

Helsinki, 03/08/2010
D(2010)

CLARIFICATIONS

Open call for tender ECHA/2010/124 - Web services
Lot 1 – Web design, Lot 2 – Web development, Lot 3 – Web consultancies

CLARIFICATIONS 2

Question 2.1:

Lot 1 – Web design:

1. Can you please confirm that the PMQP to be included in the Tender is only the one related to the Scenario for Lot 1?
2. If yes, could you please also confirm that all items in section 4.3.5.3.1 concern only the Scenario for Lot 1?

Answer:

1. Yes. PMQP must be submitted for the specific lot for which the tender is submitted (lot 1 and/or lot 2).
2. No. The Contractor is to provide the required reports and documents in accordance with the conditions of the specific contract, implementing the framework contract (see section 4.3.5.3).

Question 2.2:

Tendering Specifications, 1.7.1 Specific contract conditions, p.7 –

- *The contractor must present candidates that match the requested profile description.*
- *The proposed persons must be available, in case needed, for interviews (by telephone or at ECHA's premises)*
- *Persons proposed for specific contracts should be able to work at ECHA's premises, if specified, for a required period.*

Question:

Do the candidates that will be proposed in the tendering stage, have to be available to actually work on the specific contract?

Answer:

1. No. But the staff to be proposed for specific contracts or orders under the framework contract must comply with the requirements described in section 4.5.

Question 2.3:

Tendering Specifications, 1.13 Joint Offers, p.10 –

“The documents required and listed in the present specifications must be supplied by even member of the group, the checklist in Annex 5.12 will help verifying the level of information to be provided according to the role of each entity in the Tender.”

and

Tendering Specifications, 2.1 General, p. 11 – *“In order to help Tenderers presenting a complete Tender, a **checklist of the documents to submit is provided in Annex 5.12.**”*

Question:

It is clear that this reference is a mistake, since there is no Annex 5.12. The Tenderer assumes that Annex 5.11 is meant.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp .

Question 2.4:

Tendering Specifications, 2.2.3 Section five: financial proposal, p.14 – *“Tenderers must use the price list format presented in Annex 5.7 to formulate their financial proposal.”*

and

Tendering Specifications, 2.2.3 Section five: financial proposal, p.14 – *“Unit prices must correspond to the prices given in Annex 5.7.”*

and

Annex 5.7 Financial proposal for the scenarios – *“In any circumstances the unit prices per profile used for the calculation of the total cost in table below shall be equal to the unit process per profile provided by the tenderer in the Annex 5.7 (above).”*

Question:

It is clear that this reference is a mistake, since Annex 5.7 concerns the financial proposal for the scenarios. The Tenderer assumes that Annex 5.6 is meant.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp .

Question 2.5:

Tendering Specifications, 2.2.3 Section five: financial proposal, p.14 – *“For the scenarios, tenderers must use the price list format presented in Annex 5.8 to formulate their financial proposal.”*

and

Tendering Specifications, 4.4 Scenarios, p.31 – *“Tenderers must use the template in Annex 5.8 for financial proposal of these scenarios.”*

Question:

It is clear that this reference is a mistake, since Annex 5.8 concerns the customer references. The Tenderer assumes that Annex 5.7 is meant, which mentions the financial proposal for the scenarios.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.6:

Tendering Specifications, 3.2.3 Evidence of the technical and professional capacity of the service provider(s), p.19, a) – *“Customer references, including at least 5 projects where working language was English of which at least one from public sector. The customer references should be provided by using the template in Annex 5.9.”*

Question:

It is clear that this reference is a mistake, since Annex 5.9 refers to the Company Size. The Tenderer assumes that Annex 5.8 is meant, which mentions the customer references.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.7:

Tendering Specifications, 3.2.3 Evidence of the technical and professional capacity of the service provider(s), p.19, b) – *“Statement of the permanent and technical staff. The statement should be provided by using the template in Annex 5.10.”*

Question:

It is clear that this reference is a mistake, since Annex 5.10 contains the CV template. However there is no template available for the Statement of the permanent and technical staff. Can you please provide this?

Answer:

Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

The template for permanent and technical staff is provided in Annex 5.9, and it has also been published at ECHA website also as a word document.

Question 2.8:

Tendering Specifications, 3.2.3 Evidence of the technical and professional capacity of the service provider(s), p.19, c) – *“The curriculum vitae format in Annex 5.11 must be used and filled in and signed, by each person.”*

Question:

It is clear that this reference is a mistake, since Annex 5.11 contains the checklist of documents to be submitted. It is Annex 5.10 that contains the CV template.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.9:

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Qualitative award criteria Lot 1, p.19 – *“Composition and organization of the team proposed to ensure maximum efficiency in terms of reliability and quality of the services requested.”*

Question:

Can you please clarify whether this proposed team is the team for the Tender, or the proposed team for the Scenario, as described in section 4.4.1.?

Answer:

The proposed team is for the Scenario as described in section 4.4.1.

