



European Union

Publication of Supplement to the Official Journal of the European Union

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## Contract award notice

(Directive 2004/18/EC)

### Section I: Contracting authority

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

Official name: [EUROPEAN DEFENCE AGENCY](#) National ID: *(if known)*

Postal address: [RUE DES DRAPIERS 17-23](#)

Town: [BRUSSELS](#)

Postal code: [B-1050](#)

Country: [Belgium \(BE\)](#)

Contact point(s):

Telephone:

For the attention of: [Contracting Unit](#)

E-mail: [procurement@eda.europa.eu](mailto:procurement@eda.europa.eu)

Fax: [+32 25042975](#)

**Internet address(es):** *(if applicable)*

General address of the contracting authority: *(URL)* <http://www.eda.europa.eu>

Address of the buyer profile: *(URL)*

Electronic access to documents: *(URL)*

Electronic submission of candidatures and requests to participate: *(URL)*

#### I.2) Type of the contracting authority

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation
- Other: *(please specify)*

#### I.3) Main activity

- General public services
- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health
- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education

Other: *(please specify)*

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

The contracting authority is purchasing on behalf of other contracting authorities:

yes  no

*information on those contracting authorities can be provided in Annex A*

## Section II: Object of the contract

### II.1) Description

#### II.1.1) Title attributed to the contract:

14.ESI.OP.039 High Resolution Imaging

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

(choose one category only – works, supplies or services – which corresponds most to the specific object of your contract or purchase(s))

- |   |   |  |
|---|---|--|
| <input type="radio"/> Works<br><input type="checkbox"/> Execution<br><input type="checkbox"/> Design and execution<br><input type="checkbox"/> Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities | <input type="radio"/> Supplies<br><input type="checkbox"/> Purchase<br><input type="checkbox"/> Lease<br><input type="checkbox"/> Rental<br><input type="checkbox"/> Hire purchase<br><input type="checkbox"/> A combination of these | <input checked="" type="radio"/> Services<br>Service category No:<br>Please see Annex C1 for service categories<br>In case of contracts for service categories 17 to 27 – see Annex C1 – do you agree to the publication of this notice? |
|---|---|--|

Main site or location of works, place of delivery or of performance :

Brussels

NUTS code:

#### II.1.3) Information about a framework agreement or a dynamic purchasing system (DPS)

- The notice involves the establishment of a framework agreement  
 The notice involves contract(s) based on a dynamic purchasing system (DPS)

#### II.1.4) Short description of the contract or purchase(s):

Situational awareness 24/7 in all weather conditions is a key to information superiority in all military operations. This requires the optimal use of available sensor assets taking into account the target and background signatures and environmental conditions in the operational area. The need is to find new high resolution imaging technology to be used in theatre. Such mature technology would enhance the support in operations and improve Surveillance and Reconnaissance (ISR) capabilities very cost effectively.

#### II.1.5) Common procurement vocabulary (CPV)

	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	35125000	
Additional object(s)	35720000	

#### II.1.6) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA):  yes  no

### II.2) Total final value of contract(s):

#### II.2.1) Total final value of contract(s):

	Excluding VAT	Including VAT	VAT rate (%)
Value: 190000.00 Currency: EUR or:	<input checked="" type="radio"/>	<input type="radio"/>	at
Lowest offer: and	<input type="radio"/>	<input type="radio"/>	at

highest offer:			
Currency:			
taken into consideration			

## Section IV: Procedure

### IV.1) Type of procedure

#### IV.1.1) Type of procedure

- Open
- Restricted
- Accelerated restricted
- Competitive dialogue
- Negotiated with a call for competition
- Accelerated negotiated
- Negotiated without a call for competition
- Award of a contract without prior publication of a contract notice in the Official Journal of the European Union (in the cases listed in Section 2 of Annex D1)
- Justification for the award of the contract without prior publication of a contract notice in the Official Journal of the European Union (OJEU): please complete Annex D1

### IV.2) Award criteria

#### IV.2.1) Award criteria

- Lowest price
- or
- The most economically advantageous tender in terms of

Criteria	Weighting
1 . <a href="http://eda.europa.eu/procurement-gateway/opportunitites/eda-procurement/year/2014">http://eda.europa.eu/procurement-gateway/opportunitites/eda-procurement/year/2014</a>	1

