

Helsinki,  
D(2011)

## **CLARIFICATIONS 1**

### **Open call for tender ECHA/2011/66 Framework contract for the provision of Enterprise Content Management Services and Solutions**

#### **Question 1.1:**

In the specifications, page 49, point 5.6 'Checklist of documents to be submitted', five sections for the presentation of the offer are listed. However, on pages 21 to 26, point 4 'The procurement procedure', only three sections are mentioned.

Do you prefer three or five sections for the offer?

#### **Answer:**

The offer should contain three sections as specified in section 4.1.2 'Content of the tender'. Please see the corrigendum published at the ECHA website [http://echa.europa.eu/opportunities/procurement\\_en.asp](http://echa.europa.eu/opportunities/procurement_en.asp).

#### **Question 1.2:**

Do you accept a joint bid including subcontractors?

#### **Answer:**

Yes. Both joint offers and subcontracting are allowed in response to this call for tenders. Offers may even combine both approaches. However, the tender documents must specify very clearly by means of the appropriate forms whether each company involved in the tender is acting as a partner in a joint offer or as a subcontractor (this also applies where the various companies involved belong to the same group, or even where one is the parent company of the others).

Please see sections 3.6.1, 3.6.2 and 4.1.2 of the tender specifications.

#### **Question 1.3:**

Is it possible to have subcontractors located in countries (India, Argentina, Ukraine, etc.) where the Multilateral Agreement on Public Procurement with the European Union or the WTO has not been ratified or in countries (such as China) that are negotiating accession?

#### **Answer:**

See section 1 of Corrigendum N.02. published on ECHA's website.

**Question 1.4:**

Is it possible to submit an offer and to be a subcontractor in another one?

**Answer:**

Yes.

**Question 1.5:**

We intent to participate in this call for tenders as member of a consortium or by submitting a joint offer co-operating with other companies. The identity of these companies is not to our knowledge as of yet. Can you please clarify whether these companies have to sign the NDA as well in order for our consortium to be eligible to participate in the tender?

**Answer:**

Yes.

**Question 1.6:**

In Annex 5.2. Contractual Documentation, we read that from the beginning of the second year the price may be revised, the Revision shall be calculated in accordance with the following formula:  $Pr=Po (Ir/Io)$ .

Question: Do we understand correctly, that the index HICP is the harmonized index of consumer prices in the contractor's country, as published on the internet site of Eurostat?

**Answer:**

See section 3 of Corrigendum N.02. published on ECHA's website.

**Question 1.7:**

Having read the documents related to above call for tenders, we noticed that one of the two selection criteria related to the technical and professional capacity is a minimum of 20 permanent staff, of which 10 have an EMC Proven Associate Credential for Documentum Content Management/Documentum xCP and 10 the Proven Specialist one.

Given the fact that xCP is relatively new and that a minority of Documentum integrators have a strict certification policy, we fear this criteria could be a discriminating one and wonder whether it would not be possible to have it replaced by a criteria requiring similar numbers of permanent specialised Documentum staff only (possibly with an obligation for the successful tenderer to have all/some of the staff certified in the course of the contract).

**Answer:**

The tender specification (see section 4.1.2.1, page 25 and section 4.5 page 32) makes reference to the following certification:

"EMC Proven Associate Credential (EMCPA) for Documentum Content Management / Documentum xCP

EMC Proven Specialist Credential for Documentum Content Management / Documentum xCP (EMCTA or EMCAPD or EMCSyA)”

Meaning that either the “Documentum Content Management” **or** the “Documentum xCP” are accepted. It is drawn to the tenderers’ attention that the “Documentum Content Management” certification has been available since 2006.

As regards the requirement concerning permanent staff please see section 5 of Corrigendum 02 published on ECHA’s website.

**Question 1.8:**

Selection criteria, project reference form 5.3.3.2

Question 1: Value in €: do we can add license revenue?

Question 2: Name of the customer: Do we can add projects realized for a company belonging to the same holding?

**Answer:**

1. Yes.

2. Yes.

**Question 1.9:**

We are a company with a turnover less than asked in selection criteria 1.1. on page 32 of the specifications. We belong to a holding with a turnover much higher than this. If we add the balance sheets of the holding and the CEO of the holding guarantees that we get full and unconditional financial, economic, technical and professional support and in case of financial problems / bankruptcy, ‘the holding’ will take over the responsibility for the further performance of the Contract, as well as obligations resulting from it – do we fulfill the selection criteria 1.1.?

