



Publications Office

Publications.eu.int

Directorate Resources
Calls for Tender and Contracts Unit

Luxembourg, 29 January 2009
Opoce.r.2 (2009) N° de sauvegarde 15354 / ARES
Ref: LF/NM – 2009-01-26 15354-cl-3-all

FAX + REGISTERED LETTER

Subject: Call for Tender 10186, clarification No 3

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) 10352 and 10481 of 23/01/2009, (09) 13395 of 26/01/2009 and (09) 14919 of 28/01/2008

Dear Sir, Madam,

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

Q1: The Tender and the Evaluation, 2.6.2.1, "For domain d), to pass the selection phase...", p15

We understand that the correct domain is c instead of d. Please confirm that this is a clerical mistake and there is no domain d.

A1: We confirm:

In Point 2.6.2.1 of the specifications, please read:

"For domain c), to pass the selection phase....."

Instead of

"For domain d), to pass the selection phase....."

Q2: The Tender and the Evaluation, 2.6.2.2 - Evaluation of the technical and professional capacity p16

We understand that section 2.6.2.2 explains how the technical and professional capacity will be judged and no further documentation is needed. Concerning the Technical and Professional Capacity, tenderers should submit only the documents

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES

presented under section 2.6.2.1 (e.g. brief description and PARFs). Please confirm.

A2: I confirm that the documents to submit in relation to the Technical and Professional Capacity of the Tenderer are a brief description of the tenderer's activity related to the kind of services involved in this call for tender (with supporting documents) and PARFs as described in point 2.6.2.1 of the specifications.

Q3: *Joint bid and subcontracting, 3.4.2 - Selection Criteria*

Could you please elaborate further on the requirements concerning the economic and financial capacity of the sub-contractors? More specifically, in case the tenderer solely covers the selection criteria concerning the economic and financial capacity and at least one of the sub-contractors does not cover them, does the Tenderer pass the selection (economic and financial capacity) criteria?

A3: The selection criteria concerning the **economic and financial capacity** will be assessed in relation to the tenderer and each proposed subcontractor individually if the Publications Office finds it necessary due to the role of the subcontractor and volume of the subcontracting.

The expression "the criteria being achieved above a certain level" means that for every criterion of point 2.6.1.2 or point 2.6.2.1 of the specifications for which a level has to be reached the values provided regarding the main contractor and the partners of a joint bid or the sub-contractors will be consolidated.

For sub-contractors, please see paragraph 4. in Section Three of point 3.3 and section Subcontracting of point 3.4.2. Please note that, in accordance with Article II.13.2 of the draft contract, the Contractor shall bear exclusive liability for proper performance of the Contract.

Please note that in the case of a consortium also relying on subcontracting all the terms above apply *mutatis mutandis*.

Please note that we cannot exclude that a bid may not pass the exclusion or selection criteria because of the failure of one of the participating economic operators to satisfy the exclusion or selection criteria. Should this however be the case, the other economic operators of the bid will be invited to undertake the financial burden vis à vis their co-operator and this project. Depending upon the guarantees provided by the tenderer the position of the Commission will be determined.

Q4: *Technical Specifications, Description of the weekly DVD-ROM, p 63*

- a) *Could you please provide us with an indicative OJS DVD-ROM that was provided under the current contract?*
- b) *Could you please provide us with the number of weekly OJS DVD-ROMs that were produced during the last years in order to assess the total volume foreseen for the next years?*

A4:

- a) Please find in annex a copy of the OJS CD-ROM as currently produced. We draw your attention to the fact that the information contained on the CD-ROM will change. For example:

- the nature of the medium will change from CD-ROM to DVD-ROM;
- the periodicity will change from twice a week to once a week;
- the format of the content files will change from XML to PDF;
- the search tool to be provided and the access method to be used being completely different.

b) Until now the OJS has been produced twice a week on a CD-ROM. This tender procedure foresees a weekly OJS DVD-ROM with generally 52 issues a year. Regarding the number of copies, please refer to the paragraph of point 4.2.8 of the specifications that is printed at the top of page 64/103. The numbers indicated in this paragraph correspond to the recent production but may vary in the future. This variability has been taken into account in the specimen quotation with probabilities estimated to the best of our knowledge (See lines 32 and 68 of the specimen quotation in the new Excel file on the CD-ROM annexed to this clarification)

Q5 Technical Specifications, 4.2.10 - Corrective Maintenance including a second level helpdesk, "The Publications Office has an end-users support (first level helpdesk)", p64

- a) *Could you please provide us with the operation terms of the aforementioned first level support? Could you please provide us with the relevant SLA of its operation?*
- b) *We understand that the contractor will not provide first level helpdesk support and to this end it is not required a tenderer's proposal on that task. Tenderers will present their approach for the provision of second level support. Please confirm.*

A5

- a) For reasons of confidentiality and good administrative practice we can not provide the relevant SLA. However you will find in annex the relevant parts of the specifications that were used for the corresponding call for tenders.
- b) Yes.

