted to the Danish Procurement Board of Complaints within 45 days after the contractor has published a notice on award of contract. The deadline for submission of complaints is calculated from the day after publication of the notice of award of contract.
- VI.4.3) **Service from which information about the lodging of appeals may be obtained**
Danish Competition and Consumer Authority
Carl Jacobsens Vej 35
2500 Valby
DENMARK
Telephone: +45 41715000

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

VI.5) **Date of dispatch of this notice:**
20.3.2014