



Directorate Resources
Calls for tenders and Contracts Unit

Luxembourg, 07-12-2011
Opoce.r.2 (2011) n° 1436325 sauv / ARES
Ref.: LF - AO 10352 - Clarification 7

E-MAIL

Subject: Invitation To Tender n° 10352 : "PROCESSING OF NOTICES FOR PUBLICATION IN THE OJ S "
Additional information n° 7 (Ref. 1255699)

Dear Madam, Sir,

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

Q1 *In Technical Annex TS06, in the description of the task "prior reading", the service provider is required to check the consistency of the document's history (links between prior information notice, contract notice, additional information...)*

Q1.1 *How will we be able to check these links for notices processed prior to our service provision?*

A1.1 The contractor will be able to check the information using the TED website. Every notice in TED may be directly accessed using its unique URI. See also answer A1.3 below.

Q1.2 *Will we have an access to the TED database?*

A1.2 The TED website is opened to the general public. Please see also answer A1.3 below.

Q1.3 *Will we be provided with the data produced by the current service provider in order to initialise our local production system and be able to do the checks more efficiently? If yes, under which format will the data be provided.*

A1.3 At the kick-off meeting(s) the contents of the past daily exports and the associated XSDs will be made available the contractor(s). The technical details will be discussed during the kick-off meeting(s).



Q2.1 *In the task "prior reading" of Technical Annex TS06, it is mentioned that the changes to a notice, be it being processed or already published, must be identified.*

We understand that there will be two different ways for us to receive modification or additional information for a notice:

- a. either in XML using Form 14,*
- b. or in PDF:*
 - using a digitalised version of Form 14,*
 - via a not-structured e-mail or fax.*

Is our understanding correct?

A2.1 Yes, your understanding is correct.

Q2.2 *Is it possible that this information will be provided otherwise.*

A2.2 No, this kind of information may only be provided as described in your question Q2.1.

Q3 *Furthermore, in relation with changes to a notice, we understand that, depending on the stage reached in the publication of a notice, the following alternative exists:*

- a. either the notice is being processed: in this case the corrigendum shall not be published (using the "MOD" message) and the changes have to be made directly into the notice,*
- b. or the notice has already been published: in this case the service provider is required to produce an IC notice based on Form 14.*

Is our understanding correct?

A3 Your understanding for a. is correct.
For b. two cases must be considered:

- b1. the notice is already exported; then the service provider is required to produce an IC/AR notice based on Form 14;*
- b2. the notice has been sent to the Publications Office but not yet exported, then a "Reset" is still possible.*

Q4 *In Technical Annex TS03, in the part related to the "MOD" workflow on page 106, the "Archiving" workflow is shown as performed by the external service provider and its description mentions that:*

- a. a full historical record of all notices published or erased must be kept,*
- b. a copy of piece of information sent to the TED production system must be kept for a period of 5 years,*
- c. archived data must be available via an online search for a period of 6 years.*

We think that there is an error and that these tasks are related to the "TED production system". Can you confirm this?

A4 Your understanding is correct. Archiving as described in section 2.2.3 of the OJ S Production BPM Model is part of the TED production system.

Nevertheless, the future contractor(s) of contract 10352 will have to keep track of their operations.

Q5 *Also in Technical Annex TS03, for the "MOD" workflow, it is stated that the TED production system makes checks following the reception of an "MOD" message. In case of a notice with a wrong reference or a status other than "in preparation" or "published", the TED production service returns a REF (refusal) message to the external provider (i.e., future contractors of contract 10352).*

However, there is no message foreseen for the other cases. How will we be informed that the checks were passed and which will be the next steps in the processing?

A5 The OJ S Production BPM Model presents a modification planned with the replacement of the current TED production system (cf. section 4.3 of the specifications, sixth paragraph) and not yet implemented. However, the BPM does not show all required messages. The relevant specifications will become available when the planned changes are implemented in the new TED production system (see point 4.3 of the specifications).

In the current TED production environment, as explained in answer A3 above, the contractor has to distinguish between two cases: (1) OLG/ALG* already sent, or (2) OLG/ALG not yet sent, and to proceed accordingly.

(1) OLG/ALG already sent: the modifying notice is prepared as an IC. If the export did not yet happen, an RfR (Request for Reset) is possible; this would lead to case (2).

(2) OLG/ALG not yet sent: an MOD message is sent for the modifying notice and its information is integrated in the original notice.

* OLG: original language, this corresponds to Lot 1,
ALG: all languages, this corresponds to Lot 2.

Q6 *In case some information is missing in the notices filled in by the contracting entities, a Demfax scenario may be started. The standard letter is sent by the Publications Office on reception of an "RfD" message from the service provider.*

After reading Technical Annex TS12.a (Admin XSD 2.02), we understand that the package sent in this case only includes the "RfD" message; however Technical Annex TS03 (OJ S Production BPM Model) states that the service provider must provide:

- a. a version of the standard letter in English,*
- b. a version of the standard letter in the original language of the notice (this is the version that the Publications Office will send to the contracting entity),*
- c. an annex including the phone number of the call centre,*
- d. a short text message drawn up by the translator of the letter (notepad).*

Could then specify whether these latter elements must actually be provided to the Publications Office or if the "RfD" message alone is required?

