

VOLUNTARY EX ANTE TRANSPARENCY NOTICE

Supplies

Directive 2014/24/EU

SECTION I: CONTRACTING AUTHORITY/ENTITY

I.1) NAME AND ADDRESSES

Official name:

Universiteit Twente

National ID:

50130536

Postal address:

Drienerlolaan 5

Town:

Enschede

NUTS code:

NL

Postal code:

7522NB

Country:

NL

Contact person:

René Belt

Telephone:

+31 534896741

E-mail:

r.h.belt@utwente.nl

Fax:

-

Internet address(es)

Main address:

<http://www.utwente.nl>

Address of the buyer profile:

<https://s2c.mercell.com/buyer/16033>

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

UHV PLD system with patented Scanning probe microscopy device and method of scanning a surface of a material layer

Reference number: EB out

II.1.2) CPV code(s)

Main code:

38400000 - Instrumenten voor het controleren van fysische eigenschappen

Supplementary code:

-

II.1.3) Type of contract

Supplies

II.1.4) Short description

This announcement concerns the intention of University of Twente in to close an agreement in accordance with Article 32 of the Public Procurement Act. It concerns an agreement for the delivery, of a UHV PLD system with patented Scanning probe microscopy device and method of scanning a surface of a material layer. After thorough research and extensive market consultation, finalized by a thorough evaluation of the analysis results of our prime test samples, we intend to award the contract to DEMCON-TSST that can provide us the instrument with the required configuration and the following specific/unique properties. MESA+ at the University of Twente intends to conclude and install the agreement in the short term this notice is for legal certainty, so that an interested party who objects to it conclusion of the agreement has the option to do so within 20 calendar days after publication to initiate summary proceedings of this announcement on pain of forfeiture of rights.

II.1.6) Information about lots

This contract is divided into lots: no

II.1.7) Total value of the procurement (excluding VAT)

Value: 2 000 000,00

Currency: EUR

II.2) DESCRIPTION

II.2.1) Title

-

Lot No: -

II.2.2) Additional CPV code(s)

-

II.2.3) Place of performance

NUTS code:
NL NEDERLAND

Main site or place of performance:
Enschede

II.2.4) Description of the procurement:

(nature and quantity of works, supplies or services or indication of needs and requirements)

Purchase UHV PLD system with patented Scanning probe microscopy device and method of scanning
a surface of a material layer

II.2.5) Award criteria

Cost criterion
Name: Quality
Weighting: 100

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:

-

SECTION IV: PROCEDURE

IV.1) DESCRIPTION

IV.1.1) Type of procedure

Negotiated procedure without prior publication

IV.1.3) Information about framework agreement

-

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2) ADMINISTRATIVE INFORMATION

IV.2.1) Previous publication concerning this procedure

Notice number in the OJ S: -

SECTION V: AWARD OF CONTRACT / CONCESSION

Contract No: -

Lot No: -

Title: -

V.2) AWARD OF CONTRACT / CONCESSION

V.2.1) Date of conclusion of the contract/concession award decision:

29/03/2023

V.2.2) Information about tenders

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

V.2.3) Name and address of the contractor/concessionaire

Official name:

Demcon

National ID:

06088609

Postal address:

Institutenweg 25

Town:

Enschede

NUTS code:

NL

Postal code:

7521 PH

Country:

NL

Telephone:

+31 881152000

E-mail:

-

Fax:

-

Internet address:

<https://dam.demcon.com/>

The contractor/concessionaire is an SME: no

V.2.4) Information on value of the contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession:

2 000 000,00

Lowest offer: 1 999 999,00 / Highest offer: 2 000 000,00 taken into consideration

Currency: EUR

V.2.5) Information about subcontracting

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SECTION VI: COMPLEMENTARY INFORMATION

VI.3) ADDITIONAL INFORMATION

This announcement concerns the intention of MESA+ at the University of Twente in the Netherlands to close an agreement in accordance with Article 32 of the Public Procurement Act. It therefore concerns a voluntary announcement. It concerns an agreement for the delivery, of a UHV PLD system with patented Scanning probe microscopy device and method of scanning a surface of a material layer.

Purchase UHV PLD system with patented Scanning probe microscopy device and method of scanning a surface of a material layer

VI.4) PROCEDURES FOR REVIEW

VI.4.1) Review body

Official name:

Rechtbank Overijsse'l

Postal address:

-

Town:

Almelo

Postal code:

-

Country:

NL

E-mail:

-

Telephone:

-

Internet address:

-

Fax:

-

VI.4.2) Body responsible for mediation procedures

Official name:

University of Twente CFM

Postal address:

postbus

Town:

Enschede

Postal code:

217

Country:

NL

02/04/2023

I. II. IV. V. VI. D1.

E-mail:

Klachtenmeldpunt-cfm@utwente.nl

Telephone:

+31 53489000

Internet address:

<http://www.utwente.nl>

Fax:

-

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures:

-

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

-

VI.5) DATE OF DISPATCH OF THIS NOTICE

31/03/2023

ANNEX D1 – GENERAL PROCUREMENT: JUSTIFICATION FOR THE AWARD OF THE CONTRACT WITHOUT PRIOR PUBLICATION OF A CALL FOR COMPETITION IN THE OFFICIAL JOURNAL OF THE EUROPEAN UNION

Directive 2014/24/EU

D1.1) Justification for the choice of the negotiated procedure without prior publication of a call for competition in accordance with Article 32 of Directive 2014/24/EU

The works, supplies or services can be provided only by a particular economic operator for the following reason:

- absence of competition for technical reasons

D1.3) Explanation

Please explain in a clear and comprehensive manner why the award of the contract without prior publication in the Official Journal of the European Union is lawful, by stating the relevant facts and, as appropriate, the conclusions of law in accordance with the directive: The University of Twente has identified the technology of UHV PLD system with patented Scanning probe microscopy device and method of scanning a surface of a material layer as the only technology available on the market to meet all requirements.

See the motivation all the needed requirements in Merzell (see link in section 1)