

Denmark-Copenhagen: IT services: consulting, software development, Internet and support

OJ S 213/2022 04/11/2022

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: DR

National registration number: 62786515

Postal address: DR Byen, Emil Holms Kanal 20

Town: København S

NUTS code: DK011 Byen København

Postal code: 2300

Country: Denmark

Contact person: Holger Haarløv

E-mail: hobe@dr.dk

Telephone: +45 28542264

Internet address(es):

Main address: <https://www.ethics.dk/ethics/eo#/8f1aea5d-4761-451f-9435-a9b8ff6368a0/homepage>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/8f1aea5d-4761-451f-9435-a9b8ff6368a0/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/8f1aea5d-4761-451f-9435-a9b8ff6368a0/homepage>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/8f1aea5d-4761-451f-9435-a9b8ff6368a0/homepage>

I.4. Type of the contracting authority

Other type: Public service media entity

I.5. Main activity

Other activity: Streaming and broadcasting provider of public service media content

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Quality of Experience (QoE) Solution including related services

II.1.2. Main CPV code

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

II.1.3. Type of contract

Services

II.1.4. Short description

The public service provider DR (Danish Broadcasting Corporation) is Denmark's oldest and largest electronic media enterprise, weekly reaching 96 % of the Danish population. These tender procedure concerns purchase of a Quality of Experience (QoE) Solution. The scope is to provide a real-time QoE Solution for DR which is used for streaming measurement on DR's streaming platforms. For DR to improve users experience on streaming TV and Radio, learning more about the user streaming experience has become significantly important. We see data as the foundation for building better user experiences both on our streaming TV and Radio platforms. DR needs a QoE Solution for collecting data as Real User Monitoring (RUM) in DRs apps (frontend players) for TV and Radio. Probes are not in scope for this offering. Also, please be advised that the estimated total value below cf. section II.1.5) and II.2.6) is for the whole contract period of 7 years, cf. including the possible renewal terms.

II.1.5. Estimated total value

Value excluding VAT: 1 750 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: DK011 Byen København

II.2.4. Description of the procurement

DR's STRATEGIC GOAL AND BACKGROUND: The media consumption habits are changing towards digital platforms. As a result, DR has made it a strategic goal to deliver the same quality and service on the digital platforms as delivered on the traditional broadcast platforms. The market in which DR operates is under radical transformation. Presented with new kinds of digital products and services, the audience expect to access content in different ways - whenever they want, wherever they are, on whatever device. As DR wants to present a competitive digital offering, with a quality and service comparable to that delivered by DR in the traditional broadcast media, DR needs to have a strong focus on meeting these new expectations, as they are an inherent part of the digital experience. To do this DR needs to utilize usage and performance data: to obtain a better understanding of the user and of how DR products are used, to make faster and better data driven decisions to optimize CDN delivery for the end-user, help developer optimize playback and help in end-user support with error/bugs handling reported by the end-users.

KEY FIGURES: The following figures describe DR's current streaming (video and radio) operations in numbers.

- Million viewing hours per month: appx 27 million (20M. for TV and 7M. for radio)
- Monthly million play/ view attempts: approx.. 150 million.
- Year-on-year average and peak bandwidth growth: approx. 20%
- Record 2021 Peak streaming bandwidth: 3,2 Tbps
- Normal Daily peak streaming bandwidth: 0,5 Tbps

- Video plays per day 3.5 million
- Video plays during normal peak hour: 621,000
- Radio plays during normal peak hour: 60,200
- Live streaming radio channels: 30
- Live streaming TV channels: 3 + 3 event channels (24-7)
- Live streaming Ad hoc channels + Accessibility approximately 20.
- Traffic delivered in Denmark: 95, and 5% “rest of the world”

DR's KEY SUCCESS PARAMETERS FOR A SUCCESSFUL DELIVERY OF THE SOLUTION:

For the successful delivery of a competitive digital offering, for a QoE Solution, DR will be focusing on the below listed key strategic goals which the Supplier are to meet:

