

Phase 1 Tender Information Day Request for Tenders

7 September 2016

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All information contained herein are for discussion purposes only and shall not be considered a commitment on the part of CERN or the Buyers group

1. Method

2. Tender Documents

3. Request for Tenders

4. General Context

5. Tender Conditions

6. Evaluation Process

Pre-commercial procurement

is a phased approach of purchasing R&D services by procurers for the development of innovative products, services or processes (not yet available on the market) by enterprises/ research centers with the goal of:

- Solving socio-economic challenges
- Improving the performance, functionality of public services

'**pre-commercial procurement**' means the purchase of research services where the contracting authority or contracting entity does not take all the risks, results and benefits for use in the conduct of its own affairs, but shares them with the providers under market conditions. The contract, the object of which falls within one or several categories of research and development defined in this framework, is of limited duration. With the exception of prototypes or a limited set of first test items, the purchase of products or services developed under a pre-commercial procurement contract must not be an object of that same contract;



➤ R&D Definition:

◎ It is an absolute requirement that Tenders have as their main object R&D services. More than 50% of the value of a Tender (and consequently of the value of the Work Order) must consist of R&D services, not supplies or works (see WTO and State aid framework for R&D&I)

◎ Example of eligible Costs

- Personnel costs: researchers, technicians and other supporting staff to the extent employed on the project.
- Costs of instruments and equipment
- Cost of contractual research, knowledge and patents bought or licensed from outside sources at arm's length conditions, as well as costs of consultancy and equivalent services used exclusively for the project.
- Other operating expenses, including costs of materials, supplies and similar products incurred directly as a result of the project.

1. Method

the PCP-concept

4 steps

Step 0: Preparation Phase



Step 1: Market consultation



Step 2: Pre-commercial Procurement



Step 3: Commercial Tender



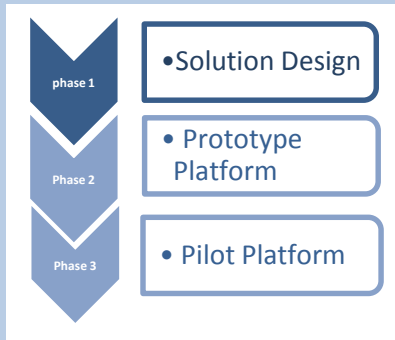
Phase 0: Preliminary stages



Phase 1: Market consultation



Phase 2: Pre-commercial Procurement



Phase 3: Commercial Tender



2. Tender Documents



- ✓ Request for Tenders (TD 1)
- ✓ Functional Specification (TD 2)
- ✓ Framework Agreement (TD 3)
- ✓ Work Order (TD 4)

Principles followed for the development of the Tender Documents

➤ General Principles of Law

- ◎ Transparency and openness
- ◎ Equal treatment (no preferential treatment for the final purchase of products/services)
- ◎ Competition
- ◎ Best Value for Money (MEAT)

➤ Specific PCP Principles



- ⦿ Risk-benefit sharing principle
- ⦿ IPR retained as much as possible by the Contractors
- ⦿ No exclusive development (for 1 procurer) = competitive development in parallel
Reflected in price reduction

Price paid at market condition to avoid illegal State aid (not the R&D costs). The price reduction should reflect the market value (commercialisation) of the benefits received (IPR ownership) and risks assumed by the procurer(s). In the offer two prices will have to be submitted! (Virtual Price and Actual Price)

- ⦿ No Commercial development activities =
clear separation procurement of R&D (PCP) and eventual purchase of final products/service
- ⦿ R&D Services > min. 50% services of the total value of the contract and each of the Work Orders
- ⦿ Place of performance, the majority of the R&D work in an EU Member States or associated countries to H2020 (vs. country of origin of bidders).
Note: Switzerland is not an EU Member State, nor a H2020-associated country for this PCP
- ⦿ PCP tender procedure is open on equal terms:
 - all types of economic operators
 - from any country in the world (regardless size, geographic location or structure)

3. Request for Tenders

✓ Request for Tenders (TD 1)

- ◎ Section 1: General context
- ◎ Section 2: Description of R&D services to be procured
- ◎ Section 3: Procurement Process and Conditions to tender
- ◎ Section 4: Evaluation Process of tenders and information
- ◎ Section 5: Conditions of the contracts

