

DK-Hillerød: financial markets administration services

OJ S 224/2012 21/11/2012

Contract notice

Services

Directive 2004/18/EC

## Section I: Contracting authority

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### I.1. Name and addresses

Official name: Arbejdsmarkedets Tillægspension

Postal address: Kongens Vænge 8

Town: Hillerød

Postal code: 3400

Country: Denmark

Contact person: Arbejdsmarkedets Tillægspension

For the attention of: Data Manager Jesper Lorenzen

E-mail: [atpdata2012@atp.dk](mailto:atpdata2012@atp.dk)

Telephone: +45 48204662

#### Internet address(es):

General address of the contracting authority: <http://www.atp.dk>

#### Additional information can be obtained from:

the abovementioned address

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address

### I.2. Type of the contracting authority

Body governed by public law

### I.3. Main activity

General public services

Economic and financial affairs

Social protection

### I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

## Section II: Object of the contract

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### II.1. Description

#### II.1.1. Title attributed to the contract by the contracting authority

Financial Data Supply Service Agreement.

#### II.1.2. Type of contract and place of performance or delivery

Services

Service category No 6: Financial services a) Insurances services b) Banking and investment services

Main site or place of performance: Arbejdsmarkedets Tillægspension, Kongens Vænge 8, DK-3400 Hillerød, Denmark.

NUTS code DK013 Nordsjælland

### **II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

### **II.1.4. Information about framework agreement**

#### **II.1.5. Short description of the contract or purchase(s)**

Arbejdsmarkedets Tillægspension - which is a pension fund organized as an independent, self-governing institution governed by law - will be the contracting party. The contract will include data supply and associated services to Arbejdsmarkedets Tillægspension as well as its subsidiaries and schemes and entities administered or managed by Arbejdsmarkedets Tillægspension (collectively referred to as ATP in this notice).

The contract notice is divided into 5 parts (lots) as described in Section II.2.1). ATP wishes to have the possibility of choosing a vendor for one, more than one or all the parts. Therefore it is possible to make a tender for one part, more than one or all the parts.

The contracts are to compromise data supply and associated services regarding the portfolios held or managed by ATP at whatever time during the contract period or benchmark portfolios. We expect the contract(s) for which tenders are invited to comprise services relating to data supply, including the supply and quality assurance of price data, static data and security details, interest rates, FX rates and other reference data concerning securities portfolios and financial instruments.

We expect the vendor to adjust their services on an ongoing basis throughout the term.

#### **II.1.6. CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services, 72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

#### **II.1.8. Lots**

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

#### **II.1.9. Information about variants**

Variants will be accepted: no

## **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

The Financial Data Supply Service Agreement will comprise deliverance of data regarding.

(i) Security details & static data – listed or exchange traded securities on a global scale

(ii) Pricing of listed or exchange traded securities on a global scale

(iii) Interest rates on a global scale

(iv) FX data rates on a global scale

(v) FX pips/FX swap prices and settlement days on a global scale.

Vendors that do not deliver data for Danish bonds will be considered to satisfy the requirement to supply on a global scale in (i) and (ii).

Currently ATP daily receives around 5 000 units of data, including around 3 000 units on prices and 2 000 units on interest rates etc. The type or number of units will differ from day to day. Supply of static data will follow the number of units on prices and will therefore be around 3 000 units.

## **II.2.2. Information about options**

Options: yes

Description of options: ATP requires an option for the contract renewal of up to 2 x 12 months.

## **II.2.3. Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: Range: between 1 and 2

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 12 (from the award of the contract)

## **II.3. Duration of the contract or time limit for completion**

Duration in months: 24 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Security details & static data – listed or exchange traded securities.

### **1) Short description**

The service covers data supply of details, static data and other reference data on listed or exchange traded securities. We need daily scheduled updates and ad hoc updates when adding new positions to our portfolios.