- A highly stable service with a high degree of resilience and stability in term of usage
- A Solution which can scale depending on the usage of the Solution. This includes scaling during peak-periods
- To provide DR with deep insight to the users of DR services and which quality they experience
- To provide a fast and reliable service and support
- An attractive cost-model providing the ability for DR to grow and fulfil the goals of offering a high-quality service to the users

LOTS: DR has assessed that there is a strong coherence between the services needed to fulfil DR's requirements, and therefore the services are not suited for division. Therefore, the tender is not divided into lots.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Solution requirements / Weighting: 35%

Quality criterion - Name: Use-cases and PoC / Weighting: 15%

Quality criterion - Name: Implementation, training and support / Weighting: 12%

Quality criterion - Name: Sustainability / Weighting: 3%

Price - Weighting: 35%

II.2.6. Estimated value

Value excluding VAT: 1 750 000,00 EUR

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 84

This contract is subject to renewal: yes

Description of renewals:

The contract will have a maximum duration of 7 years from the commencement date.

Accordingly, the contract period consists of a base period of 4 years with the possibility of extending the contract up to a maximum of 3 (three) times - each extension period having a duration of 12 (twelve) months i.e. a total contract period of up to 84 months.

II.2.10. Information about variants

Variants will be accepted: no

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 III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

The minimum requirements for financial capacity are as follows: 1) A solvency ratio of at least 10% for each of the last three financial years. The solvency ratio must be calculated using the following formula: $\text{Equity} \times 100 / \text{assets} = \text{Solvency ratio}$, and 2) A positive equity for each of the last three financial years. The Tenderer's economic and financial capacity and technical and professional capacity are assessed based on the Tenderer's information in the ESPD, part IV. Minimum level(s) of standards possibly required:

The minimum requirements are as described above.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The Tenderers must in the ESPD describe at least 3 (three) and a maximum of 5 (five) relevant references from Solutions of a similar nature and capacity executed and finalized within the last 3 (three) years.

Minimum level(s) of standards possibly required:

“Solutions of a similar nature and capacity” means a QoE solution implemented and operated for a entity in which data for both video and radio (live and on-demand) has been implemented in a single Solution. The media entity can be both a public service media entity (publicly or privately owned) or a fully commercial privately owned entity. The references must not be older than 3 (three) years based on the deadline for receipt of bids cf. clause 4 above. This means that the reference may have begun earlier than (3) three years prior to the deadline, but it must not have been completed earlier than (3) three years prior to the deadline. The references should be in a form where DR clearly can derive that the Tenderer have provided a Service of similar nature and capacity. This is fulfilled by clearly describing the below listed elements. Accordingly, a reference should include A-D. The references should also include a description of E where the references show implementation of the Solution in the listed players. One reference can include more than one player integration. All E.1-E.3 should be described across the minimum three (3) references.

A) The economic value of the contract, dates for start and end of the contract, and the name of the customer organization (If for confidentiality reasons the Tenderer cannot disclose the name of the customer organization a generic description will suffice e.g., “medium-size fully commercial and privately owned media entity established in Italy”).

B) A description of how the Tenderer has implemented the proposed Service in the reference organization focusing on configuration, metrics, alerts etc.

C) A description of the platforms that the Solution has been integrated into.

D) A description of the handling of the monthly capacity and demand for real-time data preferably like DR's capacity.

E) A description of the integration into video and audio players in the organization including description of player types e.g., native, custom.

E.1. One reference must show implementation of the Solution in SmartTV (HbbTV)

E.2. One reference must show implementation of the Solution in AppleTV

E.3. Two references must show implementation of the Solution on iOS and Android

The references must be in accordance with the Danish Public Procurement Act article 155(1) (2). The references must be listed in the ESPD document. If information cannot be disclosed for confidentiality reasons, this must be indicated. If DR is in doubt as to whether a reference fulfils the requirements mentioned above, DR will – to the extent possible i.e., without compromising the basic procurement law principles of equal treatment and transparency – seek the necessary clarification by contacting the Tenderer. If DR is prevented from assessing a reference's relevance or scope due to confidentiality reasons or any other reasons, the reference will not be considered. In case a Tenderer include more than five references, only the first five references that are listed in the ESPD will be included in the assessment or based on the timestamp of the uploaded ESPD's.

