

**Belgium-Brussels: Study on standards terms and performance criteria in service level agreements for cloud computing services — SMART 2013/0039**

OJ S 252/2013 31/12/2013

Contract award notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: European Commission, DG Communications Networks, Content and Technology

Postal address: BU25 3/131

Town: Brussels

Postal code: 1049

Country: Belgium

For the attention of: Ken Ducatel

E-mail: [cnect-e2@ec.europa.eu](mailto:cnect-e2@ec.europa.eu)

Telephone: +32 22956867

**Internet address(es):**

General address of the contracting authority: [http://ec.europa.eu/dgs/connect/index\\_en.htm](http://ec.europa.eu/dgs/connect/index_en.htm)

Address of the buyer profile: <http://ec.europa.eu/digital-agenda/en/newsroom/all/1374>

Electronic access to information: <https://ec.europa.eu/digital-agenda/en/news/call-tenders-study-standards-terms-and-performance-criteria-service-level-agreements-cloud>

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

European institution/agency or international organisation

**I.3. Main activity**

Other: Communications networks, content and technology.

**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**

Study on standards terms and performance criteria in service level agreements for cloud computing services — SMART 2013/0039.

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

Services

Service category No 10: Market research and public opinion polling services

Main site or place of performance: Contractor's premises.

NUTS code

**II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)****II.1.4.**

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

The study will allow testing of the outputs of a stakeholder based process to develop service level agreements (SLAs) between cloud providers and professional cloud users. Cloud SLAs are particularly hard to define given, inter alia, jurisdictional uncertainty (the applicable law with which the users have to comply), elasticity in service provisioning (making it hard to fix key performance criteria), nested value chains (defining liability is complex).

#### **II.1.5. CPV code(s)**

79314000 Feasibility study

#### **II.1.6. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **II.2. Total value of the contract/lot**

#### **II.2.1. Total value of the contract/lot**

Value: 224 600 EUR  
excluding VAT

## **Section IV: Procedure**

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

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

Open

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

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

The most economically advantageous tender in terms of

1. Understanding of tasks required. Weighting 20
2. Technical quality of the tender. Weighting 60
3. Management. Weighting 20

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

An electronic auction has been used: no

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

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

SMART — 2013/0039.

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

##### **Prior information notice**

Notice number in the OJ S: [2013/S 63-104533](#) of 29.3.2013

##### **Contract notice**

Notice number in the OJ S: [2013/S 115-195520](#) of 15.6.2013

## **Section V: Award of contract**

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Contract No: 30-CE-0600116/00-34

### **V.1. Date of conclusion of the contract**

17.12.2013

**V.2. Information about tenders**

Number of tenders received: 6

**V.3. Name and address of the contractor**

Official name: Time.lex BV CVBA in partnership with Spark Legal Network and Consultancy Ltd

Postal address: Congresstraat 35

Town: Brussels

Postal code: 1000

Country: Belgium

E-mail: [jos.dumortier@timelex.eu](mailto:jos.dumortier@timelex.eu)

Telephone: +32 477338296

Fax: +32 22183141

**V.4. Information on value of the contract/lot**

Total value of the procurement:

Value: 224 600 EUR

excluding VAT

If annual or monthly value:

Number of months: 18

**V.5. Information about subcontracting**

The contract is likely to be subcontracted: yes

Value or proportion likely to be subcontracted to third parties:

Proportion: 44,52 %

**Section VI: Complementary information**

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**VI.1. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
yes

Identification of the project: CIP ICT-PSP 2013 work programme.

**VI.2. Additional information****VI.3. Procedures for review****VI.3.1. Review body**

Official name: General Court

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)

Telephone: +352 4303-1

Fax: +352 4303-2100

Internet address: <http://curia.europa.eu>

**VI.3.2. Review procedure**

Precise information on deadline(s) for review procedures: Within 2 months of the notification to the plaintiff, or, in absence thereof, of the day on which it came to the knowledge of the plaintiff. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.

**VI.3.3. Service from which information about the review procedure may be obtained**

Official name: European Commission, Directorate-General for Communications Networks, Content and Technology, Unit E2: Software and Services, Cloud, attention: Mr Ken Ducatel

Postal address: Office: BU25 3/131

Town: Brussels

Postal code: 1049

Country: Belgium

E-mail: [ken.ducatel@ec.europa.eu](mailto:ken.ducatel@ec.europa.eu)

Internet address: [http://ec.europa.eu/dgs/connect/index\\_en.htm](http://ec.europa.eu/dgs/connect/index_en.htm)

**VI.4. Date of dispatch of this notice**

19.12.2013