Appendix 1: PCP-conditions

Appendix 2: Profile and Background of the Buyers Group

Appendix 3: Timeschedule

Appendix 4: Overview of the Evaluation Process

Appendix 5: Scoring model for the award Criteria

Appendix 6: Scoring model for the outcome of Phase 1

Appendix 7: Request for Clarification

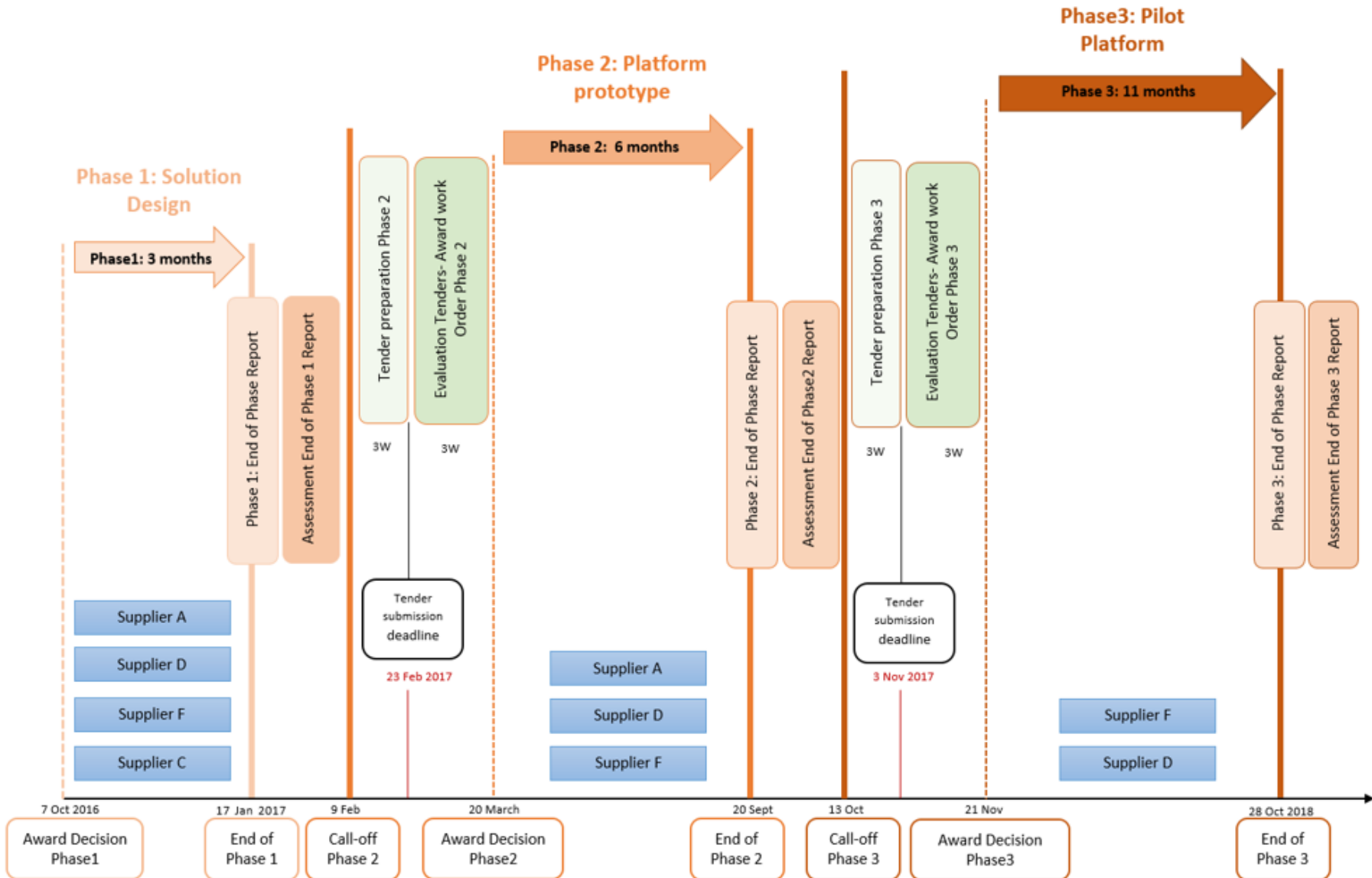


4. General Context

Table 4: Budget, payments and duration of Phases

	Max Total Budget	Expected minimum number of Contractors	Maximum budget for each Contractor	Payments	Maximum fixed Duration
PCP budget	5.300.000				
Phase 1: Solution design	520.000	4	130.000	At the end of the Phase	3
Phase 2: Prototype Platform	1.325.000	3	441.667	Interim Payment 30% and final payment	6
Phase 3: Pilot Platform	3.455.000	2	1.727.500	Interim Payment 40% and final payment	11

