

Directorate Resources  
Calls for Tender and Contracts Unit

Luxembourg, 23 January 2009  
Opoc.e.r.2 (2009) N° de sauvegarde 11930/ ARES  
Ref: LF – 2009-01-21 11930-cl-1-all

**FAX + REGISTERED LETTER**

**Subject:** Call for Tender 10186, clarification No 1

**Title:** "Production and dissemination of the Supplement to the Official Journal of the European Union: TED website, OJS DVD-ROM and related offline and online media"

**Ref.:** (09) 7298 of 20/01/2009

Dear Sir, Madam,

Please note the following answers to questions raised concerning the above-mentioned invitation to tender:

*Q1: According to point 2.6.2 of the Specifications tenderers are invited to provide between 3 and 10 PARFs.?*

*Supposing that 3 PARFs will be dedicated to IT development and 3 PARFs to DVD production, and since most professional hosting firms sign contracts dedicated to hosting and on an annual basis, it may be hard for them to find 4 contracts of an aggregated value of 1.500.000 EURO in hosting services only; thus they risk not to satisfy the selection criteria and be disqualified although the total level of their hosting revenue is far higher than what is requested.*

*Could the Publications Office adapt the selection criteria?*

**A1:** One PARF may include several annual contracts provided they concern the same economic operator to which a similar set of services with similar subjects is provided across the last three years.

*Q2: Point 7 of the cover letter you specifies that "Tenders must be signed by the tenderer or his duly authorized representative".*

*Could you please clarify whether each page of the Tenderer's proposal should be signed or if just signing the cover letter (and all other parts of the proposal for which it is clearly stated in the specifications that should be signed e.g the Price Schedule) is sufficient?*

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A2: The authorized representative of the tenderer does not need to sign each page of the proposal but must sign the documents for which a signature is required. These of course include, but are not limited to, the cover letter and the price schedule and specimen quotation.

Q3: *Cover Letter - "Invitation to Tender No 10186" point 8 – "Period of validity of the tender, during which the tenderer may not modify the terms of his tender in any respect is 6 months from the final date of submission' and Specifications, 1.10 Period of validity of the tender, "The offer must remain valid for a period of nine months"., p7/103.*

*Could you please define which one of the above is the correct timeframe for which the Tenderer must maintain his tender?*

A3: Point 8 of the invitation to tender letter, please read:

*"8. Period of validity of the tender, during which the tenderer may not modify the terms of his tender in any respect is nine (9) months from the final date for submission."*

instead of

*"....is six (6) months ...."*

Q4: *Specifications, 2.6.2.1 – Documents to provide concerning the technical and professional capacity of the tenderer, "...tenderers must therefore provide all details which will allow this capacity to be judged..."*

*3 to 10 PARFs for services executed in the last three years. There is no requirement concerning the number of PARFs, which must pass the selection. Nevertheless, to pass the selection phase accepted PARFs, for their actually executed part, shall cover, in total, at least EUR 3 500 000 and experience in each of the following domains in at least one of the accepted PARFs: ...", page 15/103,*

*a) To our understanding framework contracts / contracts / projects that started before 2006 and part of them was delivered within the last three years (2006-2007-2008) are accepted. Please confirm.*

*b) To our understanding framework contracts / contracts / projects that started within the last three years (or even before 2006) and are still active are accepted. Please confirm.*

A4: a) and b) we confirm for the part actually executed during the last three years.

Q5: *Specifications, 2.9 Final Evaluation, "...quality will be given a weighting of 30% and price will be given a weighting of 70% in accordance with the following formula, ...  $R = (50 \times Q/Q_{max}) + (50 \times P_{min}/P)$ ", p. 19/103.*

*Please clarify the relevant weighting of the quality vs. price that will be used for the evaluation of the tenders.*

A5: Point 2.9 of the specifications, third paragraph, please read: "