**Answer:**

An economic operator may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. In that case, evidence must be provided that it will have at its disposal the resources necessary for performance of the contract, for example by producing a clear undertaking on the part of those entities to place those resources at its disposal (section 4.1.2.1, p. 23).

**Question 1.10:**

Evidence for selection criterion 2.1:

The tenderer shall present a list of all the contracts under which it has provided services related to Documentum Software during the past three years.

Question: can we provide a list with all contracts from beginning 2008 until now?

**Answer:**

In the project reference form, projects starting before 1.1.2008 and on-going on the 19.9.2011 can be declared (project executed in the last three years). However, the number of man-days declared must have been effectively executed between 1.1.2008 and 19.9.2011. The value of the project must correspond to the work effectively carried out between 1.1.2008 and 19.9.2011. On-going projects at 19.9.2011 will be clearly marked indicating "on-going" as an ending date.

**Question 1.11:**

It is our understanding from the tendering specifications that the Tenderers are not requested to provide CVs during this tendering phase. The only document related to our personnel and the corresponding certifications is the referenced document entitled "annex\_5\_3\_3\_3\_list\_of\_certifications.xls", which has to be filled in with the relevant information, and provide copies of the corresponding certificates. Please confirm the above.

**Answer:**

Confirmed.

**Question 1.12:**

In section "Evidence for selection criterion 2.1", page 25 of the "specifications and model contract" document, it writes "*The tenderer shall present a list of all the contracts under which it has provided services related to Documentum Software during the past three years. A detailed description of all the contract references shall be provided using the Project Reference Form*". Please confirm that the detailed description of the contract reference will be included in the Excel file entitled "annex\_5\_3\_3\_2\_project\_reference\_form.xls"

**Answer:**

The detailed description of the contract reference should be provided in the column "Short description of the reference".

**Question 1.13:**

Concerning the Technical and Professional capacity selection criterion 2.2 "ability to provide the necessary human resources", referred in p.32 of the specifications document, please clarify the following: In the case where a specific staff member has more than one of the certificates listed,

- a. Should this professional be counted more than once in the overall minimum list of 20 permanent staff?
- b. Should this professional counted as many times as the certificates he has, e.g. if he possesses three different certificates, should we have to count him three times?
- c. Please clarify whether these 10+10 minimum number concern the personnel and not the certificates possessed by professionals

**Answer:**

- a. No. Professionals with more than one of the certificates listed should be counted only once.
- b. No. Please, see the answer for question a.
- c. Please, see selection criteria 2.2. A list of 20 employees must be provided.

As regards the requirement concerning permanent staff please see section 5 of Corrigendum 02 published on ECHA's website.

**Question 1.14:**

Please clarify whether the certificates must be possessed by **permanent** staff members of a consortium member or a subcontractor or they can be possessed by freelancers that work with a consortium member or a subcontractor for many years and in several similar contracts

**Answer:**

As regards the requirement concerning permanent staff please see section 5 of Corrigendum 02 published on ECHA's website.

**Question 1.15:**

In the Technical and Professional capacity selection criterion 2.1 "relevant experience and professional capacity", referred in p.32 of the specifications, it writes "*Evidence of a formal relationship (partnership or equivalent)...*" Please clarify what the equivalent of a partnership can be. For example

- a. Is the "ECM Documentum OEM integrator", as evidenced by ECM records and partnership programme, considered as equivalent partnership?
- b. Is the "ECM Documentum Direct Reseller", as evidenced by ECM records and partnership programme, considered as equivalent partnership?

**Answer:**

- a. ECM Documentum OEM integrator is considered an equivalent partnership
- b. ECM Documentum Direct Reseller is considered an equivalent partnership

**Question 1.16:**

Having carefully read the specifications of above call for tenders, we noticed that the technical and professional capacity of the tenderers has to be demonstrated through 3 different criteria.

Criterion 2.1 and criterion 2.2 are fair and similar to those requested in other requests for proposals.

Regarding criterion 2.3 however, we fear that it does not allow an open and equal competition among all interested parties. Indeed, Documentum xCP is quite recent and not all companies have a similar (and fast) certification programme for their staff members. Could the ECHA review their criterion 2.3 and request instead of copies of certificates, the CVs of staff members with a sound Documentum knowledge and possibly an obligation to be certified in the course of the contract execution (which would place all tenderers on an equal level)?

**Answer:**

See section 4 of Corrigendum N.02. published on ECHA's website.