

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

OJ S 248/2019 24/12/2019

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Udviklings- og Forenklingsstyrelsen

National registration number: 39883783

Postal address: Osvald Helmuths Vej 4

Town: Frederiksberg

NUTS code: DK01 Hovedstaden

Postal code: 2000

Country: Denmark

Contact person: Lauge Bruun

E-mail: Lauge.Bruun@UFST.DK

Telephone: +45 72370861

Internet address(es):

Main address: <https://www.ethics.dk/ethics/eo#/3c8ac55c-bc9e-4666-8085-4dc897aa9849/homepage>

I.1. Name and addresses

Official name: Toldstyrelsen

Postal address: Slet Parkvej 1

Town: Tranbjerg

NUTS code: DK022 Vest- og Sydsjælland

Postal code: 8310

Country: Denmark

Contact person: Lauge Bruun

E-mail: Lauge.Bruun@UFST.DK

Telephone: +45 72370861

Internet address(es):

Main address: <https://www.toldst.dk/>

I.2. Information about joint procurement

The contract involves joint procurement

The contract is awarded by a central purchasing body

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/3c8ac55c-bc9e-4666-8085-4dc897aa9849/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#/3c8ac55c-bc9e-4666-8085-4dc897aa9849/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#/3c8ac55c-bc9e-4666-8085-4dc897aa9849/homepage>

I.4. Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.5. Main activity

Economic and financial affairs

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Tender for the Delivery, Operation, Maintenance and Support of a Customs Control and Reporting System including a Gateway (ICS2 Gateway)

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 purpose of the tender is to procure a control and reporting system that amongst others will replace the current risk information system ('RIS') and enable the Danish Customs Agency to become compliant with the union customs code (hereafter 'UCC') according to the deadlines in the European Commission's Multi-Annual Strategic Plan (MASP).

The control and reporting system will support the customs employees in selecting shipments for control, performing customs controls and documenting the selection and control processes in compliance with UCC and national legal requirements. To ensure compliance with UCC, the customer will through this tender procure the control and reporting system including a gateway to handle communication with the EU's import control system (hereafter 'ICS2 Gateway') and implement the functionality and integrations to support the relevant control and risk reporting processes.

II.1.5. Estimated total value

Value excluding VAT: 500 000 000,00 DKK

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

72000000 IT services: consulting, software development, Internet and support, 72200000 Software programming and consultancy services, 72230000 Custom software development services, 72240000 Systems analysis and programming services, 72260000 Software-related services, 72253100 Helpdesk services, 72253200 Systems support services, 72254000 Software testing, 72510000 Computer-related management services, 72222300 Information technology services, 72250000 System and support services, 72253000 Helpdesk and

support services, 72310000 Data-processing services, 72590000 Computer-related professional services

II.2.3. Place of performance

NUTS code: DK0 Danmark

II.2.4. Description of the procurement

The purpose of this tender procedure is to procure a control and reporting system that amongst others will replace the current risk information system ('RIS') and enable the Danish Customs Agency to become compliant with the Union Customs Code (hereafter 'UCC') expectedly according to the deadlines in the European Commission's Multi-Annual Strategic Plan (MASP).

The control and reporting system will support the customs employees in selecting shipments for control, performing customs controls and documenting the selection and control processes in compliance with UCC and national legal requirements. The functionality of the control and reporting system will support the following value streams in the Danish Customs Agency:

- 1) Risk identification and profiling;
- 2) Risk analysis of declarations;
- 3) Risk assessment and control decision;
- 4) Control of declarations;
- 5) Control of released declarations;
- 6) Post-audit control.

Additionally, the requirements to the above mentioned business processes will be further structured according to the various customs areas:

- 1) Import;
- 2) Export;
- 3) Transit;
- 4) Special Procedures,
- 5) Entry;
- 6) Post-audit.

To ensure compliance with UCC, the customer will through this tender procure the control and reporting system including a gateway to handle communication with the EU's import control system (hereafter 'ICS2 Gateway') and implement the functionality and integrations to support the relevant control and risk reporting processes. The entire solution consisting of both the control and reporting system and the ICS2 Gateway is expected to be implemented according to the deadlines in the MASP.