*"In order to identify the offer presenting the best value for money, quality will be given a weighting of 50 % and price will be given a weighting of 50 %..."*

instead of

*"...weighting of 30 % and price will be given a weighting of 70 %..."*

- Q6: Specifications, 4.2.3.1, Internet connection and server workload, "Standard performance measurement method is preferred...", p. 19/103.  
Please elaborate further on the term "standard", providing specific examples of methods that are preferable by the Office.*
- A6: The Office does not impose any solution, but expects to receive proposals using currently available off-the-shelf methods that could be easily performed and counter checked by the Office or any other entity.
- Q7: Specifications, 2.7 Section four: award criteria – technical bid, Award Criteria 1 and 4, p.16/103, AND 4.2.2 "The Office expects to have an easy-to-use web tool that will allow all trusted time-stamping of the PDF files...", .  
The question concerns time-stamping of the PDF files. According to the specifications, the contractor will be required to build a web tool for the time stamping as part of the related systems of the TED website, presenting its approach under award criterion 1.  
Given that the time stamping itself will be performed by the Office, could you please elaborate further on the information that the tenderers must include in their offers, as regards time stamping, under award criterion 4, i.e. time stamping procedure?*
- A7: The contractor must describe the time stamping service he intends to implement which must comprise a specialised and automated application module or separate application, functioning according to the principles of trusted time stamping, such as described in the ANSI ASC X9.95 standard. The functionalities needed for time stamping of TED PDF files shall be accessed and controlled via a secure web interface. A Time Stamping Authority (TSA) will be chosen by the Publications Office, or TSA service will be provided by the European Commission. Although the apposition of the time stamp will be done by a member of the staff of the Publications Office, the procedure will have to be provided and organized by the Contractor within the constraints set in the specifications.
- Q8: Specifications, 2.7 Section four: award criteria – technical bid, Award Criteria 3 and 6, p.16/103, AND 4.8 Technical aspects in relation with point 2.7 of the specifications, mainly award criterion No 6.  
We understand that the tenderers are required their approach as regards corrective maintenance and change management under award criterion 3, as they both form part of the operation of the systems (IT side) and not under award criterion 6. Is it correct? If no, please elaborate on the requirement of criterion 6 as far as change management is concerned.*
- A8: Point 4.8.1.1 of the specifications is replaced by point 4.8.1 which reads:
- "4.8.1 Evolutionary maintenance, specific developments and change management*
- evolutionary maintenance and minor evolutions of the specific configuration of the software;*
  - evolutionary maintenance and minor evolutions of eventual specific developments;"*
- Point 4.6.1.2 of the specifications, please add this sentence at the beginning of the point:  
*"Support and assistance in the case of problems with the daily operation of the system and production activities."*

Q9: *Specifications, 4.8.4 Project Planning, p.73*

- a) *As regards the planning of the project, our understanding is that the start-up phase shall cover the first six months of the contract, i.e. until the end of the shadowing period while the take-over must be completed 1.5 months following the signature of the contract. Please confirm that our understanding is correct.*
- b) *Furthermore, as regards the take-over itself, could you please clarify whether the Office will deliver the system including technical documentation, software code, software modules, etc, as it currently runs, to the new contractor? If no, could you please specify the scope and content of the take-over phase?*
- c) *We would appreciate some clarification on the last ("Deadlines") column of the table. Given that the date of the signature D is the 15/05/2009, we understand that the dates in this column indicate the start of the corresponding activity and not the deadline for it. For example, the 16<sup>th</sup> of December 2009 is the date when the production and hosting of the TED by the new contractor start (following the one-month period of shadowing). On the contrary, the "D+X" indication refers to the end of the subsequent task (eg. The prototype of the TED license holders' environment for downloading and dispatch by e-mail must end five months from the signature of the contract). Please confirm that our understanding is correct or elaborate further.*

A9: a) The start-up period that encompasses all necessary operations to ensure the full preparedness of the TED and all related systems will extend from the signature of the contract until the beginning of the production period (draft contract, Article 1.2.3).

The take-over will start at the latest, but subject to the conditions stated in Article 1.2.3 of the draft contract, on 16 November 2009.