- A6 The contractor will send the RfD message as specified in Technical Annex TS12.a. After reception at the Publications Office, the remaining information mentioned above (points a to c) is generated automatically and fed into the TED production system.
The short text message is a notepad message made by the converter (Technical Annex TS03, page 81)
- Q7 *Contracting entities may send their answer to a "Demfax" to the Publications Office using various means: e-mail, fax, call to the call centre, corrected form...*
- Q7.1 *How is this information returned to the service provider?*
- A7.1 A new RfP message is sent to the contractor.
- Q7.2 *Is there a specific XML message?*
- A7.2 No.
- Q7.3 *In case corrected forms are received by the Publications Office, is a new RfP sent to the service provider.*
- A7.3 As indicated in answer A7.1 above a new RfP message is sent to the contractor.
- Q7.4 *Could you provide us with examples of RfDs, with the corresponding answers from the contracting entities?*
- A7.4 Examples of RfDs are in Technical Annex TS11. Examples of answers from the contracting entities are outside the scope of this call for tender because the contractor is not directly concerned by them.
- Q8 *Contracting entities are informed that they used a form incorrectly or that they made an inconsistent use of the CPV codes in a standard letter sent by the Publications Office following the sending of an "AAI" message by the service provider. These standard letters are sent as information letters, however the contracting entity may also answer if they think that the modification on the original form is not relevant. Could you specify in which form these answers may be sent and how the possible corrections will have to be introduced into the notices?*
- A8 The AAI message sent to the contracting entities does not require an answer; however the contracting entity may contact the Publications Office using any media, e.g. phone or e-mail. The contractor is informed either by phone or e-mail or in meetings, possibly by video or phone conference; alternatively the information could be written down as an e-mail sent to the production mailbox, which would result in a new RfP message sent to the contractor. If relevant, a corrigendum will be prepared in case the main notice is already published.

Q9 *When documents can be classified as "Not a Notice (NaN)", the message sent by the service provider must clearly state, in the form of a code, the reason for not processing the notice. However, although the explanations given in the tender document for some of these codes are adequate, this is not true for the following codes:*

Q9.1 *Code "PE": this code indicates that the notice is "blocked" in the system. Could you clarify this notion?*

A9.1 A preparation error (PE) may have technical reasons, e.g. loss of information.

Q9.2 *Code "TL": in Technical Annex TS02.g it is stated that a not structured notice may not be longer than 650 words. Is there a size limit for XML electronic notices?*

A9.2 Public Procurement Directives (2004/17 and 2004/18) stipulate that the content of notices not sent by electronic means (cf. eNotices) shall be limited to approximately 650 words. The length of notices transmitted by electronic means (i.e. in XML) is not mentioned therefore it is not limited.

Q9.3 *What other reasons may exist? Could you send us some examples?*

A9.3 "Other" (OT) includes all possible reasons which are not specified separately, e.g. the sender is not an awarding authority/entity.
For your information: in October 2011, there were 643 NAN including 9 OT and no PE.

Q10 *Could you specify the reasons for a service provider to ask for the reset of the processing of a notice (RfR message)?*

A10 It can be any reason; this message is used when the contractor needs to modify a notice that has already been sent for publication (OLG/ALG sent). Possible reasons include: error detected in a sent OLG/ALG message, modification requested by the contracting entity.

Q11 *When the Publications Office answers the Request for Reset sent by the service provider, two cases may happen:*

Q11.1 *Could you confirm that when the Publications Office answers positively no further action will be performed on this notice?*

A11.1 Your understanding is wrong. If the RfR is accepted then the preparation of the notice is continued (cf. TS12.a, Figure 9 on page 51).

Q11.2 *When the Publications Office answers negatively, it is mentioned in Technical Annexe TS12.a that the current processing of the notice is halted and that the service provider must prepare a new notice. Does this mean*

that a new RfP message will be created by the Publications Office and sent to the service provider.

A11.2 If the RfR is refused, a new notice may be required (new RfP), usually a corrigendum (IC/AR).

Q12 *In most of the examples of PDF notices provided, the heading appears on the first page of the document, however we were not able to find a single example of an XML notice in which this information appears. Could you confirm the following points:*

Q12.1 *If the heading is present, it must be validated when the codification is done. In case the heading is to be modified does the service provider have to systematically send a "Request for Heading Authorization" to the Publications Office that will include the modification proposal (RfHA)?*

A12.1 No. An RfHA is required only when the authorisation to publish is needed (cf. Technical Annex TS03). A change of heading has to be discussed with the Publications Office by e-mail.

Q12.2 *Does the service provider have to create the heading when it is missing?*

A12.2 Yes.

Q12.3 *If the answer to question Q12.2 is yes, does the service provider also have to go through the sending of a "Request for Heading Authorization" (RfHA) message.*

A12.3 No.

Q13 *Could you clarify the interactions between the call centre, the service provider and the Publications Office?*

Q13.1 *What must the call centre staff do when they directly receive an answer to a standard letter (Demfax) by phone?*

A13.1 Contracting entities' replies to standard letters must be sent in writing to the Publications Office. Call centre staff must limit their intervention to telling the contracting entity that only written replies are accepted and must be sent to the Publications Office.

Q13.2 *Does the call centre staff have to forward the received information to the Publications Office? If the answer is yes, are structured messages foreseen for this kind of transmission?*

A13.2 Please see answer A13.1 above.


Q13.3 *Is the call centre staff allowed to send directly additional information to the service provider.*

A13.3 It is up to the contractor to manage its internal organisation provided it does so in conformity with the terms of the contract. For the sake of traceability, written communication is to be preferred whenever possible. In the case exposed in question Q13.1 the only information available is that a call has been made to the call centre instead of a written reply being sent to the Publications Office.

Q13.4 *In the case exposed in question Q13.3, how are the modifications reported to the Publications Office.*

A13.4 There is no information to report to the Publications Office because it is not allowed that contracting entities use the contractor to relay information to the Publications Office or that the contractor agrees to relay such information. However should the contractor actually receive information by any possible channel in relation with this contract it shall immediately inform the Publications Office by e-mail of the situation; the Publications Office will decide how best to deal with the reported case.

Yours faithfully,


Maria Manuela CRUZ
Head of Unit