Competitive Deployment in 3 Phases



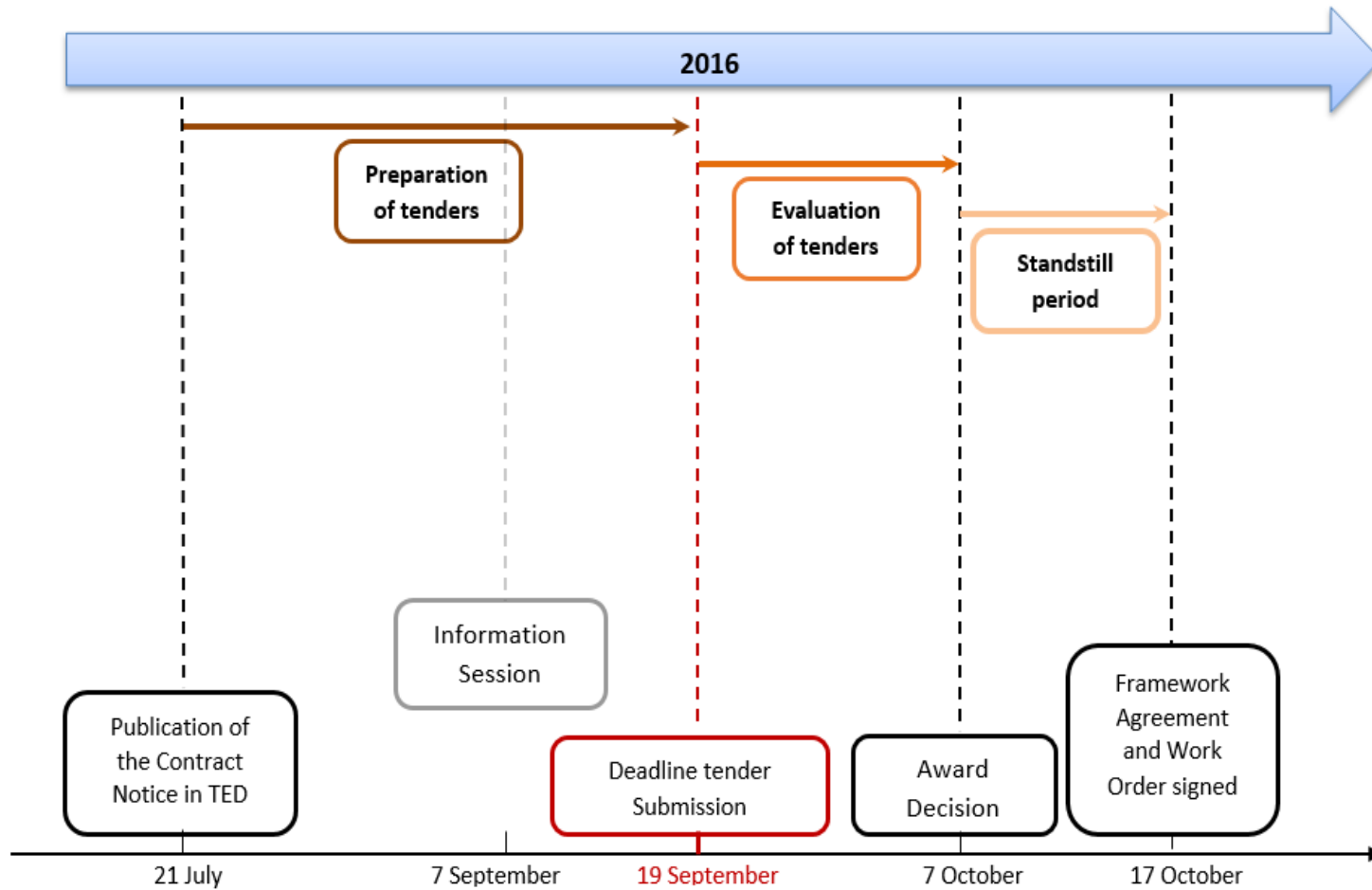
5. Tender Conditions



- ③ **No negotiations** are permitted in PCP
- ③ The contracts are signed for a **fixed period** and on a **fixed price** basis (no delay nor additional costs (eg. Unforeseen costs) accepted)
- ③ A contractor has the possibility to decline for Phase 2 and 3
- ③ Subcontracting: subcontractors have to be listed in Tender for Phase 1 (see award criteria 1: subcontracting plan)
- ③ **Abnormally low bids** may be rejected after consulting the Tenderer:
 - the economy of the process or services provided;
 - the technical solutions chosen or exceptionally favourable conditions available to the tender for the execution of the work;
 - compliance with the provisions relating to employment protection and working conditions in force at the place where the work is performed.

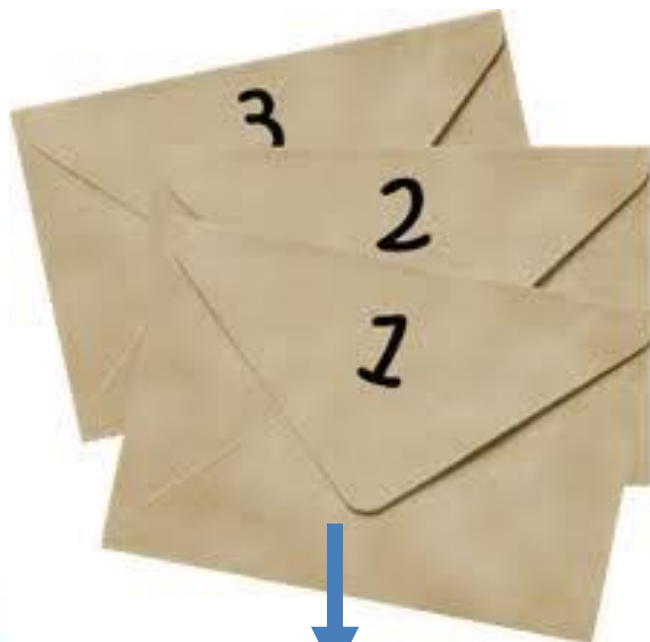
5. Tender Conditions

Schedule Tender Submission for Phase 1: Solution Design





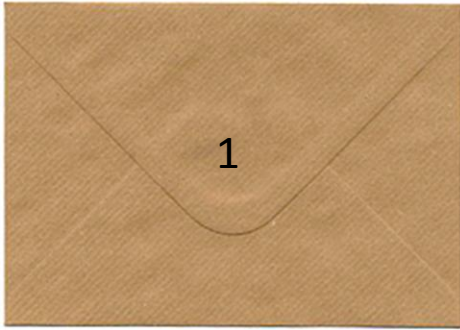
Submission
deadline is 19
September
2016 at 12:00
(at CERN in the
hands of the
Procurement
Service)



Paper version
and an
electronic
read-only copy

Administrative envelope contains three Annexes:

- A. Submission Form
- B. Exclusion Criteria
- C. Selection Criteria



ANNEX A: GENERAL TENDER SUBMISSION FORM AND POWER OF ATTORNEY

1. In case a tender is submitted by a **Single Tenderer** please fill in the table 1A. Indicate the subcontractors that will be engaged to perform part of the services.