- b) All the documentation related to call for tender No 10186 is provided in the draft contract, the invitation to tender letter and the specifications and their annexes. The contractor will have to develop the new TED and related systems from scratch. As specified in the first paragraph of point 4.8.2 of the specifications the contractor will have to integrate the content of the current TED website and archives (of 5 years) into the new environment.

- c) Point 4.8.4 of the specifications, please find below a revised version of the table

D = Date of signature of the contract			
Tasks	Deliverables	Start date	Deadlines
<b>Creation of systems</b>  Hardware and software architecture	<u>Work plan and detailed analysis with regard to the specifications encompassing its scope in entirety.</u>	D	<b>30 June 2009</b>
	Service Level Agreement including quality-assurance plan and contingency plan.	D	<b>30 June 2009</b>
	<u>Software architecture and hardware specifications.</u>	D	<b>30 June 2009</b>

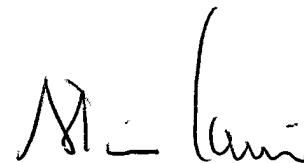
Creating a new website for TED, the new environment for license holders, the production system for the OJ S DVD-ROM and for the trusted time-stamping system and legal OJ S DVD-ROM,	Viewer tool of published notices  TED main site, including installation of the hardware, software and network.	<b>1<sup>st</sup> July 2009</b>  <b>1<sup>st</sup> July 2009</b>	<b>15 October 2009</b>  <b>15 October 2009</b>
Request for translation of fixed fields	Word or Excel file containing the English version of all fixed fields or other texts that the Contractor will use for the TED and related systems  Translations returned by the Publications Office		<b>9 October 2009</b>  <b>9 November 2009</b>
Transition to production  Shadowing period and take-over	<u>Availability of TED, OJS DVD-ROM, and environment for license holders for real-time production test</u>  Production of test OJS DVD-ROM  Prototype of the web server statistics.  Tuning of the system.  Prototype of the TED licence holders' environment for downloading and dispatch by e-mail.  Necessary documentation for all developments: <ul style="list-style-type: none"> <li>- Installation manual</li> <li>- Technical operation manual</li> <li>- Technical reference guide (configuration of the software, technical documentation on specific developments and interfaces)</li> <li>- User manual for the on-line and offline application (Help file)</li> </ul> Instructions (EN) for licence holders  Test plan and testing of prototypes		<b>15 November 2009</b>  <b>15 November 2009</b> <b>15 November 2009</b>  <b>15 November 2009</b> <b>15 November 2009</b>  <b>15 November 2009</b> <b>15 November 2009</b> <b>15 November 2009</b>  <b>15 November 2009</b>  <b>15 November 2009</b>
		<b>16 November 2009</b>	

Production and hosting of the TED website, production of the OJS DVD-ROM, management of the environment for licence holders, and legal daily OJS DVD-ROM	Migration of the content of the current TED on to the new site.		<b>15 December 2009</b>
	Availability of the data warehouse application.	<b>16 December 2009</b>	
	Daily operation of the TED website and production of the OJS DVD-ROM (according to timetable specified in point 4.2.1 ).	<b>16 December 2009</b>	
	Daily uploading of the licence holders' environment.	<b>16 December 2009</b>	
	Daily uploading of DVD image files of the daily editions of the OJS for the Office to download.	<b>16 December 2009</b>	
	Maintaining of the TED website, the OJ S CD-ROM and the license holders environnement.	<b>16 December 2009</b>	
Corrective maintenance and second level helpdesk	Patches and/or new releases or versions of the IT system	<b>16 December 2009</b>	
	Technical support on request.	<b>16 December 2009</b>	
	Monthly activity and summary reports.	<b>16 December 2009</b>	

Q10: *The take-over cost for the incumbent contractor is free of charge. This means that the assessment of the take-over cost in the financial evaluation significantly favors the incumbent contractor. Could you please provide us with an explanation on the above observations? Could you please modify accordingly the evaluation formula in order you establish equal terms for all tenderers?*

A10: Significant changes have been made to the specifications between the previous call for tenders and this call for tenders and that, as stated in A9 b) above, the new TED and related systems have to be developed from scratch.

Yours faithfully,



António Carneiro  
Head of Unit