The customer has conducted market dialogues demonstrating that there are standard systems that will be suitable to replace the current RIS System. In order to ensure a fast implementation process and compliance with the MASP deadlines, the customer prefers a high degree of UCC compliant control and reporting functionality present in the standard system.

The customer expects the supplier to have in-depth knowledge in the customs domain and especially of the UCC and MASP. The customer will use an agile approach for implementation with close collaboration and co-location at the customer location.

This tender process includes the procurement of the following services:

- 1) Licenses to control and reporting functionality and ICS2 Gateway functionality supporting the control and reporting system and the ICS2 Gateway;
- 2) Parameterization/configuration/development of the control and reporting system and the ICS2 Gateway;

- 3) Development of a number of integrations to the customers' other customs systems, including the declaration management system 'DMS' tendered for in a separate tender process published at <https://ted.europa.eu/TED/notice/udl?uri=TED:NOTICE:462423-2019:TEXT:EN:HTML> as well as integrations to the costumers existing risk assessment system (hereafter 'RAS') as well as a number of integrations to EU customs systems to be handled by the ICS2 Gateway;
- 4) Implementation of the functionality including training. The implementation project is subject to comprehensive interdependencies to the DMS tender procedure and other implementation projects forming parts of the customers programme plan as further described in the tender material. The supplier must expect to carry out this project working in a multi-supplier setup alongside other system integrators;
- 5) Operation, maintenance and support of the procured control and reporting system and ICS2 Gateway;
- 6) Further development and changes.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Business functionality / Weighting: 25 %

Quality criterion - Name: Technical solution / Weighting: 20 %

Quality criterion - Name: Delivery / Weighting: 20 %

Quality criterion - Name: Operation, maintenance and support / Weighting: 15 %

Cost criterion - Name: Economy / Weighting: 20 %

II.2.6. Estimated value

Value excluding VAT: 500 000 000,00 DKK

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

Duration in months: 120

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 3
Objective criteria for choosing the limited number of candidates:

The selection of candidates that are invited to tender will be based on an assessment of the candidates with the most relevant similar references, cf. Section III.1.3).

In the assessment references demonstrating experience with parameter 1), cf. Section III.1.3) are evaluated more positive than references demonstrating experience with parameter 2).

References demonstrating experience with parameter 2), cf. Section III.1.3) are evaluated more positive than references demonstrating experience with parameter 3).

References demonstrating experience with parameter 3), cf. Section III.1.3) are evaluated more positive than references demonstrating experience with parameter 4).

References demonstrating experience with parameter 4), cf. Section III.1.3) are evaluated more positive than references demonstrating experience with parameter 5).

References demonstrating experience with all or most of the parameters 1) — 5) will be evaluate more positive than references demonstrating experience with 1 or just a few of the parameters 1) — 5), cf. Section III.1.3).

Please note that any ambiguities and/or incomprehensibilities in the information submitted under Section III.1.3) may be regarded negatively in the evaluation when selecting the limited number of candidates.

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

The contract will have no fixed expiration day, but will run until terminated. The estimated value in Section II.2.6) is based on a 10 year period. The customer has decided not to divide the tender into lots since the tender concerns a critical it-system which is to be used across the Danish customs sector.

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:

List and brief description of selection criteria:

- 1) The applicant shall submit information on the applicant's annual turnover for the last 3 audited financial years. The information shall be stated in the European Single Procurement Document, Part IV.B 'General yearly turnover', cf. Section VI.3) below;
- 2) The applicant shall provide information on the applicant's equity for the last 3 audited financial years. The information shall be stated in the European Single Procurement Document, Part IV.B 'Other economic or financial requirements', cf. Section VI.3) below. In the event UFST requires documentation for the above, the applicant must provide the 3 latest audited annual financial reports. If these are not in English or Danish, the applicant is asked to also provide an English translation.

