



Publications Office

Directorate Resources
Calls for tenders and Contracts Unit

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Luxembourg,
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Ref.: LF - AO 10352 clarification 6

E-MAIL

Subject: Invitation To Tender n° 10352 : "PROCESSING OF NOTICES FOR PUBLICATION IN THE OJ S "

Additional information n° 6 (Ref. 1251003, 1256891 & 1255699)

Dear Madam, Sir,

Following our receipt of questions from tenderers concerning the above-mentioned Invitation to Tender, please note the following:

Q1 *This question refers to question 1 (and its sub-questions) of clarification 2 of 21.11.2011.*

From answer 1.1 we understand that:

- the preferred transmission mode between the Publications Office and the contractor is via FTP using the safe and secure connection mentioned in point 4.3 of the specifications;*
- no (physical) acknowledgement/receipt (message) is provided by the Publications Office's production system to the contractor upon (successful) transmission of a message by the contractor;*
- the "timely reception of a notice in the Publications Office's production system" (see section 4.9.1) is hence considered to be equivalent to the "timely, successful transmission of the related (OLG or ALG) message by the contractor";*
- the date/timestamp of such successful message transmission represents the basis for the calculation of related KPIs (e.g. "delays in delivery" as outlined in section 4.9.2 of the specifications).*

Would you please confirm that our above outlined understanding of answer 1.1 is correct? In case our understanding is not correct, please clarify the respective items.

A1 We confirm that your understanding is correct, provided that FTP is actually used as the transmission mode. Should another transmission mode be used, the situation would have to be assessed in consequence.



Q2 *This question refers to answers 2.2, 3.1, 4 and 6.3 of clarification 2 of 21.11.2011.*

According to our understanding, form 14 (corrigenda) is not a "standard form" (not covered by the Directives: see OJL 222/2011 of 27.08.2011), which might be the reason that it is not available via eNotices.

In this context, we have the following questions:

Q2.1 *In order to avoid any misunderstanding, could you please confirm that the term "not structured electronic notices" (as it is used in answer 6.3) refers to:*
a. "electronic notices" (meaning: Production format = XML), which are
b. "not structured" (meaning: not using standard forms; current set of standard forms being defined in the OJ L 222, 27.8.2011, p. 1).

A2.1 We confirm that your understanding is correct.

Q2.2 *Is our understanding correct that (at least currently) the only submission channel(s) for "not structured electronic notices" are eSenders (since eNotices does currently not support the submission of form 14)?*

A2.2 Your understanding is not correct because cancellation and modification requests can also be generated in eNotices, or submitted on paper (form number 14 on SIMAP).

Q2.3 *Could you please let us know if "not structured electronic notices" are (currently) applicable to both lots?*

A2.3 Yes, "not structured electronic notices" are applicable to both lots

Q3 *With respect to lot 1, could you please provide a table with statistical information, structured as follows:*

- X axis: month (value range: at least last six months);*
- Y axis: price/invoice codes (same structure as in the price schedule of lot 1);*
- Table cells: number of notices (per month and price code).*

A3 Please find the requested table on next page.

Contractor	Invoice code	Jan	Feb	Mar	Apr	May	Jun	Total invoiced
Lot 1	1	1 164	700	689	760	526	601	4 440
	2	2 060	703	670	594	756	652	5 435
	3	6	0	2	1	0	3	12
	4	14	13	14	17	11	12	81
	5	1	1	1	0	2	1	6
	6	12	29	24	33	18	16	132
	7	757	585	623	765	700	665	4 095
	8	14 949	15 375	17 124	17 051	14 939	15 386	94 824
	9	10 498	12 351	13 559	12 289	11 732	12 536	72 965
	10	148	211	192	212	230	201	1 194
	11	0	0	0	0	0	0	0
	12	0	0	0	0	0	0	0
	13	0	0	0	0	0	0	0
	14	2 600	2 971	3 529	3 489	3 396	3 479	19 464
	15	34	36	28	31	47	30	206
	16	33	20	42	27	14	44	180
	17	26	33	66	50	36	27	238
	18	101	141	101	119	48	49	559
	19	0	0	0	0	0	0	0
	20	252	257	299	342	359	452	1 961
	21	1 753	1 291	1 545	1 410	1 398	1 296	8 693
	22	130	119	151	139	142	101	782
	23	260	246	269	257	218	168	1 418
	24	0	0	0	0	0	0	0
	25	12	5	4	2	4	7	34

Q4 *In point 2.6.2.1 c) you asked for one translator from DE, FR and EN into the relay language. Is our understanding correct that the original languages are only EN, FR or DE?*

A4 No, it can be any official language. But EN, FR and DE are the original languages of at least 93% of the notices for Lot 2.