Q6 Technical Specifications, 4.9.3 - Project Organisation, "the Contractor will provide the curriculum vitae of all members of his team, including the project leader"

We understand that the Contractor will provide the CVs upon the award of the contract. Tenderers will not provide CVs along with their offer. Please confirm.

A6 The CVs are not to be provided with the offer, but must be provided at the kick-off meeting.

Q7 Price schedule:

- a) *Could you please specify the differences between the tasks "Realization of the weekly OJS DVD-ROM" which is presented in table one (1. Development and implementation of TED and related services) of the*

Price Schedule (fixed price services) and "Preparation of the weekly edition on DVD-ROM" (fixed price per edition) which is presented in table 2 (2 Operation of TED and related services)? We would highly appreciate your detailed explanations since it is a crucial issue for the preparation of our financial offer

- b) The table "3 Quoted time and means interventions for additional services" of the Price Schedule should be completed with the daily rates of the personnel that will be involved in the QTM services. Could you please provide us with an estimation of the proportion of the services that will be performed at the contractor's premises and the Office's premises? It is very crucial for presenting our financial offer.*
- c) According to the tender specifications (please see section 1.8 - Place of performance), it is specified that the place of performance will be the premises of Contractor or any other place indicated in the tender specifications, with the exception of the premises of the Publications Office. Based on this, could you please explain us why the daily rates for work at Publications Office premises are requested in the Price Schedule? Can we present our proposed daily rates for work to be performed only at the Contractor's premises?*

A7

- a) 1. Development and implementation of TED and related services covers the development, start up and takeover of the services.
2. Operation of TED and related services cover the everyday production of the OJS*
- b) The contractor's staff is generally to work on the contractor's premises, however in very exceptional cases and with prior agreement of the Publications Office certain services may need to be carried out in the premises of the Publications Office. This will be an exception rather than a rule.*
- c) In the very exceptional cases quoted in A7. b) above the expenses covered by the Commission will be paid according to the rates indicated in Annex 7 of the specifications.*

Q8 *Technical Specifications, 4.3 – Service Level Agreement, p. 66*

- a) "The Office emphasizes the importance of a thorough risk analysis to be performed by the contractor."
We understand that a thorough risk analysis is to be performed during the execution of the contract and not at the tendering phase. Please confirm.*
- b) "3. Delivery of the OJS publication services..."
Could you please provide further clarification about this requirement? Does it refer to a synopsis of the tenderers' proposed implementation approach as this has been analysed under criterion 1 for development services and criterion 3 for operation services?*
- c) "11. Project reporting and templates used"
Are templates for the project reports required at the tendering phase to be attached to the draft SLA? If yes, will these reports be included in the 10-page limitation of the document?*

d) "12. Project Take-over procedure..."

We understand that the tenderers' proposal for the take-over of the project is to be included in award document 6 and not in the draft SLA (award document 5). Please confirm.

A8

- a) A draft risk analysis must be outlined in the draft Service Level Agreement with the offer. The thorough risk analysis is to be presented in the final Service Level Agreement.
- b) This part of the Service Level Agreement refers to the proposed implementation approach to Technical Award criteria 3 and 4.
- c) Templates are not required, but an outline of the content should be provided.
- d) The Project Take-over procedure is to be covered in technical award criteria 6 and in the Service Level Agreement. Award criteria 6 concerns the tenderer's proposal for the implementation of the take-over and the Service Level Agreement covers the level to which the requirements will be reached.

Q9 Technical Specifications, 4.8.4 – Project Planning, Deadline for SLA including quality assurance plan and contingency plan is D+1,5 months, AND 4.9.2 Working methods, "...a kick-off meeting, which has to take place within 10 working days... AND at the kick-off meeting the contractor will submit a detailed version of his project plan as well as the first version of the quality assurance plan"

Please clarify the Office's requirements for the timing of the kick-off meeting, the submission of the project plan, the quality assurance plan and the SLA.

