



## **Qualification Documents**

Negotiated Procedure over the EEC-threshold for  
the purchase of:

**Integrated Library System (ILS)**

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## 1 Introduction

### 1.1 Background

The BIBSYS organization is a government agency under the Norwegian Ministry of Education and Research and is organized as a part of The Norwegian University of Science and Technology (NTNU). The BIBSYS organization has 45 employees.

The purpose of the BIBSYS organization is to provide cost-effective and high quality information services through cooperation between Norwegian Higher Education (HE) institutions on joint solutions. The BIBSYS organization should acquire, develop and deliver the systems as needed. It shall facilitate cooperative systems and integrated solutions for the benefit of the HE-sector, and provide the public sector with retrieval and access to the catalogues. In addition to the HE-institutions the BIBSYS organization also provides ILS services to The National Library of Norway and other governmental and private institutions. The BIBSYS organization possesses high competence on library automation and information management besides good skills in computing in general. It has several development teams using agile methods (including Scrum). The main system platform is Java Enterprise. The BIBSYS organization operates two server parks. The current solutions are built from combinations of own development, commercial products, open source modules and purchased services.

The BIBSYS consortium has been active for 37 years. The main service is a highly Integrated Library System (ILS) built around a single joint catalogue: More than 100 institutions share the same bibliographic records with addition of their own holdings and classification. Other services, provided to some of the members of the BIBSYS consortium, are a Current Research Information System, Open Institutional Archives, a Federated Search Portal and services for exchange of bibliographic data.

The current ILS is subject for replacement, and the BIBSYS consortium issued a Call for Interest (CFI) to seven major international ILS vendors in March 2009. In the CFI, the BIBSYS consortium asked for both a short-term roadmap and long-term plans.

### 1.2 Objective

The objective of this tender is to purchase a 'next generation' solution for the libraries. The solution must include discovery tools, electronic resource management and link resolver services that are currently divided into separate products. It must take into consideration the changing user behaviour of the 'Google generation'.

The new solution must be in full-scale operation by the end of 2012 and be based on a technology that makes an expected lifespan of a decade or more possible.

The solution must be able to interact with several systems that are, or will be in use in the HE-sector. Initially this includes interaction with e.g. acquisition and invoicing systems. It must support uniform management of the full life cycle of all types of resources. In order to achieve these goals and get a system that will be sufficiently flexible and robust, the architecture used in the system must be fully based on a Service Oriented Architecture.

Responses to the CFI implied that a 'next generation' solution is not on the market today, but that there are initiatives and projects in an early phase. The BIBSYS consortium would like to purchase the final software product. In order to secure that the solution will meet the

expectations, BIBSYS must have sufficient knowledge of the vendors' project as it progresses and have the possibility to influence the direction of the project. The vendor is invited to suggest how this can be achieved.

The BIBSYS consortium needs special adaptations that most likely will not be a part of a standard solution. The BIBSYS organization plans to implement these adaptations in parallel with the vendor's project. BIBSYS must therefore have access to standard services and interfaces at an early stage. In order to obtain this, it will be necessary with further discussions with the vendor.

### **1.3 Announcement**

This tendering process was announced via "Doffin" /"TED"([www.doffin.no](http://www.doffin.no)) on the 01.09.2009.

### **1.4 Scope of supply**

The intention is to purchase a software product, next generation library system with no customer requested adaptations.

The following items must be included:

- Library system software with documentation, training, incl. installation, test and approval
- Software maintenance
- Technical support, incl. optional on-site support
- Step-wise deliveries to support BIBSYS' integration tasks

### **1.5 Division of the Purchase**

There will not be an opportunity to apply for participation for parts of the procurement. Use of subcontractors is permitted.