Question 2.10:

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Qualitative award criteria Lot 1, p.19 – *“Composition and organization of the team proposed to ensure maximum efficiency in terms of reliability and quality of the services requested.”*

Question:

Can you please clarify whether this proposed team is the team for the Tender, or the proposed team for the Scenario for Lot 1, as described in section 4.4.1.?

Answer:

The proposed team is for the Scenario as described in section 4.4.1.

Question 2.11:

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Qualitative award criteria Lot 2, p.20 – *“Composition and organization of the team proposed to ensure maximum efficiency in terms of reliability and quality of the services requested.”*

Question:

Can you please clarify whether this proposed team is the team for the Tender, or the proposed team for the Scenario for Lot 2, as described in section 4.4.2.?

Answer:

The proposed team is for the Scenario as described in section 4.4.2.

Question 2.12:

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Qualitative award criteria Lot 3, p.21 – *“Composition and organization of the team proposed to ensure maximum efficiency in terms of reliability and quality of the services requested.”*

Question:

Can you please clarify whether this proposed team is the team for the Tender, or the proposed team for the Scenario for Lot 3, as described in section 4.4.3.?

Answer:

The proposed team is for the Scenario as described in section 4.4.3.

Question 2.13:

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Award criterion, p.21 – *“Total price of the lot, as from section 5.8.”*
and

Tendering Specifications, 3.3 Stage 3 – Application of Award criteria (assessment of tenders), Final criterion, p.21 – *“Price of the lot (as from section 5.8.)”*

Question:

Annex 5.8 contains the template for the Customer References. We assume that Annex 5.7 is meant?

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.14:

Tendering Specifications, 4.3.5.3.2 Intermediate deliverables, p.28 – *“The Agency shall received the progress report at least one week before a planned progress meeting.”*

Question:

It is our understanding that a progress report **only** has to be delivered in case there is a corresponding progress meeting. Is this correct?

Also, can you please indicate how many progress meetings per lot will be required?

Answer:

The progress report(s) have to be delivered according to what is specified in the specific contracts. Same applies to the number of the progress meetings.

Question 2.15:

Tendering Specifications, 4.5 Profiles, p.36 – *“For all profiles a B2 level (according to Annex 5.11) on the knowledge of the English language is required.”*

Question:

Since Annex 5.11 concerns the checklist of documents to be submitted, the Tenderer assumes that Annex 5.10 is meant.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.16:

Annex 5.2 Draft Framework service contract, II. General Conditions, II.4.2 Interim payment, p.54 – *“At the end of each of the periods indicated in Annex I the Contractor shall submit to the Agency a formal request for payment accompanied by those of the following documents which are provided for in the Special Conditions.”*

Question:

Could you please clarify what each of these periods are? Do they refer to the periods indicated in the scenarios (i.e.6 months for Lot 1, 8 months for Lot 2, and 2 months for Lot 3)? There is no other indication of periods in Annex I.

Answer:

Article 1.5.2 of the draft Framework contract’s special conditions reads: “The terms of payment shall be specified for each Specific Contract or Order Form as indicated by the Agency in its request for offer for the respective Specific Contract or Order Form.”

Section 1.7 of the specifications reads *‘The terms of payment will be laid down in the orders and specific contracts.’* Due to the specific nature and tasks under each lot, and when taking into account that specific contracts are to vary in the nature of the tasks, duration of the contract etc. it is not foreseeable to define the exact payment periods at the tendering phase. They will be defined at the level of each specific contract or order.

Question 2.17:

Annex 5.1 Checklist of documents to be submitted – *“Power of attorney of partners in joint bid indicating the group leader (see Annex 5.6).”*

Question:

Annex 5.6 concerns the Price Schedule. The Tenderer assumes that Annex 5.5 is meant instead.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.18:

Annex 5.1 Checklist of documents to be submitted – *“Letter of intent of subcontractor (see Annex 5.5).”*

Question:

Annex 5.5 concerns the Power of Attorney. The Tenderer assumes that Annex 5.4 is meant instead.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.19:

Annex 5.1 Checklist of documents to be submitted – *“Evidence of Economic and financial capacity (see section 3.2.2 and Annex 5.4).”*

Question:

Annex 5.4 concerns the Letter of Intent for subcontractor. The Tenderer assumes that Annex 5.3 is meant instead.

Answer:

Yes. Please see the Corrigendum published on 26 July 2010 at http://echa.europa.eu/opportunities/procurement_en.asp.

Question 2.20:

Tender Specifications, 3.2.3 Evidence of the technical and professional capacity of the service provider(s), p. 19 – *“The Tenderer must propose not more than one qualified person per requested profile.”*

Question:

Both section 4.5 and Annex 5.6 define the profiles that are requested. However, Annex 5.6 also mentions “Others, please specify”. Can you please clarify if the Tenderer is free to add other profiles, or should he stick to the profiles as defined in Section 4.5.?

Answer:

For section 4.5 relating to the evidence of the technical and professional capacity, one CV per profile must be provided.