Reference is made to Section VI.3) with regard to the applicant's possibility of relying on the capacity of other entities.

Minimum level(s) of standards possibly required:

- 1) The applicant must have achieved an annual turnover of at least 500 000 000 DKK in each of the preceding 3 audited financial years;
- 2) The applicant must have achieved a positive equity of at least 100 000 000 DKK in each of the preceding 3 audited financial years.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

A description of the applicant's most important completed or ongoing deliveries within the last 5 years up until the date of request for pre-qualification. The reference will be assessed with regard to the part of the reference that has been carried out in the period from the date of request for pre-qualification and 5 years back in time. If a reference includes deliveries prior to this period, the applicant must describe which parts of the reference that was carried out within the relevant 5 year period prior to request for pre-qualification. It must be identifiable to the customer which parts of the references that have been delivered within the 5 years period and whether these deliveries are either development, implementation, operation and maintenance, etc.

The applicant must deliver a maximum of 5 references which are comparable with the present procurement, cf. Section II.1.4) and II.2.4) in this contract notice.

Each reference should include the following information:

- a description of the specific delivery,
- information on the reference customer,
- information on when the project was carried out (start and end date if it has ended and specification on what part of the reference that has been carried out within the 5 year period prior to the date of request for pre-qualification),
- information on the estimated contract value of the reference (if possible),
- information on the applicant's role and responsibility in the delivery.

References demonstrating the following experience are evaluated positively:

- 1) The applicant's reference's similarity with the present procurement: It will be weighted positively if the reference demonstrates experience with a similar technical solution, cf. Section II.1.4) and II.2.4) and implementation project based on an assessment of the material and functional scope of the delivery, contract value and volume of transactions,
 - (a) development/configuration/parametrisation and/or implementation of a customs solution implementing the UCC;
 - (b) development/configuration/parametrisation and/or implementation of a Control and Reporting System delivered within the EEA;
 - (c) development and/or implementation of a gateway with multiple integrations, asynchronous integrations and a very high volume of transactions.
- 2) The applicant's reference customer's similarity with UFST and TOLDST: it will be weighted positively if the reference customer is similar to UFST and TOLDST and thus if the reference demonstrates an implementation project of a complex character, for example a project with several integrations, interdependencies to other systems in the implementation project, experience with working in a multi-supplier setup alongside other system integrators and working with a public customer with a comparable need for governance structure;
- 3) Agile cooperation in similar projects following an agile model such as SAFe or similar;
- 4) Operation of large complex solutions similar to the present procurement, cf. Section II.1.4) and II.2.4).

The customer will emphasize the above parameters when evaluating whether the references are comparable with the present procurement, cf. Section II.1.4) and II.2.4) in this contract notice. Points 1)-5) are listed in a prioritized order meaning that experience with point 1) is evaluated more positive than experience with point 2) and so forth, cf. Section II.2.9) of this contract notice.

Minimum level(s) of standards possibly required:

The applicant must with a minimum of 1 reference demonstrate experience with:

- 1) Customs project within the EEA with regards to the delivery of a comparable IT-system;
- 2) Operation of a large complex solution similar to the present procurement.

The experience can be demonstrated in either 1 collective reference or in multiple separate references.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The agreement is based on an agile framework and contains requirements for agile cooperation. Tenderers must be prepared to handle the customer's need for agile cooperation, development and implementation of the solution.

Section IV: Procedure

IV.1. Description

IV.1.1.

Type of procedure

Competitive procedure with negotiation

IV.1.3. Information about a framework agreement or a dynamic purchasing system**IV.1.5. Information about negotiation****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: 23/01/2020 Local time: 13:00

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: 6 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

In accordance with the Danish Act on Public Procurement (Act No 1564 of 15.12.2015 — available at www.retsinformation.dk) § 148, the customer must demand that the applicant completes the European Single Procurement Document (ESPD) as preliminary evidence in replacement of certificates issued by public authorities or third parties confirming that the applicant fulfills the requirements listed in § 148(1) of the said Act.