A9 Please see A9 in clarification No 1 of 23/01/2009.

Q10 Technical Specifications, 4.9.3 – Project Organisation, "The Office's project leader follows the project until the end of the reception phase and the transition to production" AND "The contractor will guarantee throughout the project to maintain his project leader for the duration of the contract", p.78

The specifications state that the Office's project leader will not follow the project during the operation phase, whereas the contractor's project leader needs to be on duty also during this phase of the contract. Is this really the case? In other words, will the Office's service manager be the highest level in the Office's project organisation during the operation phase?

A10 The Publications Office's service manager will be responsible for the daily operation of the system (production) and will initiate corrective maintenance and minor evolution requests. The Publications Office's project leader is the person responsible during the development and transition to production. The contractor will take equivalent dispositions, but must always have a member of staff qualified for any evolutionary questions that may arise.

Q11 The Tender and the Evaluation, Technical and professional capacity of the tenderer, "b) hosting and operating large websites", page 15

Our hosting partner has many projects concerning the provision of hosting services and operating major websites, with a value exceeding EUR 1,500,000 during the last three years. However, all its contracts include confidentiality clauses preventing them from disclosing information concerning the value of their contracts. Is that correct that in such cases a statement on honour signed by the hosting company certifying that the value of the projects presented as references is higher than EUR 1,500,000 is a sufficient evidence to cover the relevant selection requirement (i.e. point (b) of the technical and professional selection criteria)

A11 The Publications Office will treat all information confidentially. The requested information must be supplied to ensure equal treatment between all tenderers.

Q12 The Tender and the Evaluation, 2.7.2 Evaluation of the technical award criteria, "Please note that graphical explanatory elements will be considered to use no more than a fifth of a page", page 17

Would you be so kind to confirm that the "fifth of a page" limitation for the graphical elements is given by the Office as a general rule, possible violation of which to one forth or one third of a page will not be reason for an offer to receive lower marks? Please note that some crucial information of the proposal, (eg. the proposed architecture of the system) can not be readable in a graphical element of such a small size.

A12 Please see A3 in clarification No 2 of 27/01/2009.

Q13 In chapter 4.2.6 Data warehouse, it is mentioned that access to the current data warehouse will be provided to tenderers at their request. Could we actually have this access?

A13 The access to the current data warehouse is activated from the TED website <http://www.ted.europa.eu/> followed by the address <http://212.88.192.4:8000/stats/> with the User id: europ and Password: tedstats

Q14 2.9 final evaluation. We read a 30-70% ratio where in the formula we read 50-50%. Could you validate the correct ratio?

A14 Please see A5 in clarification No 1 of 23/01/2009.

Q15 In the technical annexes, S10, we see the statistical data provided. Could we get more statistics and data related to the site?

A15 More statistical data can be found via the current data warehouse please see A13 above.

Q16 Price schedule and specimen quotation, '10186 hyp' worksheet:

| TED website | | | | | |
|--|---------------------|-----|--------|--------------------|--------|
| Production of one edition of the TED | Fixed price/edition | 2.A | 0.00 € | x 52 x 5 x 5x.0.8* | 0.00 € |
| Production of one edition of the TED website on DVD-ROM dual layer | Fixed price/edition | 2.B | 0.00 € | x 52 x 5 x 5x.0.2* | 0.00 € |

*The number of items for the production of the TED website is one per day (52*5*5) and includes the production of the weekly DVD. Does it mean that the cost for the weekly DVD has to be divided by five in the price schedule?*

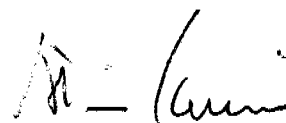
A16 Annexed to this clarification you will find a CD-ROM with a new version of the price schedule in which posts 2.A and 2.B have been deleted and the necessary adaptations to the specimen quotation made.

Q17 Technical specifications, point 4.2.S, page 64, paragraph 3: The OJS DVD-ROMs will be supplied in a paper and soft plastic sleeve.

Could you please provide us 2 samples of each one?

A17 Please see the CD-ROM in its paper and soft plastic sleeve as currently produced. Please see also A4 above.

Yours faithfully,



António Carneiro
Head of Unit

Annexes: Technical specifications used in the call for tender concerning the first level helpdesk
 CD-ROM with an Excel file containing the price schedule and specimen quotation.