In the annex 5.6 the tenderers may add a profile in addition to the ones specified in section 4.5. The 'other' profile (if applicable) in Annex 5.6 must correspond to the 'other' profile in Annex 5.7.

Question 2.21:

Tender Specifications, 4.5 Profiles, p.36 – “*Project Manager – Project Assistant*”

Question:

In case the Tenderer intends to submit a proposal for more than 1 lot, can he propose the same persons for these profiles for all lots?

Answer:

Yes. See also question and answer 2.2.

Question 2.22:

Tender Specifications, 4.5 Profiles, p.36 – “*Profiles related to Lot 1 – Profiles related to Lot 2 – Profiles related to Lot 3*”

Question:

In case the Tenderer wants to submit a proposal for more than 1 lot, and since the scenarios indicate that the activities for the different lots do not run in parallel (e.g. p. 33 “The contractor will use the IA specification and wireframes (final deliverable of Lot 1) for the graphic layout and structure of the contents.”), can he propose the same persons for the same profiles in different lots?

Answer:

Yes. See also question and answer 2.2.

Question 2.23:

With respect the chapter “1.9 – General Terms and Conditions for the Submission of tenders”.

The European Commission supports actively the Agreement on Government Procurement of the WTO and when acting as a contracting authority - like all contracting authorities in the EU - restricts the right to participation only to tenderers established in countries members of such Agreement. All EU institutions follow the same approach. Could the ECHA confirm explicitly that all work in the context of the present contract will have to take place by organizations established in WTO (Agreement on GP) countries, by employees or experts who will hold valid residence and working permits in their countries and in the countries where the beneficiaries of the services are to be offered? Could the ECHA confirm that this rule will not be by passed directly or indirectly by anyone, and that this rule will apply equally to the subsidiaries, sister companies or members of a group of companies which are established in non WTO (Agreement on GP) countries?

Answer:

Section 1.9 General Terms and Conditions for the Submission of tenders defines countries of origin of tenderers, including all partners in a joint offer. They must fulfil requirements of Articles 106 or 107 of the Financial Regulation i.e to have their

headquarters or domicile in one of the EU member states or in a third country which has a special agreement with the Union in the field of public procurement.

Country of origin of subcontractors (see section 1.12) is not restricted. Therefore ECHA can not confirm that all work in the context of the present call for tender will be done by organisations established in EU member state(s) or in a third country which has a special agreement with the European Union in the field of public procurement.

Question 2.24:

In chapter “4.4 – Scenarios”, it is indicated an estimated workload for the scenarios correspond to Lot 1 and Lot 2 while there is no relevant indication concerning the scenario of Lot 3.

- a) We understand that there is no indication concerning the Lot 3 Scenario due to the fact that the contract of the hypothetical Lot 3 Scenario is fixed price. Please confirm that our understanding is correct.
- b) Could you please specify if the tenderers could increase or decrease the workload indicated in the scenarios, given that the Tenderer’s estimation may be different than the ECHA’s estimation?

Answer:

- a) Yes.
- b) Yes. Section 4.4 reads: “An indicative estimation of the workload and methodologies is already given by the Agency in some scenarios. *Nevertheless, the tenderer will make his own assumptions on the approach taken, the total workforce and the specific profiles required to perform the scenario(s)/deliver all services.* The tenderer shall add a clear explanation on how the profiles and total man-days of the project team are determined. The absence of these comments will result in a very low mark.”

Question 2.25:

Scenario for Lot 2 (section 4.4.2 of the CfT) indicates that ECAH will select a Web Content Management System (WCMS) based on java technologies. Should we base our proposal under the assumption that no specific WCMS is selected? Does the Agency expect any evaluation/assessment/proposal of existing WCMS, in the context of the current scenario, in order to facilitate the WCMS selection?

Answer:

For scenario of Lot 2, the tenderer should base its proposal on Java technologies as specified in section 4.4.2. No evaluation/ assessment/proposal of existing WCMS is expected.

Question 2.26:

Scenario for Lot 2 (section 4.4.2 of the CfT) does not indicate any development/implementation task or deliverable (e.g. source code, DB schemas, etc). Could you please clarify whether this scenario implies any modification /adaptation /reengineering of the existing ECHA web products? If yes, should we assume that these actions will be carried out in the context of the prototyping task?

Answer:

Yes.

Question 2.27:

Scenario for Lot 2 (section 4.4.2 of the CfT) indicates that the contractor will prepare a detailed migration and synchronization plan for the contents. Should we assume that the actual migration task of the entire content will be undertaken by the contractor or by ECHA staff, following the contractor's migration plan?

Answer:

In the context of this scenario, the migration would be undertaken by the contractor.

Question 2.28:

Scenario for Lot 2 (section 4.4.2 of the CfT) indicates that the handover file, to be prepared by the contractor, shall include technical documentation of the platform (updated functional specifications, technical architecture and content schemas). Could you please clarify whether the technical documentation of the platform will be provided to the contractor as a "takeover file" or is it expected to be created by the contractor in the context of the current scenario?

Answer:

In the context of this scenario a takeover file would be provided by the Agency.