Table 1A: Tender submitted by a Single Tenderer

	Name of legal entity	Services to be performed	VAT-Number	Contact Person	E-mail	Nationality
Single Tenderer						
Subcontractor 1						
Subcontractor 2						

Annex C: Selection Criteria (3.3 of RfT and Section 4 of the FS)

NOTE:

1. This form should be submitted by the Tender or the Lead Tenderer in the case of a consortium
2. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole
3. Responses to these questions will be assessed as PASS/FAIL. Only those applications achieving a PASS will be put forward for further evaluation

CRITERIA	General information	Detailed Question
NT.A	Ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, including intangible results in particular IFRs.	<p>NT.A Description of the capacity, materials and equipment available to the tenderer for research, prototyping, limited production and supply of the first set of products or services.</p> <p>NT.A Ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, including intangible results in particular IFRs</p>
NT.B	R&D professional capacity:	<p>NT.B Demonstrated the Tenderers expertise and working experience required to undertake an innovative R&D project that entails software development and integration</p> <p>Customer Organisation (s)</p> <p>Customer 1</p> <p>Website (if avail): Customer contact name, phone number and e Date contract awa Date contract comp Brief description of contract (max 100 w Value of the con</p> <p>Customer 2</p> <p>Provide a list of 3 reference/contracts of current services/products performed/developed in the last 3 years which are similar in scope and complexity to this tender.</p> <p>Customer 2</p> <p>Website (if avail): Customer contact name, phone number and e Date contract awa Date contract comp Brief description of contract (max 100 w Value of the con</p> <p>Customer 3</p> <p>Customer Organisation (s)</p> <p>Customer 3</p> <p>Website (if avail): Customer contact name, phone number and e Date contract awa Date contract comp Brief description of contract (max 100 w Value of the con</p>
NT.C	Cloud professional capacity: The tenderers shall present "proven relevant experience" in the domain of development	<p>NT.C If you cannot provide at least one reference, please briefly explain why (100 words max)</p>



ANNEX B: EXCLUSION CRITERIA

NOTE:

- In case of a tender submitted by a **Single Tenderer**, the form below should be filled in by the Tenderer **and by any subcontractor** that will be engaged to perform the work.
- In case of a tender submitted by a **Consortium**, the **Lead Tenderer and each member of the consortium and each of the sub-contractors** should submit a **separate form**.

Responses to these questions will be assessed as PASS/FAIL. Only those applications achieving a PASS will be put forward for further evaluation.

FORM A.1 - Exclusion Criteria Mandatory Pass

Name of the Tenderer/ Lead Tenderer in case of Consortium/ Member of the Consortium/ Subcontractor:

Reference number:

any of its directors or any other person with power of control of the organisation been convicted of any of the

Name of the Tenderer or Lead Tenderer in case of Consortium/ Subcontractor	Reference number	Yes / No
		Yes / No
		Yes / No
		Yes / No
		Yes / No

of cheating the Revenue

Yes / No



A. Submission Form



- ⦿ Subcontractors responsible for **no less than 30%** of the development of any IaaS service. No subcontracting of the management nor essential parts of the contracts
- ⦿ **New Consortium member** or subcontractors can join
- ⦿ Consortium members can include **universities** (and non-profit organisations) but at least 1 consortium member should have business experience particularly a sound aptitude to commercialise innovative solutions and the management of IPRs
- ⦿ Only **one Tender from a Tenderer as main Contractor** will be accepted. Nevertheless, an economic operator may participate as subcontractor in other tendering consortia



ANNEX A: GENERAL TENDER SUBMISSION FORM AND POWER OF ATTORNEY

1. In case a tender is submitted by a **Single Tenderer** please fill in the table 1A. Indicate the subcontractors that will be engaged to perform part of the services.

Table 1A: Tender submitted by a Single Tenderer

	Name of legal entity	Services to be performed	VAT-Number	Contact Person	E-mail	Nationality
Single Tenderer						
Subcontractor 1						
Subcontractor 2						



B. Exclusion Criteria

Signed **by all consortium members and subcontractors** involved in the PCP: a separate form shall be submit for each of them



ANNEX B: EXCLUSION CRITERIA

NOTE:

- In case of a tender submitted by a Single Tenderer, the form below should be filled in by the Tenderer **and by any subcontractor** that will be engaged to perform the work.
- In case of a tender submitted by a Consortium, the Lead Tenderer **and each member of the consortium and each of the sub-contractors** should submit a separate form.

Responses to these questions will be assessed as PASS/FAIL. Only these applications achieving a PASS will be put forward for further evaluation.

FORM A.1 - Exclusion Criteria Mandatory Pass

	Name of the Tenderer/ Lead Tenderer in case of Consortium/ Member of the Consortium/ Subcontractor:	
	Reference number:	
A1	Has your organisation or any of its directors or any other person with power of representation, decision or control of the organisation been convicted of any of the following offences? :	
A1.1	Participation in criminal activities	Yes / No
A1.2	Corruption & conspiracy	Yes / No
A1.3	Money-laundering	Yes / No
A1.4	Fraud	
	(i)	The offence of cheating the Revenue
		Yes / No

Exclusion criteria

First Exclusion criteria:

Conviction of criminal activities:

- Participation in criminal activities
- Corruption & conspiracy
- Money-laundering
- Fraud

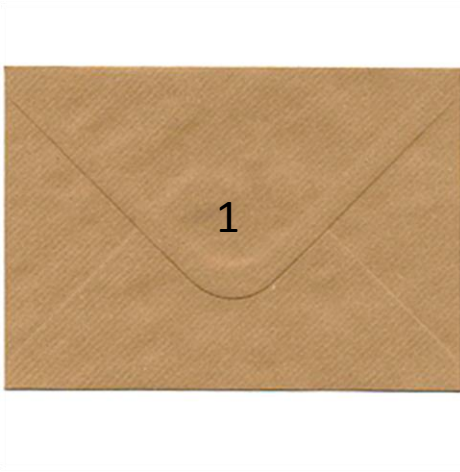
Second Exclusion criteria

- Bankruptcy
- Non-payment of taxes/social security contributions
- Professional misconduct
- Serious misrepresentation

Third Exclusion criterion

- Conflict of interest

C. Selection Criteria



Annex C: Selection Criteria (3.3 of RfT and Section 4 of the FS)

NOTE:

1. This form should be submitted by the Single Tenderer. The listed criteria have to be met by the sole Tenderer.
2. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole.
3. Responses to these questions will be assessed as PASS/FAIL. Only those applications achieving a PASS will be put forward for further evaluation.