When subcontractors are to be used, the following applies:

- In the application to qualify, the supplier shall present an overview of the subcontractors and co-workers that might be relevant, and might possibly be used. In addition to this, a summary of their estimated contribution must be presented. A description of the subcontractors shall also be given in connection with the relevant points above, and according to the given outline.
- The supplier must validate that the resources from the subcontractor are at his disposal in the right time. The Purchaser will only deal with a supplier who has submitted the tender, and who have the same responsibility for their subcontractors as for themselves.
- The Purchaser retains the right to approve the choice of subcontractors. Possible economic claims from subcontractors or expenses in this connection shall be carried by the main supplier.
- There shall be a description of how the working relationship between the supplier and subcontractors is consolidated and organised, of whether this is a permanent working relationship, and the aspect of time of the working relationship.
- A short description of the subcontractor's organization, company structure and owner structure should be given, as well as the name of their general manager.

It must be noted that the Purchaser may have existing contracts with various suppliers that could influence deliveries and work included in this delivery. The Supplier must be prepared to co-operate with third-parties during the time when the Purchaser finds it necessary, for the completion of the responsibilities in accordance with this contract.

## 2 Implementation of the Competition

### 2.1 Language

All written and oral communication with regards to this competition shall be in English or Norwegian.

### 2.2 Procurement procedure

This purchase will be conducted in accordance with the Norwegian law for public procurement of 16<sup>th</sup> July no.69 (LOA) and the regulations for public procurement of 7<sup>th</sup> April 2006 (FOA). These regulations are based on the EEC Directives for public procurement.

The procedure for this particular competition, according to FOA part III, §14-1, is a negotiated restricted procedure over the EEC- threshold. The process for purchasing is divided into two steps. Step one is a selection phase based upon answers to the announcement at the Doffin and TED, and this document (qualification documents).

Step 2 is an awarding phase based upon the Tender Documents and an undertaking of possible clarifications. The Tender Documents will be sent to those suppliers who is the best qualified, after step 1 has been completed.

### 2.3 Schedule for the purchasing process

The template below points out some of the central dates of the tendering process

The Client's Tentative Progress Plan	
Date:	Activity:
01.09.2009	Announcement of Contract Notice: Qualification Requirements
21.09.2009	Deadline for Questions regarding the Qualification Documents/Announcement
30.09.2009	Deadline for Answers to Qualification Documents
02.10.2009	Announcement of which Suppliers are qualified for the award round / dispatch of Tender Documents
26.10.2009	Tender Deadline
02.11 – 20.11.2009	Negotiations
30.11.2009	Contract Awarding
03.12.2009	Contract Signed

### 2.4 Supplier's cost from participating

Neither the Invitation to Tender, nor the submission of the Tender, will in any way commit the Purchaser to enter into a contract with the supplier, or involve the Purchaser in any financial commitments.

The costs that the supplier incurred from preparing, submitting and following up the tender process will not be reimbursed.

### 2.5 Number of Suppliers who will be invited to Tender

The Purchaser retains the right to restrict the number of Suppliers who qualify for participation in the awarding round.

The procedure for selection that will be used, is that the "most qualified suppliers" will be chosen. The selection will be based on the specific qualification requirements.

The Purchaser will ensure that all factors regarding this process are documented, and that the process stands up to the principles of equal treatment and transparency.

## 2.6 Contract

The Purchaser will enter into contract with 1 supplier(s).

## 2.7 Number of tenders to be negotiated

The Purchaser can decide that the negotiations will take place in various phases, and reduce the number of tenders to be negotiated, in accordance with FOA §20-11. Such a reduction will be based upon the given awarding criteria. A first reduction on the basis of the awarding criteria can happen before negotiations. The Negotiations will happen in accordance with the general guidelines in FOA § 3-1, as well as the guidelines in FOA § 3-6.

