

**Norway-Oslo: IT services: consulting, software development, Internet and support**  
**OJ S 248/2022 23/12/2022**  
**Contract award notice**  
**Services**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Oslo kommune v/ Plan- og bygningsetaten

National registration number: 971 040 823

Postal address: Boks 364, Sentrum

Town: Oslo

NUTS code: NO081 Oslo

Postal code: 0102

Country: Norway

Contact person: Marte Grøttumsbraaten

E-mail: [marte.grottumsbraaten@pbe.oslo.kommune.no](mailto:marte.grottumsbraaten@pbe.oslo.kommune.no)

Telephone: +47 21802180

**Internet address(es):**

Main address: <https://www.oslo.kommune.no/plan-bygg-og-eiendom>

Address of the buyer profile: <https://eu.eu-supply.com/ctm/Company/CompanyInformation/Index/332821>

**I.4. Type of the contracting authority**

Regional or local authority

**I.5. Main activity**

General public services

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**Section II: Object**

**II.1. Scope of the procurement**

**II.1.1. Title**

Procurement of a consultant for the case and archive system Doculive

Reference number: 202208085

**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**

Oslo Municipality, c/o the Agency for Planning and Building Services [Plan- og bygningsetaten (PBE)] has entered into a consultant contract with the single-person company Sivert Magnus Kalvik, business no. 929 618 807.

The contract is for consultancy assistance for necessary maintenance and adjustments of the agency's case and archive system, DocuLive, with the associated integrated systems and data storage/flow until the agency gradually goes over to Plan & Build 360 from 2023.

The contract is being entered into without a contest after a voluntary ex-ante transparency notice. No appeals were received.

#### **II.1.6. Information about lots**

This contract is divided into lots: no

#### **II.1.7. Total value of the procurement**

Value excluding VAT: 4 000 000,00 NOK

### **II.2. Description**

#### **II.2.2. Additional CPV code(s)**

72230000 Custom software development services, 72246000 Systems consultancy services, 72262000 Software development services, 72261000 Software support services, 72263000 Software implementation services, 72265000 Software configuration services, 72266000 Software consultancy services, 72600000 Computer support and consultancy services, 72320000 Database services

#### **II.2.3. Place of performance**

NUTS code: NO081 Oslo

Main site or place of performance: The Agency for Planning and Building Services's offices in Oslo.

#### **II.2.4. Description of the procurement**

A voluntary ex-ante transparency notice is being published in accordance with the public procurement regulations (PPR) § 21-5 in order to enter into an assistance contract with the consultant without a contest pursuant to the PPR § 13-4 b number 2.

#### **II.2.5. Award criteria**

Price

#### **II.2.11. Information about options**

Options: yes

Description of options:

The framework agreement will be valid for one year, with additional options for a further 1+1+1 years, totalling 4 years.

#### **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**

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#### **IV.1. Description**

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

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- The procurement falls outside the scope of application of the directive

Explanation:

Over a period of four to five years, the Agency for Planning and Building Services [Plan- og bygningsetaten (PBE)] will phase out the current case/archiving system DocuLive and switch over to TietoEvr's professional system Plan & Build 360°.

Until the new professional system is in place, the agency must be able to maintain and adjust DocuLive and accompanying systems in order to ensure maintenance of the agency's production, public solutions and compliance with the relevant legislation. Furthermore, significant work must be completed for prepare for the phasing out of DocuLive as the agency's case and archiving system before and during changeover to the new professional system.

DocuLive has been the agency's case and archiving system since 1998, and over the years, much of the functionality of the various modules in the software and in the accompanying systems has been tailored to the agency's processes, activities, public systems and infrastructure.

Assessment of the supplier market:

The original supplier of DocuLive, TietoEvr, has not offered regular support and maintenance contracts since 2018, when the software was removed from their portfolio. Due to this, the

Agency for Planning and Buildings Services has used a contract with TietoEvr for consultancy services for necessary maintenance and adjustments. As the developer and owner of DocuLive, they are the only company that as

had the competence and the specific know-how that the agency needs.