Name of the Tenderer or Lead Tenderer in case of Consortium:
Reference number:

CRITERIA	General information	Detailed Question
NT.A	Ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, including intangible results in particular IPRs.	NT.A.1 Description of the capacity, materials and equipment available to the tenderer for research, prototyping, limited production and supply of the first set of products or services.
		NT.A.2 Ability to perform R&D up to original development of the first products or services and to commercially exploit the results of the PCP, including intangible results in particular IPRs.
NT.B	R&D professional capacity:	NT.B Demonstrated the Tenderers expertise and working experience required to undertake an innovative R&D project that entails software development and integration
		NT.C.1 Provide a list of 3 references/contracts of current services/products performed/developed in the last 3 years which are similar in scope and complexity to this tender.
		Customer 1 Customer Organisation (name) Website (if available) Customer contact name, phone number and email Date contract awarded Date contract completed Brief description of contract (max 100 words) Value of the contract Customer Organisation (name) Website (if available) Customer contact name, phone number and email Date contract awarded Date contract completed Brief description of contract (max 100 words) Value of the contract Customer Organisation (name)
		Customer 2 Customer Organisation (name) Website (if available) Customer contact name, phone number and email Date contract awarded Date contract completed Brief description of contract (max 100 words) Value of the contract Customer Organisation (name)

- Non-Technical and Technical Criteria
- Evaluation on PASS/FAIL basis
- Request for clarification** on the Annexe A,B and C shall be answered at the **latest by Friday 23/09 at 11:00.**

D. Compliance Criteria

Annex D: Compliance Criteria

Responses to these questions will be assessed as *PASS/FAIL*.
Only those bids achieving a *PASS* will be considered for further evaluation.

Criteria A - Compliance with the R&D definition		
Name of the Tenderer or Lead Tenderer in the case of a Consortium:		
Reference number:		
A1	<p>The tenderer declares that the submitted offer contains a min. of 50% of R&D-services and that the total value of products offered in each phase will be less than 50 % of the total value of the framework agreement.</p> <p>The offers for all three phases must propose services matching the R&D definition; See Article XV (1)(e) WTO GPA 1994 and the Article XIII (1)(f) of the revised WTO GPA 2014).</p>	Yes / No
A 2	<p>The tenderer declares that the provided unit prices for each category of R&D-resources (e.g. junior, senior researchers, developers, ...) in the submitted offer for Phase 1 are binding for phases 2 and 3 and may only be adjusted by a percentage that is not higher than the inflation rate calculated by the EU (the Harmonized Index of Consumer Prices - HICP - inflation rate/EU27).</p>	Yes / No
A 3	<p>The tenderer declares that the financial part of the offer for the framework agreement must provide binding unit prices for all foreseeable items for the whole duration of the framework agreement.</p> <p>The financial part of the offer for each phase must provide a breakdown of the price for that phase in terms of units and unit prices for every type of items in the contract, distinguishing clearly the units and unit prices for product related items.</p> <p>The offers for all three phases will include only items (products) needed to address the challenge in question and to deliver the R&D services described in the Request for Tenders.</p>	Yes / No

Compliance criteria

A) Compliance with the definition of R&D services
The services for all three Phases must offer services that meet the R&D definition, and the total sum of the value of products (tooling and equipment) offered in each Phase (and all previous Phases) must be less than 50 % of the total value of the Framework Agreement

B) Compatibility with other public financing

C) Compliance with the requirements regarding the place of performance of the contract

D) Compliance with ethics and research integrity requirements

E) Compliance with security and safety requirements

F) The offer is compliant with the whole list of deliverables and milestones as listed in Section 2.4 of the RfT

G) The offer is compliant with the duration of the phases as indicated in Section 1.6 of the RfT



E. Technical Offer



Annex E: Technical offer

Submitted
by:

Reference
Number

Date

E

Criteria 1

Merit of the Resources allocated for the execution of the contract

Describe the manpower and infrastructure resources allocated to each task in the Solution Design. Describe the work organization and supply chain (subcontracting plan). Specify the configuration (e.g. consortium) and role of each partner and/or sub-contractors.

Max 1 A4 page in Font Arial 11|

Criteria 2

Merit of the technical capacity of the team that will execute the contract

Demonstrate the formal quality and experience of the members of the team that will perform the R&D services (Add Curriculum vitae in attachment to this document)

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- Financial envelope contains one Annex:
F. Financial Offer incl. Cost breakdown

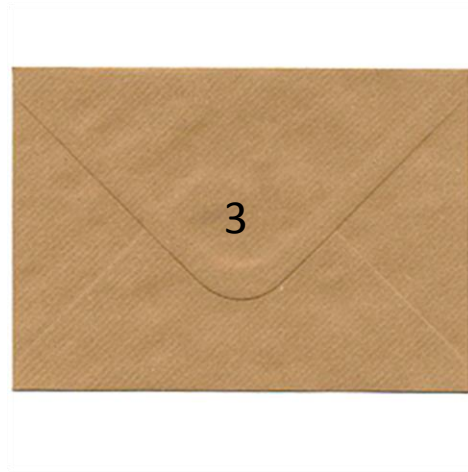


Annex F: Financial offer and Cost Breakdown

Submitted by:

Summary Sheet Of the Financial Offer

ID	EDMS NUMBER OR IT NUMBER				
Phase 1: Solution Design					
A.	Labour Price	Description of the activities	Amount of Hours Senior Engineer (1)	Price per hour (1)	Total Price Senior Engineer
1	D-DES-1.1	Mid-phase Activity Report	0	0	0
2					0
3	D-DES-1.2	Conceptual Design Report			0
4					0
5					0
6					0
7					0
8	D-DES-1.3	Detailed time schedule			0
9					0
10					0
11					0
12	D-DES-1.4	Detailed report covering all the results obtained in the Solution Design phase			0
13					0
14	D-DES-1.5	Reassessment of the R&D efforts for the Prototype and Pilot Phases			0
15	D-DES-1.6	Description of the state-of-the-art versus innovation gap			0
16	D-DES-1.7	Measures taken to protect results (IPR)			0
17	D-DES-1.8	List of names and location of personnel that carried out the R&D activities			0



- Financial envelope contains one Annex:
F. Financial Offer incl. Cost breakdown



- ◎ Cost Breakdown Phase 1: **Price is fixed**. For Phase2 and 3: an estimation
- ◎ Two prices are requested:
 - Virtual Price (exclusive development transfer of IPR to Buyers Group)
 - **Actual Price** = Virtual Price – Price Reduction
The Actual Price will be considered for evaluation
- ◎ Total value of the framework agreement (each Contractor) = **2,3M€**
- ◎ The use of Annex F is **mandatory**, if needed additional cost categories can be added. Additional information may be submitted on separate sheets for clarification means.

F. Financial Offer incl. Cost breakdown



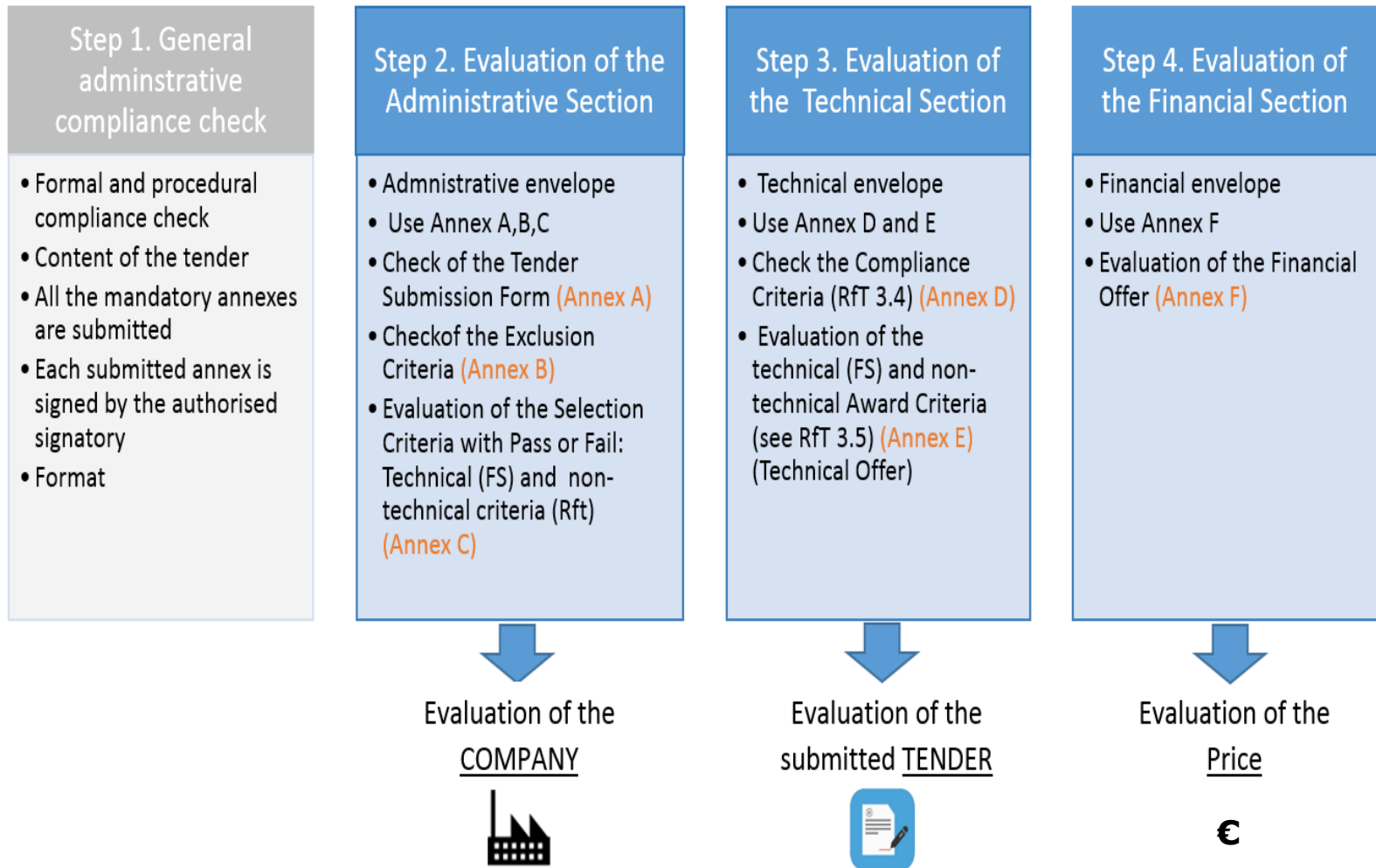
ID		EDMS NUMBER OR IT	Virtual Price						Actual Price
Phase 1: Solution Design			Amount of Hours Senior Engineer (1)	Price per hour (1)	Total Price Senior Engineer	Hours total (1-5)	Total Price Labour in EUR	Fraction of R&D expenditure in %	Location or country where activities are carried
A.	Labour Price	Description of the activities							
1	D-DES-1.1	Mid-phase Activity Report	0	0	0	0	0		
2					0	0	0		
3	D-DES-1.2	Conceptual Design Report			0	0	0		
4					0	0	0		
5					0	0	0		
6					0	0	0		
7					0	0	0		
8	D-DES-1.3	Detailed time schedule			0	0	0		
9					0	0	0		
10					0	0	0		
11					0	0	0		
12	D-DES-1.4	Detailed report covering all the results obtained in the Solution Design phase			0	0	0		
13					0	0	0		
14	D-DES-1.5	Reassessment of the R&D efforts for the Prototype and Pilot Phases			0	0	0		
15	D-DES-1.6	Description of the state-of-the-art versus innovation gap			0	0	0		
16	D-DES-1.7	Measures taken to protect results (IPR)			0	0	0		
17	D-DES-1.8	List of names and location of personnel that carried out the R&D activities			0	0	0		
18	D-DES-1.9	Abstract of the main results achieved (EU-format)			0	0	0		
Sub-Total Labour Price						0	0	%	0
Materials & Equipment		Description							
19		IaaS capacity (separated into compute, storage and networking) needed during the design phase					0		
20									
21							0	%	0
Other		Description							
22		General & Administrative Expenses (Provide details)							
23		Travel & Accommodation							
24		Other - Specify (Provide details)							
Sub-Total Other							0	%	0
General Total Phase 1							0	%	0



