

Germany-Munich: IT services: consulting, software development, Internet and support
OJ S 77/2021 21/04/2021
Contract award notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: FMS Wertmanagement AöR
Postal address: Prinzregentenstraße 56
Town: München
NUTS code: DE212 München, Kreisfreie Stadt
Postal code: 80538
Country: Germany
E-mail: einkauf-2@fms-wm.de
Internet address(es):
Main address: <http://www.fms-wm.de>

I.4. Type of the contracting authority

Other type: Public institution according to § 99 No 2 GWB (Restriction of Competition Act)

I.5. Main activity

Economic and financial affairs

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Provision of Virtual Data Room Services
Reference number: 20-08-DM-Virtual Data Room

II.1.2. Main CPV code

72000000 IT services: consulting, software development, Internet and support - JA02

II.1.3. Type of contract

Services

II.1.4. Short description

FMS Wertmanagement wishes to engage the services of a virtual data room provider in order to facilitate its ongoing portfolio wind-down through selling financial assets and other financial instruments on the secondary market.

II.1.6. Information about lots

This contract is divided into lots: no

II.1.7. Total value of the procurement

Value excluding VAT: 1,00 EUR

II.2. Description

II.2.3. Place of performance

NUTS code: IE061 Dublin

NUTS code: DE212 München, Kreisfreie Stadt

Main site or place of performance: Dublin/Ireland.

II.2.4. Description of the procurement

FMS-WM wishes to engage the services of a virtual data room provider in order to facilitate its ongoing portfolio wind-down through selling assets and other financial instruments on the secondary market. The virtual data room must allow FMS-WM to share confidential legal and other documentation to prospective transaction purchasers. It must be possible to have multiple independent virtual data rooms running at the same time, with complete confidentiality within each Virtual Data Room. Ease of use for both FMS-WM and potential purchasers is an important consideration. Access to, and document storage in, the Virtual Data Rooms must have strong security protection.

Mandatory requirements:

A. Data room functionality

(a) the data rooms shall be able to deal with DOC, XLS, PDF, TXT, JPG, PPT, RTF, 7z, ZIP, and CSV files (FS1.1);

(b) the data rooms shall support all characters that can be used in Windows file names, i.e., all standard keyboard characters excluding <, >, :, ", /, \, |, ?, and * (FS1.3);

(c) the platform shall be able to have multiple separate data rooms at the same time (up to 12) (FS1.4);

(d) the data rooms shall support 'Drag and Drop' functionality to allow folders and sub-folders to be copied into data room in full, retaining the folder structure (FS1.5);

B. Access to the virtual data rooms

(a) the access for each user should be individually password (FS2.1);

C. Certifications and regulations

(a) the solution shall be ISO27001 certified. A certification of the whole solution provider is a benefit (TS1.1);

(b) the solution as well as the contractual documentation shall be EUGDPR conform (TS1.2);

(c) the Data Centre(s) where the solution is hosted shall be certified (TS1.4);

(d) the website certificate shall be provided by a recognized Trust Centre (e.g. GlobalSign, VeriSign or others) (TS1.5);

D. Data Storage and availability

(a) the data shall be stored within the European Economic Area (EEA) (data centre location) (TS2.1);

(b) the data centre(s) where the solution is hosted shall provide a high level of physical security and reliability (TS2.2);

E. Encryptions, protections and passwords

(a) the solution shall support TLS Version 1.2, 1.3 (1.3 strongly preferred) or higher (TS3.1);

(b) the hosting operation systems shall be hardened according to an industry standard (like CIS, NIST, BSI) (TS3.4);

(c) passwords shall be stored in an encrypted\hashed format (Hash function SHA256 or better strongly preferred) (TS3.8);

F. Availability, incidents and help desk

(a) the solution shall be highly available (at least 99,3 % availability) (TS4.1);

(b) the solution provider shall have an incident management process including a process to inform the client about possible data breaches as soon as possible (TS4.2);

G. Updates and testing

(a) all used hard- and software components shall be regularly updated regarding to a patch management process (TS5.2);

(b) the solution provider shall have a pro-active vulnerability management. All components of the platform solution (webserver, databases, etc.) should receive regular updates. Security patches must be installed on time (TS5.3).

Besides the mandatory criteria, FMS-WM defined several (31) evaluation criteria.

All bidders are obliged to fill out E.4 Specification sheet in order to evaluate the virtual data room capabilities of the corresponding bidder.

II.2.5. Award criteria

Quality criterion - Name: Performance (ease of use, IT security, data security, overall impression) / Weighting: 40

Price - Weighting: 60

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

II.2.14. Additional information

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 192-463089](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Contract No: 20-08-DM-Virtual Data Room

Title:

Provision of Virtual Data Room Services

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

10/02/2021

V.2.2. Information about tenders

Number of tenders received: 7

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 7

The contract has been awarded to a group of economic operators: no

V.2.3. Name and address of the contractor

Official name: Intralinks GmbH

Town: Frankfurt-am-Main

NUTS code: DE712 Frankfurt am Main, Kreisfreie Stadt

Country: Germany

The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 1,00 EUR

Total value of the contract/lot: 1,00 EUR

V.2.5. Information about subcontracting

Section VI: Complementary information

VI.3. Additional information

In addition, reference is made to the information contained in the EU publication and in the letter 'Call for tenders'. No compensation will be granted for the processing and submission of tenders and participation in the tender procedure. Documents submitted are transferred free of charge to the contracting authority. Documents are retained in accordance with legal requirements. After expiry of the statutory retention period, they will be destroyed.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Bundeskartellamt - Vergabekammern des Bundes

Postal address: Villemombler Str. 76

Town: Bonn

Postal code: 53123

Country: Germany

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The admissibility of applications for review is governed by s. 160 GWB. According to s. 160(3) No 1 GWB, an application for review is inadmissible if the applicant detected the alleged infringement in the procurement procedure and did not complain to the contracting authority within a period of 10 calendar days. Infringements that can be detected on the basis of the notification or the tender documents must be reported to the contracting authority at the latest by the end of the tender period (s. 160 (3) No 2 and No 3 GWB).

If the contracting authority states that the complaint will not be remedied, an application for review may only be submitted in writing to the competent procurement tribunal within 15 calendar days of receipt of the notification (s. 160 (3) No 4 GWB), whereby the date of receipt of the application for review by the procurement tribunal is decisive for observance of the deadline. The procedure for the investigation of alleged infringements of the procurement procedure is governed by the provisions of s. 155 ff. GWB.

VI.5. Date of dispatch of this notice

16/04/2021