In mid 2022, the contract with TietoEvr was terminated as their only consultant with expertise in

DocuLive Planning and Building applications, Sivert Kalvik, left on pension. Sivert Kalvik is now offering these services from a separate company that is the only supplier on the market.

Key personnel in the agency have acquired some competence in the operation and maintenance of

DocuLive and accompanying infrastructure/systems. In addition, the agency has a need for consultancy assistance during

this period with the necessary specific "know how" for the necessary maintenance and adjustment of DocuLive with the accompanying integrate solutions and data storage/transfer.

DocuLive with the accompanying solutions and infrastructure are business-critical for the agency, while

the portfolio is comprehensive and also tailored to the agency's production over 20 years.

The hired consultant must, in addition to their primary assignments, collaborate with and act as a consultant to

these key personnel as well as employees and hired personnel in the Agency for Development and Competence where

required due to the use of the municipality's central ICT services. The working language will be Norwegian.

Assessment in accordance with the Public Procurement Regulations (PPR):

The contract will be entered into without a contest cf. the PPR § 21-5 pursuant to the PPR § 13-4 b number 2 which makes it possible to make a procurement without a contest if the contest is "impossible due to technical reasons". The provision refers to parts of article 32 in directive 2014/24 where it is stated that the exception only applies if a "reasonable alternative or replacement" cannot be found.

The Ministry of Trade, Industry and the Fisheries' guidance on the public procurement regulations P-2017-933

point 18.3.3.2 assumes that the exception will apply if "the service requires specific 'know-how'" that "only a specific provider has at its disposal".

The contracting authority is also required to undertake positive action to check whether there is a

market for the procurement. It is not sufficient to claim that there is only one supplier, cf. the EU lawcourt case C-275/08 Commission v. Germany, section 61-63.

As far as PBE knows of the market, only the chosen consultant can offer the 'know-how' and competence required by the contracting authority.

#### **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: [2022/S 228-657889](#)

##### **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**

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**Contract No:** 1

**Title:**

Contract consultant DocuLive

A contract/lot is awarded: yes

#### **V.2. Award of contract**

##### **V.2.1. Date of conclusion of the contract**

12/12/2022

##### **V.2.2. Information about tenders**

Number of tenders received: 1

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

##### **V.2.3. Name and address of the contractor**

Official name: Sivert Magnus Kalvik

National registration number: 929 618 807

Postal address: Sandakerveien 88  
Town: Oslo  
NUTS code: NO081 Oslo  
Postal code: 0484  
Country: Norway  
The contractor is an SME: yes

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

Total value of the contract/lot: 4 000 000,00 NOK

**V.2.5. Information about subcontracting**

**Section VI: Complementary information**

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**VI.3. Additional information**

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: Oslo Tingrett  
Postal address: Postboks 2106 Vika  
Town: Oslo  
Postal code: 0125  
Country: Norway  
E-mail: [oslo.tingrett@domstol.no](mailto:oslo.tingrett@domstol.no)  
Telephone: +47 22035200  
Internet address: <https://www.domstol.no/no/domstoler/tingrett/oslo-tingrett/>

**VI.4.2. Body responsible for mediation procedures**

Official name: KOFA  
Postal address: Zander Kaaes gate 7  
Town: Bergen  
Postal code: 5015  
Country: Norway  
E-mail: [post@knse.no](mailto:post@knse.no)  
Telephone: +47 55193000  
Internet address: <https://www.klagenemndssekretariatet.no/klagenemnda-for-offentlige-anskaffelser-kofa>

**VI.4.4. Service from which information about the review procedure may be obtained**

Official name: Oslo kommune v/Plan- og bygningsetaten  
Postal address: Boks 364 Sentrum  
Town: Oslo  
Postal code: 0102  
Country: Norway  
E-mail: [postmottak@pbe.oslo.kommune.no](mailto:postmottak@pbe.oslo.kommune.no)  
Telephone: +47 21802180

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

21/12/2022