F. Financial Offer incl. Cost breakdown

Annex F: Financial offer and Cost Breakdown	
Submitted by:	
Summary Sheet Of the Financial Offer	
<i>Please answer the questions below after the completion of the Cost Breakdown (sheet 2)</i>	
1. Provide a Financial Offer for Phase 1. Detail the price in all its components in the Cost Breakdown. The actual price quoted shall be below the maximum budget of: 130.000 € (defined in the Request for Tender section 1.5).	
Give the Virtual Price:	0
Give the Actual Price:	0
2. Give an estimation of the Financial Offer for Phase 2 the prototype platform (The unit prices shall remain the same as quoted in the Cost Breakdown for Phase I). The actual price quoted shall be below the maximum budget of 441.666 € (defined in the Request for Tender section 1.5).	
Give the Virtual Price:	0
Give the Actual Price:	0
3. Give an estimation of the price for the execution of phase 3. Give unit prices for each cost category (The unit prices shall remain the same as quoted in the Cost Breakdown for Phase I). The actual price quoted shall be below the maximum budget of 1.727.500 € (defined in the Request for Tender section 1.5).	
Give the Virtual Price:	0
Give the Actual Price:	0

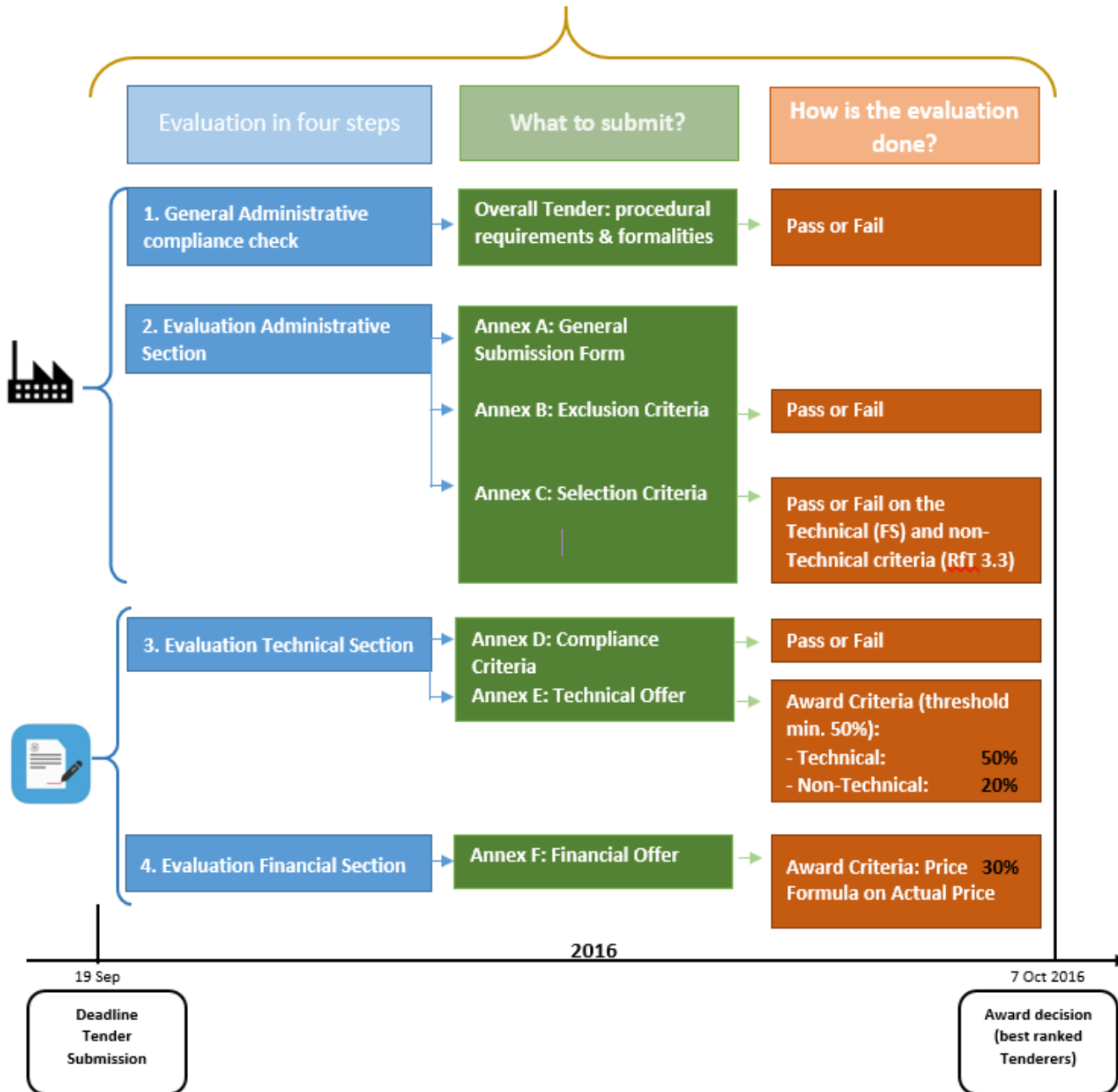
6. Evaluation Process



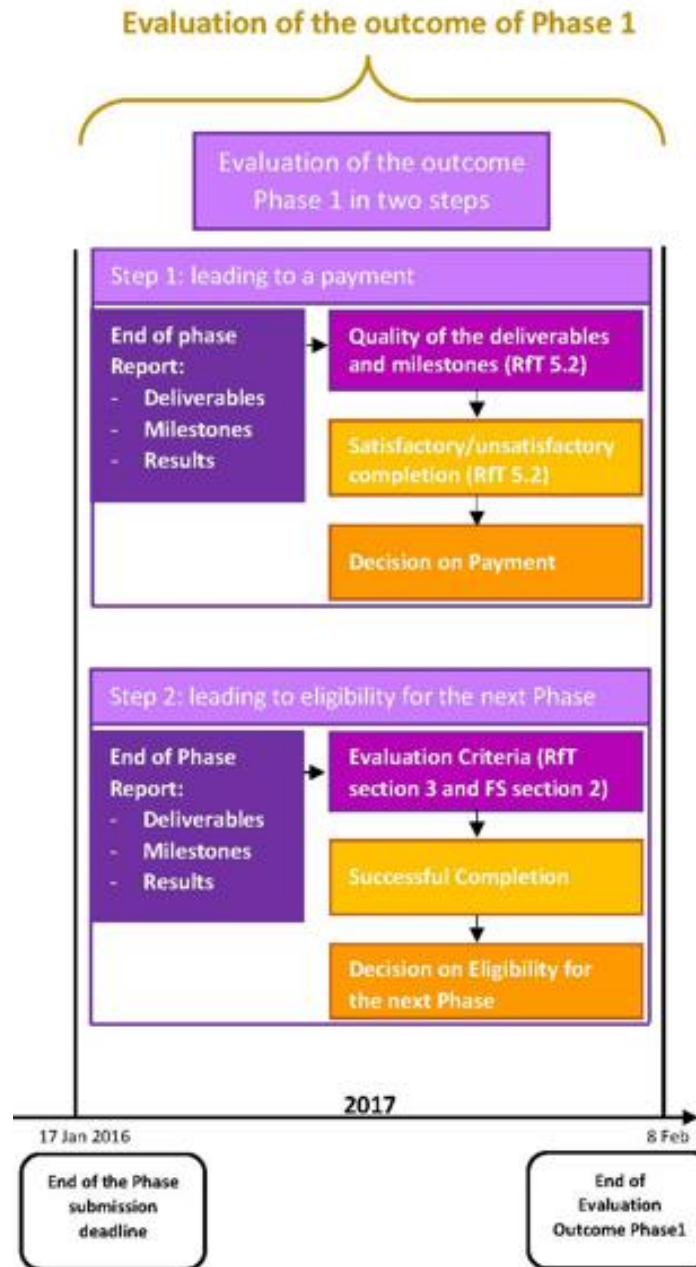
Award criteria Phase 1	Maximum Points	Weight	Reference Document for Assessment of the criteria
A. Non-technical award criteria	40	20 %	Technical Offer
1. Merit of the Resources to be used for the execution of the contract	12	6%	Technical Offer
2. Merit of the technical capacity of the team that will execute the contract	12	6%	
3. Merit of the time schedule	8	4%	Technical offer