Q5 *In Annex TS08 you indicate 475 notices in original languages with an average length of 658 words are to be processed per month. This results in 312,550 words/month or 15,628 words/day or equivalent of 62 pages/day, which must be translated in the remaining 22 languages. On average a translator is able to translate 7 pages/day, consequently 9 translators are necessary. Could you please clarify why in point 2.6.2.1 you ask only for one translator per target language?*

A5 What is requested in this selection criterion is not the translator that the tenderer intends to put in charge of all the tasks relevant to his/her language competences by but the profile of a translator on whom the tenderer may rely should he be awarded the contract. Tenderer will be able to mention the number of staff for each profile that they propose to

dedicate to the various tasks in the documents to provide for the award criteria.

Q6 *In Annex TS06 you indicate "Revision of translation" for Lot 2. In point 2.6.2.1 c) you ask only for translators. Is our understanding correct that no revisers are needed?*

A6 A reviser profile is not required in point c) of the table of point 2.6.2.1 of the specifications. This does not mean that revision is not needed to carry out satisfactorily the execution the tasks of the contract.

Q7 *On page 37 of the specifications it is mentioned int the "General description of the work" that:*

- a. Lot 2 refers to "Notices that need to be fully translated",*
 - b. Lot 1 refers to "Notices that have only certain information translated".*
- However in Technical Annexes TS08 and TS13c, it is mentioned "EU Institution notices to be fully or partially translated in all languages". Could you confirm that notices that will have to be partially translated are part of Lot 2 and not of Lot 1?*

A7 In point 4.2 of the specification (p. 37/93):
instead of:

- *production (cf. 4.2.3):*
 - *Lot 1 - Notices that have only certain information translated;*
 - *Lot 2 - Notices that need to be fully translated;"*

please read:

- *production (cf. 4.2.3):*
 - *Lot 1 - Notices that do not require translation by the contractor;*
 - *Lot 2 - Notices that need to be fully or partially translated;"*

The title of point 4.2.3.3 is changed to:

"4.2.3.3. Lot 2 - Notices that need to be fully or partially translated"

Q8 *On page 39 of the specifications, point 4.2.2 mentions that "handover of all objects developed or acquired in relation to the contract and which are owned by the Commission". Could you confirm that the service provider will retain the ownership of development he will have made in the framework of the contract in order to execute the tasks of the contract.*

A8 We confirm that the contractor will retain the ownership of its local processing system (cf. 4.3). However the European Union shall retain full ownership of any element that may be used, stored, modified, etc. by the contractor during the execution of the contract. The European Union shall acquire full ownership of any element developed or produced at its

request. In particular the European Union shall retain full ownership of the reference files (see point 4.7 of the specifications) put at the disposal or modified at its request by the contractor. The copyright of the notices belongs to their author concerning the original language versions and to the European Union regarding their translations.

- Q9** *On page 46 of the specifications, it is mentioned "To ensure a consistent view of the notices throughout their processing and dissemination, the contractor will have to integrate in its system and use the viewer provided by the Publications Office". There isn't any technical annex presenting this viewer. Could you provide us with its specifications in order for us to evaluate to workload to integrate it in our production system.*
- A9** Please refer to answer A9 of Additional Information No 5 sent on 1/12/11.
- Q10** *On page 53 of the specifications, point a), there is a reference to "missing translation or omissions/additions". Could you confirm that these criteria establishing the acceptable quality level for a lot apply only to Lot 2.*
- A10** The errors mentioned in point 4.9.3.2.2 a) of the specifications apply to both lots except "missing translation" which applies only to Lot 2.
- Q11** *In the specifications, bilingual notices are mentioned as having to be processed by the contractor for Lot 1. Does the contractor bear the responsibility to check the quality and the exhaustiveness of the content of the second linguistic version against the first one?*
- A11** Yes, the contractor will have to check the quality and the exhaustiveness of the second linguistic version against the original one.
- Q12.1** *From the specifications and their annexes we understand that XML notices must be proofread and/or amended when PDF notices must be entirely created. Could you indicate the limits of these various interventions, mainly concerning:*
- a. verification of existing CPV codes and their possible modification,*
 - b. addition of CPV codes missing in the notice,*
 - c. presence of the mandatory fields for Codification Information messages,*
 - d. degree of relevance of the information to send to the PO.*
- A12.1** Ad a: the contractor will check that the CPV codes are relevant to the object of the contract and should they not be, initiate the relevant alternative scenario or contact the Publications Office, depending on the nature of the problem.
- Ad b: at least one CPV code must be indicated. Should no CPV code be indicated, the contractor will initiate the relevant alternative scenario (Demfax).
- Ad c: should mandatory fields for Codification Information be missing, the contractor will initiate the relevant alternative scenario.