#### IV.2.2) Information about electronic auction

An electronic auction has been used  yes  no

### IV.3) Administrative information

#### IV.3.1) File reference number attributed by the contracting authority: *(if applicable)*

[14.ESI.OP.039](#)

#### IV.3.2) Previous publication(s) concerning the same contract:

- yes  no  
*(if yes, please fill in the appropriate boxes)*
- Prior information notice  Notice on a buyer profile
- Notice number in the OJEU:                      of:                      (dd/mm/yyyy)
- Contract notice  Simplified contract notice on a dynamic purchasing system
- Notice number in the OJEU: [2014/S 161-288256](#) of: [23/08/2014](#) (dd/mm/yyyy)
- Voluntary ex ante transparency notice
- Notice number in the OJEU:                      of:                      (dd/mm/yyyy)
- Other previous publications (if applicable)
- Notice number in the OJEU:                      of:                      (dd/mm/yyyy)

**Section V: Award of contract**

Contract No: 14.ESI.OP.039 Lot No: Lot title: High Resolution Imaging

**V.1) Date of contract award decision:**  
(dd/mm/yyyy)

**V.2) Information about offers:**

Number of offers received:  
Number of offers received by electronic means:

**V.3) Name and address of economic operator in favour of whom the contract award decision has been taken**

Official name: TNO, ONERA, SAGEM, FOI and Termisk Systemteknik

Postal address: PO Box 96864

Town: The Hague

Postal code: 2509JG

Country: Netherlands (NL)

Telephone:

E-mail:

Fax:

Internet address: (URL)

**V.4) Information on value of contract (give figures only)**

	Excluding VAT	Including VAT	VAT rate (%)
Initial estimated total value of the contract (if applicable) Value: 200000.00 Currency: EUR	<input type="radio"/>	<input type="radio"/>	at
Total final value of the contract Value: 190000.00 Currency: EUR	<input type="radio"/>	<input type="radio"/>	at
or: Lowest offer:                    and highest offer: Currency: taken into consideration	<input type="radio"/>	<input type="radio"/>	at

If annual or monthly value: (please give)  
Number of years:                    or Number of months:

**V.5) Information about subcontracting**

The contract is likely to be sub-contracted  yes  no

(if yes, give figures only) Value or proportion of the contract likely to be sub-contracted to third parties:

Value excluding VAT:                    Not known:

Currency:                    Proportion                    %

Short description of the value/proportion of the contract to be sub-contracted : (if known)

----- (Use this section as many times as needed) -----

## Section VI: Complementary information

### VI.1) Information about European Union funds:

The contract is related to a project and/or programme financed by European Union funds  yes  no  
(if yes) Reference to project(s) and/or programme(s):

### VI.2) Additional information: *(if applicable)*

Tender documents will be available for download at the address indicated under Heading I.1. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

### VI.3) Procedures for appeal

#### VI.3.1) Body responsible for appeal procedures

Official name [General Court of the European Union](#)

Postal address

[rue du Fort Niedergruenewald](#)

Town [Luxembourg](#)

Postal code [2925](#)

Country [Luxembourg \(LU\)](#)

Telephone [+352 4303-1](#)

E-mail [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)

Fax [+352 4303-2100](#)

Internet address URL <http://curia.europa.eu/>

#### Body responsible for mediation procedures *(if applicable)*

Official name

Postal address

Town

Postal code

Country

Telephone

E-mail

Fax

Internet address URL

#### VI.3.2) Lodging of appeals *(please fill in heading VI.3.2 or, if need be, heading VI.3.3)*

Precise information on deadline(s) for lodging appeals

[Within 2 months of the notification of the plaintiff, or, in absence thereof, of the day on which it came to his knowledge. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.](#)

**VI.3.3) Service from which information about the lodging of appeals may be obtained**

Official name [General Court of the European Union](#)

Postal address  
[rue du Fort Niedergruenewald](#)

Town [Luxembourg](#)

Postal code [2925](#)

Country [Luxembourg \(LU\)](#)

Telephone [+352 4303-1](#)

E-mail [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)

Fax [+352 4303-2100](#)

Internet address URL <http://curia.europa.eu/>

**VI.4) Date of dispatch of this notice:**

[10/03/2015](#) (dd/mm/yyyy) - ID:2015-033187



**Annex A**  
**Additional addresses and contact points**

**I.0) Address of the other contracting authority on behalf of which the contracting authority is purchasing:**

Official name: \_\_\_\_\_ National ID: *(if known)*

Postal address:

Town: \_\_\_\_\_ Postal code: \_\_\_\_\_ Country: \_\_\_\_\_

----- *(Use this section as many times as needed)* -----

**Annex C1 – General procurement**  
**Service categories referred to in Section II: Object of the contract**  
**Directive 2004/18/EC**

<b>Category No [1]</b>	<b>Subject</b>
1	Maintenance and repair services
2	Land transport services [2], including armoured car services, and courier services, except transport of mail
3	Air transport services of passengers and freight, except transport of mail
4	Transport of mail by land [3] and by air
5	Telecommunications services
6	Financial services: a) Insurances services b) Banking and investment services [4]
7	Computer and related services
8	Research and development services [5]
9	Accounting, auditing and bookkeeping services
10	Market research and public opinion polling services
11	Management consulting services [6] and related services
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services
13	Advertising services
14	Building-cleaning services and property management services
15	Publishing and printing services on a fee or contract basis
16	Sewage and refuse disposal services; sanitation and similar services
<b>Category No [7]</b>	<b>Subject</b>
17	Hotel and restaurant services
18	Rail transport services
19	Water transport services
20	Supporting and auxiliary transport services
21	Legal services
22	Personnel placement and supply services [8]
23	Investigation and security services, except armoured car services
24	Education and vocational education services
25	Health and social services
26	Recreational, cultural and sporting services [9]
27	Other services

1 Service categories within the meaning of Article 20 and Annex IIA to Directive 2004/18/EC.

2 Except for rail transport services covered by category 18.

3 Except for rail transport services covered by category 18.

4 Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. The following are also excluded: services involving the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon. However, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to the Directive.

- 5 Except research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority.
- 6 Except arbitration and conciliation services.
- 7 Service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC.
- 8 Except employment contracts.
- 9 Except contracts for the acquisition, development, production or co-production of program material by broadcasters and contracts for broadcasting time.

**Annex D1 – General procurement**  
**Justification for the award of the contract without prior publication of**  
**a contract notice in the Official Journal of the European Union (OJEU)**  
**Directive 2004/18/EC**

Please provide hereunder a justification for the award of the contract without prior publication of a contract notice in the Official Journal of the European Union. This justification must comply with the requirements of Directive 2004/18/EC.

(In terms of Directive 89/665/EEC on Remedies, the time-limit for application for review referred to in the first indent of Article 2f(1)(a) of this Directive can be reduced if the notice contains a justification of the contracting authority's decision to award the contract without prior publication of a contract notice in the Official Journal of the European Union. In order to benefit from this reduced time-limit, please tick the relevant box(es) and provide the additional information below.)

**1) Justification for the choice of the negotiated procedure without prior publication of a contract notice in the OJEU in accordance with Directive 2004/18/EC**

No tenders or no suitable tenders in response to:

- open procedure,
- restricted procedure.

The products involved are manufactured purely for the purpose of research, experiment, study or development under the conditions stated in the Directive. (for supplies only)

The works/goods/services can be provided only by a particular tenderer for reasons that are:

- technical,
- artistic,
- connected with the protection of exclusive rights.

Extreme urgency brought about by events unforeseeable by the contracting authority and in accordance with the strict conditions stated in the Directive.

Additional works/deliveries/services are ordered under the strict conditions stated in the Directive.

New works/services, constituting a repetition of existing works/services and ordered in accordance with the strict conditions stated in the Directive.

Service contract awarded to the successful candidate or one of them after a design contest.

For supplies quoted and purchased on a commodity market.

For the purchase of supplies on particularly advantageous terms:

- from a supplier which is definitely winding up its business activities,
- from the receivers or liquidators of a bankruptcy, an arrangement with creditors or a similar procedure.

All tenders submitted in reply to an open procedure, a restricted procedure or competitive dialogue were irregular or unacceptable. Only those tenderers were included in the negotiations which have satisfied the qualitative selection criteria.

**2) Other justification for the award of the contract without prior publication of a contract notice in the OJEU**

- The contract has as its object services listed in Annex II B to the Directive.
- The contract falls outside the scope of application of the Directive.

In order to benefit from the reduced time-limit referred to above, in addition to the box(es) to be ticked above, please explain in a clear and comprehensive manner why the award of the contract without prior publication of a contract notice in the Official Journal of the European Union is lawful, by stating in any case the relevant facts and, as appropriate, the conclusions of law in accordance with Directive 2004/18/EC: (500 words maximum)