4. Commercialisation approach and impact	8	4%	Technical offer
Sub-total non-technical award criteria	40		
B. The Technical award Criteria	100	50%	Technical offer
C. Price	60	30 %	Financial Offer
19. Submit a financial offer according to the Cost Breakdown (Annex F) and the section 3.6.4	60		
TOTAL AWARDED POINTS max	200	100%	

1A	Scoring Guide
0	There is no indication that the Tenderer will meet the scope, because he is clearly failing to address in the Technical offer all of the functional requirements.
1	There is very little indication that the Tenderer is likely to meet the scope, because he is clearly failing to address in the Technical offer the large part of functional requirements.
2	There is little indication that the Tenderer is likely to meet the scope, because he is failing to address in the Technical offer some of the functional requirements.
3	There is some indication that the Tenderer is likely to meet the scope, because he is addressing in the Technical offer the functional requirements with sufficient details.
4	There is indication that the Tenderer will meet the scope, because he is addressing in the Technical offer the functional requirements with good details.
5	There is clear indication that the Tenderer will meet the scope, because he is addressing in the Technical offer all the functional requirements with very high level of details.

Evaluation of the tenderer and the submitted tender



Section 5: Conditions of the contracts





Submission deadline 19 September 2016 at 12:00
(at CERN in the hands of the Procurement Service)



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Senior Procurement Legal Expert

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