Add: the information sent to the Publications Office must be relevant.
Should the contractor have any doubts, he will have to contact the Publications Office directly (e.g. by e-mail).

Please note that any modification affecting the factual content of a notice will have to be authorised by the Publications Office.

Please note that an internal agreement may be reached to solve repetitive cases.

Q12.2 Indeed, should a form be incomplete, from which point in time may the service provider expect to obtain additional information from the contracting entity?

A12.2 Please see Technical Annex TS03, section 2.1.2, sub-section "Request for Demfax": "usually 48 hours."

Q13.1 In Technical Annex TS06 the contractor is required to check CPV codes communicated by the awarding authorities.

We understand that the contractor only has to validate that the CPV codes provided are relevant to the object of the contract and that the contractor is not required to look for other CPVs that may also be relevant to the object of the notice. Could you confirm that our understanding is correct?

A13.1 We confirm that your understanding is correct.

Q13.2 Should a CPV be wrong, the contractor is required to send a "AAI" message to report the anomaly and to propose an alternate CPV code.

In notice <http://ted.europa.eu/udl?uri=TED:NOTICE:363985-2011:TEXT:FR:HTML&src=0>, from the TED website, we noticed a discrepancy between the CPV codes describing the object of the contract and the CPV codes used to describe the lots: CPV code 90911300 in lot 2 is not used for the general description of the contract.

Section II: Objet du marché

II.1.6) Classification CPV (vocabulaire commun pour les marchés publics)

90911000, 45452000, 90919200

Information sur les lots

Lot n°: 1 Intitulé: Nettoyage des locaux

1) Description succincte:

Nettoyage des locaux Il y a 35 bâtiments différents de plusieurs étages.

2) Classification CPV (vocabulaire commun pour les marchés publics)

90919200

Lot n°: 2 Intitulé: Nettoyage des vitres

1) Description succincte:

Nettoyage des vitres Il y a 35 bâtiments différents de plusieurs étages.

2) Classification CPV (vocabulaire commun pour les marchés publics)

90911300

Lot n°: 3 Intitulé: Nettoyage des abords et des garages

1) **Description succincte:**

Nettoyage des abords et des garages.

2) **Classification CPV (vocabulaire commun pour les marchés publics)**

45452000

a) *Is this an error?*

b) *If yes, must the contractor check the consistency of the CPVs between those used to describe the object of the contract and those used for possible lots?*

A13.2 Ad a): No, it is not an error. CPV codes may be specific to the object of a given lot.

Ad b): The contractor shall check that the CPV codes are relevant to the object of the concerned lot.

Q14 *According to the Codification Information message DTD, there exists an element BIB_DOC_S composed of:*

a. *2 CPV elements:*

- *ORIGINAL_CPV which must exist in t_cpv_code_list,*
- *CURRENT_CPV which is free text*

b. *2 NUTS elements:*

- *ORIGINAL_NUTS which must exist in t_nuts_code_list,*
- *CURRENT_NUTS which is free text*

After analysing the notices provided as examples, we understand that the values in "CURRENT" correspond to the values coming from the notice in input in the service provider's processing system and that the values in "ORIGINAL" are the values corrected by the service provider. Could you confirm that our understanding is correct?

A14 As indicated in Technical Annex TS09.a, CPV codes are periodically revised. The "CURRENT" fields show the CPV codes if the CPV list has been updated and the original CPV code was replaced by another code. Cf. SIMAP > CPV > Correspondence tables. The same convention applies for NUTS codes.

Q15 *Where could we find the documentation concerning the various DTDs that we will have to use?*

A15 DTDs are documented in Technical Annex TS12.

Q16 *The first step in the processing is to analyse incoming notices in order to sort out:*

- a. *doubles of already published notices,*
- b. *modifications of already existing notices,*
- c. *parts of split notices,*
- d. *...*


Could state the search criteria that we will have to use to determine with certainty the links between two notices? After reading the various parts of the tender documents we were unable to identify them.

A16 No such list of search criteria exists. This task requires a mix of automation and human expertise. It is up to the tenderers to determine the processes that they will apply to this search and to describe them in the relevant document(s) to provide in their offer in relation with the award criteria.

Q17 *A request for preparation (RfP) is always sent to the service provider to start the processing of one or more notices. Could you indicate which elements differ between an RfP for Lot 1 and an RfP for Lot 2?*

A17 There is no difference between an RfP for Lot 1 and an RfP for Lot 2.

Yours faithfully,


Maria Manuela CRUZ
Head of Unit