### **2) CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services, 72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

### **3) Quantity or scope**

The data must cover a global scale. Vendors that do not deliver data for Danish bonds will be considered to satisfy the requirement to supply on a global scale.

### **4) Indication about different time frame or duration**

### **5) Additional information about lots**

Lot No: 2

Lot title: Pricing of listed or exchange traded securities

### **1) Short description**

The service covers data supply of prices - bid, mid and closing prices - on listed and exchange traded securities and index factors in respect of index-linked bonds, index values and prices.

### **2) CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services,

72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

**3) Quantity or scope**

The data must cover a global scale. Vendors that do not deliver data for Danish bonds will be considered to satisfy the requirement to supply on a global scale.

**4) Indication about different time frame or duration**

**5) Additional information about lots**

Lot No: 3

Lot title: Interest rates

**1) Short description**

The service covers data supply of interest rates:

- swap rates,
- repo rates,
- deposit rates,
- government rates,
- inflation.

Both end of day rates and all quoted ticks should be available.

**2) CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services, 72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

**3) Quantity or scope**

The data must cover a global scale.

**4) Indication about different time frame or duration**

**5) Additional information about lots**

Lot No: 4

Lot title: FX rates

**1) Short description**

The service covers data supply of FX rates.

**2) CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services, 72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

**3) Quantity or scope**

The data must cover a global scale.

#### **4) Indication about different time frame or duration**

#### **5) Additional information about lots**

Lot No: 5

Lot title: FX pips/FX swap prices and settlement days on a global scale

##### **1) Short description**

The service covers data supply of pips on different quotation times over the day. The pips shall include settlement days for the different terms. The pips have to be denominated in local currency.

##### **2) CPV code(s)**

66150000 Financial markets administration services, 66170000 Financial consultancy, financial transaction processing and clearing-house services, 72300000 Data services, 72310000 Data-processing services, 73000000 Research and development services and related consultancy services, 79300000 Market and economic research; polling and statistics, 79310000 Market research services, 79330000 Statistical services, 79311400 Economic research services, 79313000 Performance review services

##### **3) Quantity or scope**

The data must cover a global scale.

#### **4) Indication about different time frame or duration**

#### **5) Additional information about lots**

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions related to the contract**

##### **III.1.1. Deposits and guarantees required**

None.

##### **III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

##### **III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

No particular legal form is required; however, clear allocation of responsibility and liability is a requirement.

Where the Financial Data Supply Service Agreement is awarded to a grouping of service providers, the participants are required to be jointly and severally liable and to appoint a joint attorney-in-fact.

##### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The tender must be able to provide 24 hours service in the period from Monday to Saturday.

#### **III.2. Conditions for participation**

##### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: A signed solemn declaration must be submitted with the tender in relation to unpaid, overdue payments to the public sector, cf. Consolidation Act no. 336 of 13.5.1997 (Act on limitation of debtors' participation in public works contracts, as amended), meaning that all candidates are required to produce a signed solemn declaration demonstrating that they have fulfilled obligations relating to the payment of (i) social security contributions under the law of any part of Denmark or of the relevant State in which the candidate is established and (ii) taxes under the law of any part of Denmark or of the relevant State in which the economic operator is established.

In accordance with 'Bekendtgørelse nr. 712 af 15. juni 2011 om fremgangsmåderne ved indgåelse af offentlige vareindkøbskontrakter, offentlige tjenesteydelseskontrakter og offentlige bygge- og anlægskontrakter' (Executive Order No. 712 of 15.6.2011 on procedures for the award of public works contracts, public supply contracts and public works contracts), all tenders must include a signed solemn declaration that the applicant are not covered by the exclusion criteria in Article 45 in Directive 2004/18/EC of the European Parliament and of the Council of 31.3.2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, meaning that all tenders will be required to produce a signed solemn declaration demonstrating that:

(i) the tender are not bankrupt or the subject of an administration order, are not being wound-up, have not granted a trust deed, are not the subject of a petition presented for sequestration of their estate, have not had a receiver, manager or administrator appointed and are not otherwise apparently insolvent;

(ii) the tender, their directors, or any other person who has powers of representation, decision or control of the tender has not been convicted of conspiracy, corruption, bribery, or money laundering;

(iii) the tender have not been convicted of a criminal offence relating to the conduct of their business or profession;

(iv) the tender have not committed an act of grave misconduct in the course of their business or profession;

(v) the tender comply with the requirements of the State in which they are established, regarding registration on the professional or trade register. Failure to provide such a declaration will result in the candidate being declared ineligible and they will not be selected to participate in this procurement process.

Any tender found to be guilty of serious misrepresentation in providing any information required, may be declared ineligible and not selected to continue with this procurement process.

### **III.2.2. Economic and financial ability**

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

1) A statement of the average annual manpower of the participant for the last financial year. Minimum level(s) of standards possibly required:

1) The candidate must have at least an average annual manpower of 25 persons employed the last financial year.

### **III.2.4. Information about reserved contracts**

### **III.3. Conditions specific to services contracts**

#### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

### **III.3.2. Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

## **Section IV: Procedure**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Open

#### **IV.1.2. Information about the limits on the number of candidates to be invited**

#### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

#### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

### **IV.3. Administrative information**

#### **IV.3.1. File reference number attributed by the contracting authority**

FLS-30-12-13

#### **IV.3.2. Previous publication concerning this procedure**

no

#### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

#### **IV.3.4. Time limit for receipt of tenders or requests to participate**

11.1.2013 - 13:00

#### **IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

#### **IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

#### **IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

until: 30.6.2013

#### **IV.3.8. Conditions for opening of tenders**

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: yes

Estimated timing for further notices to be published: 2-4 years

## **VI.2. Information about European Union funds**

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

## **VI.3. Additional information**

1) Essential requirements for contract:

(i) During the term of the contracts, new institutions, schemes, entities, subsidiaries or subsidiary undertakings placed under the ownership, administration or management of Arbejdsmarkedets Tillægspension or one of the above institutions, schemes, entities or undertakings shall be covered by the contracts on the terms thereof.

(ii) ATP anticipates that the vendor have a data delivery concept/technology that can be proven stable (statistics, customer satisfaction survey or equal).

2) ATP reserves the right to reject one or several services - or parts of the services.

## **VI.4. Procedures for review**

### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud

Postal address: Dahlerups Pakhus, Langelinie Allé 17

Town: København Ø

Postal code: 2100

Country: Denmark

E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

Fax: +45 33307799

Internet address: <http://www.klfu.dk/>

### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: A company's complaint about not being prequalified shall be filed with 'Klagenævnet for Udbud' (the Complaints Board for Public Procurement) within 30 calendar days from the day following the day on which the contracting entity has sent a notification to interested applicants who have been prequalified.

ATP will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers. That notification will provide full information on the award decision. The standstill period, which will be for a minimum of 10 calendar days, provides time for unsuccessful tenderers to challenge the award decision before the contract is entered into. A complaint against the tender must be submitted to Klagenævnet for Udbud (the Complaints Board for Public Procurement) within 6 months from the day following the date of publication of the notice, cf. lov om håndhævelse af udbudsreglerne mv. § 7, stk. 2 (the Act on enforcement of procurement rules, section 7, second paragraph). At the same time the plaintiff shall in writing notify the tender of the complaint lodged with Klagenævnet for Udbud, and whether the application ask for a stay of execution pending the outcome of the complaint, cf. lov om håndhævelse af udbudsreglerne mv. § 6, stk. 3 (the Act on enforcement of procurement rules, section 6, third paragraph).

### **VI.4.3. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark  
E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)  
Telephone: +45 41715000  
Fax: +45 41715100  
Internet address: <http://www.ks.dk/>

**VI.5. Date of dispatch of this notice**

16.11.2012