Publications Office

Directorate R — Resources
Calls for tender and Contracts Unit

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Ref: JK - Add info 5

FAX + REGISTERED LETTER

Object: Invitation to Tender n° 10236 - Additional Information n° 5 (ref: 270 333, 276 485, 280 586, 255 518 and 284 622)

Dear Sir or Madam,

Concerning the above-mentioned Invitation to Tender, after having received questions from tenderers, we are informing you of the following:

Q1: In the Price schedule you ask for a proposal concerning the take-over period (which should include 10 days of training in Luxembourg per person) as well as the hand-over period. Could you specify what services should those periods cover?

A1: Apart from the initial training described in point 4.6 of the Specifications, it is up to the tenderer to decide which activities and related costs are necessary for the take-over phase in order to provide the requested services as of 1 September 2010.

During the hand-over period the Contractor will transmit the data contained in his databases, the standard replies and other documentation to the Publications Office as described in the third paragraph of point 4.1.8 of the Specifications.

Q2: Page 27 of the Specifications, concerning the knowledge database: could you please indicate what the documentary structure (number of existing levels) of the knowledge database is?

Could you provide the same type of information as you did for TED in Technical annex V, tab "Related Requests" also for SIMAP, EUR-Lex, EU Bookshop and CORDIS?

How many questions are registered in the current knowledge database?

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A2: The volume of the current knowledge database is very limited – it contains only about 50 standard replies, which are not structured.

Please find the information about related requests for CD JOS, CORDIS, DOC Delivery, EU Bookshop, EUR-Lex, IDEA, INFO-INFO, SIMAP and TED for April 2010 in the annex.

Q3: Page 31 of the Specifications: do we have to register all of the telephone conversations in their entirety? For how long do we have to archive those files? Do we need to archive also the written requests and their follow-up for the whole duration of the Contract?

A3: <u>This answer is replacing and complementing answer 6, first and second sentence of Additional information N° 4 of 7 May</u>:

For the purposes of quality control, all the incoming and outgoing calls in relation with the phone numbers indicated to the users for the individual products have to be registered and recorded in their entirety. The caller has to be informed that the conversation is being recorded.

Recorded conversations will be kept for a period of acceptance of respective services by the Publications Office (see point 4.5 of the Specifications).

Written requests and their follow-up will be archived in the database for 2 years and subsequently transmitted to the Publications Office on a CD.

Q4: With regards to answer 16 of Additional information N° 4, could you specify the structure of the Access database? Does this Access database refer to the Word documents as specified in point 4.8, page 38 of the Specifications?

A4: The structure of the Access database is based on the data described in point 4.2.1 of the Specifications (Registering of requests). It does not refer to the Word documents mentioned in point 4.8, which concerns the documentation to be provided by the Publications Office and to be incorporated into the knowledge database by the Contractor.

Q5: Your answer to Q15 in Additional information N° 4 describes the applicability of Regulation (EC) N° 45/2001 with regards to data protection. However, given that the data in question will be stored and maintained in the external offices of the Contractor, please can you advise on any additional obligations on the Contractor with regard to the conformity with the data protection legislation of the country in which the Contractor is based?

A5: No. It is up to the Contractor to comply with the necessary legal obligations, including those based on national legislations.

Q6: With regard to your answer to Q3 in Additional information N° 4, can you please clarify if the calls will be redirected using normal (POTS) telephony or if redirection using VoIP will be available?

A6: The calls will be redirected using normal telephony.

Q7: In Section 4.1.5 of the Specifications and in your answer to Q4 [read: "Q5"; correction by the Publications Office] in Additional information N° 4, the use of an answering machine is described; in particular: "If the help desk is unable to answer within fifteen minutes, the machine informs the caller that he will be called back within one working hour". For absolute clarity, please confirm that the intention is that the caller leaves their phone number in a message on the machine, rather than the use of Caller Line Identification to store the calling number (given that CLI is not always available).

A7: Yes, the caller will leave the message giving his phone number.

Q8: Section 4.1.5 of the Specifications states that "A specific fax line is required for SIMAP". Given that the volume of fax requests has been declining and that volume is now extremely small, please clarify if a fax line is in fact required only for SIMAP.

A8: Yes, a fax line is required only for SIMAP.

Q9: Could you please clarify, whether the tenderer needs to submit, together with his offer, also CV's of all the staff that will be working for/as helpdesk? If yes, which template should be used for the CV's?

A9: No. Only a set of PARFs is required (see Annex 7 of the Specifications).

Q10: Is there any kind of template for the requested document in Section 3: "Brief description of the tenderer's economic activity relating to the submission involved in this call for tender"?

A10: No. The tenderer will provide his own document as described in point 2.6.2.1 of the Specifications.

<u>The following points rectify Additional information N° 4</u>.

A1: <u>Instead of</u>:

"There is no specific requirement for a leased line between the Contractor and the Publications Office; the connection can be implemented by other means as long as the Contractor has a quick access to the Publications Office's websites and to its specific profiles, such as an admin access for TED, for example."

Read:

"The line between the Publications Office and the Contractor is leased by the Contractor to a provider. This line of 1 MB ensures a high level of speed and security with a point-to-point connection only, without transiting by Internet. The Contractor must have a connection with the exchange server of mails in the Publications Office because the Publications Office's services and the Contractor have the same access to the functional mailboxes and because the management of these mailboxes is more complete with a VPN access. The Publications Office will provide this VPN access to the Contractor."

A6: See A3 above.

A15: Instead of:

"Yes, all the incoming phone calls must be registered for the purposes of quality control. The rules to be applied for this registration are based on Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000."

Read:

"Yes, all the incoming and outgoing phone calls must be registered for the purposes of quality control. The rules to be applied for this registration are based on Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 and, if necessary, on the related national laws."

The following modification is introduced to the Draft Contract:

Instead of the current text of Article I.9 Data Protection, the new text of this article shall be as follows:

"ARTICLE I.9 – DATA PROTECTION

I.9.1 Any personal data included in or relating to the Contract, including its execution, shall be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. It shall be processed solely for the purposes of the performance, management and follow-up of the Contract by the Publications Office without prejudice to possible transmission to internal audit services, to the Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF) for the purposes of safeguarding the financial interests of the Union. The Contractor shall have the right of access to his personal

data and the right to rectify any such data that is inaccurate or incomplete. Should the Contractor have any queries concerning the processing of his personal data, he shall address them to the Publications Office, the data controller. The Contractor shall have right of recourse at any time to the European Data Protection Supervisor.

I.9.2 When processing data on behalf of the Commission in the performance of the Contract the Contractor:

(a) shall act only on instructions from the Commission;

(b) shall comply with the obligations set out in Articles 21 and 22 of Regulation (EC) 45/2001 on the confidentiality and the security of processing unless, by virtue of Article 17(3), second indent, of Directive 95/46/EC, the Contractor is already subject to obligations with regard to confidentiality and security laid down in the national law of one of the Member States.

Appropriate technical and organizational measures will be taken by the Contractor for the security of the processing in accordance with Article 22 of Regulation (EC) 45/2001 and will have to be agreed between the Contractor and the Commission in writing or in another equivalent form.

I.9.3 The Contractor shall comply with Council regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (OJ No L151, 15.6.1990, p.1)."

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Head of Unit

Annex: Related requests April 2010