## 3 Requirements to the supplier

### 3.1 Qualifications required from the supplier

The supplier must fulfil the requirements for participation in the selection process in the competition:

#### Signed Participation Application Form

##### 1. Obligatory Requirements:

##### ▪ Requirements: Tax Certificates.

Documentation: Tax certificates, not older than **6 months**. *Tax certificate* refers to:

- The Supplier shall submit a Tax Certificate issued by the appropriate tax authorities in the jurisdiction where the suppliers has it's headquarter office, confirming that the supplier has paid all official taxes.
- For Norwegian Suppliers:
  - Form from the Tax Commission (RF-1244) issued by the /treasury "Skattefogd" for value added tax.
  - Form from the Tax Commission (RF-1244) issued by the municipality treasurer/"kemner/kommunekasserer" for payroll and regular taxes.
- Foreign Suppliers:
  - Foreign suppliers must have corresponding certificates from their authorities which show that they have orderly tax and fee conditions. If the Authorities do not issue such a certificate, the suppliers shall forward a statement confirming that all such taxes have been paid. The Statement shall be confirmed and signed by the suppliers Chief Financial Officer and auditor.

- **Requirements: For work which will be completed in Norway the purchaser requires that all suppliers produce a self-certificate that show that the supplier fulfil, or by the time of awarding, will fulfil the law requirements of Norway regarding health, environment, and security (HES).**

Documentation: HES self-certificate in according to FOA, see appendix 2 about HES.

Suppliers may use the form that follows as appendix 2

## **2. Legal and Financial Position**

**Requirement: Legally established company**

Documentation: Company registration certificate.

**Requirement: Sufficient strength to fulfil the contract.**

Documentation: The supplier's annual accounts including notes and the management and the auditor's report from the past two (2) years.

The purchaser retains the right to demand/obtain information to verify if the Supplier has sufficient financial strength. If the accounts for 2008 are not completed at the deadline for tenders, the accounts for 2006 and 2007, and the current accounts for 2008 should be attached.

## **3. Technical and Professional Qualifications**

**Requirement: experience from similar projects.**

Documentation: Summary of at least 3 relevant projects, time of their accomplishment, confirmed certificate with an description of the project from the receiver, name/telephone number of reference person from the purchasing part (The Purchaser should be able to contact the reference person).

The vendor must provide a list showing delivery of ILS to at least 10 institutions world-wide with minimum 2500 FTE employees in the HE-sector.

Missing documentation or missing information can lead to rejection of the application, in accordance to FOA § 20-12.

Among those suppliers who fulfil the requirements, the purchaser will invite at least 3 and maximum 5 suppliers to negotiations.

## **4 Requirements for the Qualification Documents**

### **4.1 Deadline for Questions regarding the Qualification Documents**

The deadline for questions regarding the Qualification Documents is 21.09.2009 at 14:00. The questions shall be put forth in writing. All communication shall be in English or Norwegian.

All questions and communication regarding this inquiry shall be sent to:

**Firm: NTNU, Innkjøpsseksjonen**

**Contact: Inger Bråttvik Dale**

**Telephone:** +47 73598085 / +47 91897805

**Mail:** Inger.Dale@ntnu.no

The questions will be examined together and answered on a general and anonymous manner. Answers will be sent to all Suppliers by e-mail after the question deadline has passed.

#### **4.2 Deadline for delivering answers to the Qualification Documents**

Answers to the Qualification Requirements will/ shall be delivered by 30.09.2009 at 14:00 at the delivery address mentioned in 4.3.

#### **4.3 Delivery Address**

Application to qualify should be sent or delivered *in a sealed package*:

Should be sent to:

NTNU, Innkjøpsseksjonen  
Att.: Inger Bråttvik Dale  
Hovedbygget, 3 etg  
7491 Trondheim  
Norway

#### **4.4 Labelling**

The envelope(s) containing the tender shall be labelled:

*"Qualification NTNU 66/2009"*

#### **4.5 Requirements of Formulation of the Application**

The application to qualify shall be sent in 2 written copies; 1- one - signed original, and 1 – one – copy. The application should be hardbound in a binder, divided in the following way:

- 1: Signed Application Letter
- 2: Answers to Obligatory Qualification Requirements
- 3: Answers to Legal and Financial Position
- 4: Answers to Technical and Professional Qualifications
- 5: Relevant Attachments

#### **4.6 Evaluation**

The Purchaser will evaluate all received answers and qualified Suppliers will be sent the Tender Documents for the Awarding Round, as soon as it has become clear who has qualified for the next round.