The ESPD is available on Ethics at the URL stated in Section I.3) of this contract notice together with the rest of the tender documents. The ESPD should be completed via ethics. The applicant shall complete the ESPD, Part II A, B and C, Part III A, B and C, Part IV B, C and D and Part V. Hereafter the ESPD should be submitted via 'Tender documents'.

According to § 144 of the said Act, an applicant may rely on the economic, financial and/or technical capacity of other entities, regardless of the legal nature of the links between the entities. Where an economic operator wants to rely on the capacities of other entities, it shall as part of the application prove to the customer that it will have at its disposal the resources necessary, for example by producing a commitment by those entities to that effect.

An applicant who relies on the capacity of other entities shall ensure that the customer receives the applicant's own ESPD together with a separate ESPD with the relevant information for each of the entities that the applicant relies upon. Finally when groups of entities, including temporary joint ventures, participates in the tender procedure together, each of the participating entities must complete a separate ESPD with the information required in Part II-IV.

Prior to a decision on the award of the contract, documentation for the information stated in the ESPD must be produced, cf. §§ 151-155 of the said Act. At any stage of the tender procedure, the customer further reserves the right to request an applicant/tenderer to submit documentation, if this is required to ensure that the procedure is conducted correctly. The customer shall exclude an applicant/tenderer from participation in the tender procedure if the applicant/tenderer is subject to 1 of the mandatory and voluntary exclusion grounds in §§ 135, 136 and 137, subsection 1(1), (2) and (5) of the said Act. The applicant/tenderer shall submit information in this respect in the ESPD. Special attention is drawn to the fact that certain voluntary exclusion grounds have been made mandatory in § 136 of the Act. Applicants are asked to submit applications for pre-qualification via Ethics (URL stated in Section I.3) of this contract notice).

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: klfu@naevneneshus.dk

Telephone: +45 72405600

Internet address: <https://naevneneshus.dk/start-din-klage/klagenaevnet-for-udbud/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Pursuant to Section 3 of the Danish Consolidation Act No 593 of 2.6.2016 on the Complaints Board for Public Procurement (available at www.retsinformation.dk), the following time limits for filing a complaint apply:

Complaints regarding a candidate not being pre-qualified must be filed with the Complaints Board for Public Procurement within 20 calendar days starting the day after the contracting authority has sent notification to the candidates involved, cf. § 7(1) of the Act on The Complaints Board for Public Procurement, provided that the notification includes a short account of the relevant reasons for the decision.

Other complaints must in accordance with § 7(2) of the Act on the Complaints Board for Public Procurement be filed with the Complaints Board for Public Procurement within:

- 1) 45 calendar days after the contracting authority has published a contract award notice in the Official Journal of the European Union (with effect from the day following the publication date);
- 2) 30 calendar days starting the day after the contracting authority has informed the tenderers in question, that the contracting authority has entered into a contract based on a framework agreement through reopening of competition or a dynamic purchasing system, provided that the notification includes a short account of the relevant reasons for the decision;
- 3) 6 months starting the day after the contracting authority has sent notification to the candidates involved that the contracting authority has entered into the framework agreement, cf. § 2(2) or § 171(4) of the Public Procurement Act, provided that the notification included a short account of the relevant reasons for the decision;
- 4) 20 calendar days starting the day after the contracting authority has published a notice concerning its decision to uphold the contract, cf. § 185(2) of the Public Procurement Act.

The complainant must inform the contracting authority of the complaint in writing at the latest simultaneously with the lodge of the complaint to the Complaints Board for Public Procurement stating whether the complaint has been lodged in the standstill period, cf. § 6(4) of the Act on

the Complaints Board for Public Procurement. If the complaint has not been lodged in the standstill period, the complainant must also state whether it is requested that the appeal is granted delaying effect, cf. § 12(1) of the said Act.

The email of the Complaints Board for Public Procurement is stated in Section VI.4.1).

The Complaints Board for Public Procurement's own guidance note concerning complaints is available at the internet address stated in Section VI.4.1).

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

20/12/2019