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: yes

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 07/12/2022 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 4 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 07/12/2022 Local time: 12:01

Place:

DR Byen, Emil Holms Kanal 20, 2300 Copenhagen S, Denmark-DK

Information about authorised persons and opening procedure: Chief consultant Holger Koertz Haarløv, DR

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic invoicing will be accepted

VI.3. Additional information

VERIFICATION OF INFORMATION IN THE ESPD:

Before DR's decision to award the contract, DR must demand that the Tenderer, which DR intends to award the contract to, present documentation for the information stated in the ESPD. The documentation concerns the requirements made for the Tenderer's personal affairs (exclusion grounds cf. the Tender Conditions section 9.2) and financial and technical capacity (suitability cf. the Tender Conditions section 9.3). If the presented documentation is not adequate, DR will declare the bid non-compliant. DR will then assess if DR wants to cancel the procurement procedure or ask the Tenderer that has submitted the second best bid, under the award criterion in clause 9.5, to present documentation for the information given in the ESPD for the purpose of awarding the contract to this Tenderer. If the documentation is not sufficient, DR will again assess if the procurement procedure should be cancelled or if the third Tenderer should be requested to submit documentation, and so on.

Businesses registered in Denmark: As documentation regarding the exclusion grounds, DR will demand that a service certificate is produced from the winning Tenderer (according to section 153(1) of the Danish Public Procurement Act). The obtained service certificate must contain the following:

- Information that the winning Tenderer as a business has complied with its obligations to the public as regards payment of taxes, charges and contributions to social security schemes,
- Information that the winning Tenderer as a business is not in bankruptcy, liquidation, restructuring or a similar situation, and
- Information that the winning Tenderer as a business (and managerial staff and persons having authorisation to represent, control or make decisions in the management of the business) has not been sentenced for any crimes.

DR accepts Danish service certificate until 6 months after they are issued. In addition to the service certificate, DR will require the Tenderer to document his financial capacity by submitting (extracts from the) annual accounts for the last 3 years or statement(s) from a registered auditor cf. section 154 of the Public Procurement Act.

European businesses: For businesses registered in a European country, the documentation must comply with the applicable rules for documentation in the country in which the Tenderer is established. European countries can make use of eCertis, which is an information system that helps businesses with identifying which documentation (including certificates) is required in the tender procedures across the EU. Please be aware that eCertis is a reference tool and not a system for legal advice. There is no guarantee that the results of the search in eCertis complies with what is required by DR.

Non-European businesses: For businesses not registered in a European country, the documentation must follow the rules for documentation implemented in the country in which the Tenderer is established. Non-European businesses cannot use eCertis.

NOTIFICATION OF THE RESULT OF DR'S EVALUATION OF THE BIDS:

All participants in the procurement procedure will be informed simultaneously and in writing of the result of DR's evaluation of the bids. The notification to the winning Tenderer that its bid has been identified as the winning bid, is a declaration that DR intends to award and thus conclude an agreement with said Tenderer. There is no binding agreement or a promise to that effect until the contract has been signed by both parties. The contract is signed immediately after expiry of the stand-still period, unless during this period an official complaint is submitted to the Public Contracts Appeals Board. DR does not consider the procurement procedure completed until the contract has been signed.

Notification about the result of the procurement procedure will also be announced in the Official Journal of the European Communities in compliance with applicable rules to that effect.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Klagenævnet for udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

E-mail: kfu@naevneneshus.dk

Telephone: +45 72405708

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

A review procedure must be initiated before 45 days after DR has published a notice in the EU Official Journal that DR has entered into a contract with the winning Tenderer. The deadline is calculated from the day after the day where the notice has been published in the journal.

VI.4.4. 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

Telephone: +45 41715000

Internet address: www.kfst.dk

VI.5. Date of dispatch of this notice

31/10/2022