#### **4.7 Corrections, supplements or changes to the Qualification Documents**

All Suppliers who have called for the documents in this competition will be informed in writing of corrections, supplements or changes to the Qualification Documents.

## **5 The Decision / Handling of Answers to the Qualification Documents**

### **5.1 Opening**

There will not be a public opening of Answers to the Qualification Documents.

### **5.2 Rejection**

The rules for rejection in FOA § 20-12 (The Norwegian directive on Public Procurement) will be used. It is recommended that the suppliers know these clauses.

### **5.3 Returning of Answers to the Qualification Documents**

The Purchaser will not return answers to the Qualification Documents.

### **5.4 Confidential Information Handling**

The Purchaser will handle all information from suppliers in a confidential manner. The supplier cannot publicise all or any parts of the request without written consent from the Purchaser.

### **5.5 Reasons**

Suppliers that are not going further to the awarding round will receive a letter explaining the reasons why they were not of interest in this competition.

### **5.6 Attachments**

1. HES-Self Declaration
2. Form for References

## HES-Self Certification

Denne bekreftelsen gjelder:

Firma . . . . .

Adresse . . . . .

Postnr./-sted . . . . .

Land\* . . . . .

Det bekreftes med dette at denne virksomheten arbeider systematisk for å oppfylle kravene i helse-, miljø- og sikkerhetslovgivningen og ved det tilfredsstillende kravene i forskrift om systematisk helse-, miljø- og sikkerhetsarbeid i virksomheten (Internkontrollforskriften) fastsatt ved kgl.res. av 6. desember 1996 nr. 1127 i medhold av lov av 4. februar 1977 nr. 4 om arbeidervern og arbeidsmiljø m.v.

Det bekreftes at virksomheten er lovlig organisert i henhold til gjeldende skatte- og arbeidsmiljøregelverk når det gjelder ansattes faglige og sosiale rettigheter.

Det aksepteres at oppdragsgiver etter anmodning vil bli gitt rett til gjennomgåelse og verifikasjon av virksomhetens system for ivaretagelse av helse, miljø og sikkerhet.

Daglig leder (sign.)

Dato:

Det bekreftes med dette at det er iverksatt systematiske tiltak for å oppfylle ovennevnte krav i helse-, miljø- og sikkerhetslovgivningen.

Representant for de ansatte (sign.)

Dato:

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**\* Concerning foreign contractors the following applies (unofficial translation):**

**The Contractor hereby confirms that through the preparation of this bid, the utmost considerations has been made in order to comply with existing Norwegian legislation regarding health- environment and safety legislations based on the regulation for systematic health- environment and safety work in enterprises (Internkontrollforskriften), settled by Royal Decree 6. December 1996 supported by Norwegian Law 4. February 1977 no. 4 about workers' protection and working environment.**

**The Contractor also accepts that the Purchaser upon request will be given the entitlement to undergo and verify the enterprise' system for protection of health- environment and safety work.**

**Required Signature:**

**General Manager  
(sign.)**

**Date:**

## Certification

The Purchaser	
Task Description	
Time Point/Duration	
Contract Value	
Project Leader	
Project Team	

**Evaluation of:**

Requirement for progress (To what extent is the requirement for progress in the task accomplished?)	
Costs (Has the task been completed within the defined cost limitations? If there is deviation – what is the reason?)	
Dialogue – Co-operation – Service (To what extent has this worked between yourselves and the supplier?)	
Project Team (Give an evaluation of the project leader and the teams ability to complete the task)	
Satisfaction (How satisfied are you overall with the supplier's performance in this task?)	

Representative for the client/ the contractor	
Position in relation to this project	
Date	
The Client's signature	