

TENDER INVITATION AND REGULATIONS

**FILE TRANSFER PLATFORM**

**NRK-MA3308/20T**

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## 1. GENERAL DESCRIPTION

### 1.1 Contracting authority

Norwegian Broadcasting Corporation, subsequently named NRK, invites you to participate in a simplified Tender procedure under the EU and national threshold values.

The purpose of this tender procedure would be to give NRK a better understanding of today's market situation and subsequent procurement of a state-of-the-art file transfer service and related tools and functionality described in the specifications.

Primarily, NRK wants a supplier with relevant experience related to media services as described in these documents. We also seek to engage suppliers who provide a majority of our requirements that aim to solve the rest of our "challenges". Ability to integrate with an API with our existing systems will in both cases be relevant.

### 1.2 About NRK

NRK is the public broadcasting corporation in Norway with main responsibility to produce and distribute radio and television programs for the entire Norwegian population. NRK also delivers a comprehensive portfolio of Internet, mobile and text-TV content. With approximately 3400 employees NRK is a nationwide business and it is the largest media company in Norway. NRK is characterized by its diversity, which is partly reflected by the fact that over 120 professions are represented among the employees.

Besides the HQ at Marienlyst in Oslo, NRK is located in Karasjok with NRK Sápmi. NRK also has regional centers in Trondheim, Bergen and Tromsø, as well as regional offices in Alta, Bodø, Ålesund, Førde, Stavanger, Kristiansand, Porsgrunn, Fredrikstad, Oslo and Lillehammer. Several of the regional offices also have one or more local offices.

The Norwegian Broadcasting Corporation (NRK) offers the Norwegian public a wide range of content with three national TV-channels, 14 national radio-channels and the website nrk.no.

The broadcaster is state-owned and the Parliament (Stortinget) has given [the mandate and the owner-role to the Ministry of Culture](#).

NRK has been given a special mandate to be a non-commercial, politically independent public broadcaster.

### 1.3 Tender purpose and scope

Norwegian Broadcasting Corporation Ltd (NRK) is facing an increasing demand for exchanging a larger amount of media files between our main facilities and collaborative partners anywhere in the world. We are looking for a hi-efficient, safe and easy-to-use file transfer solution that we can grow with and potentially integrate with our existing editing platform and MAM system.

For technical specifications please refer to the technical requirements document.

### 1.4 Number of suppliers

Contracting Authority will enter agreement with one supplier only.

## 1.5 Structure of the tender notice

The tender notice consists of:

- Tender invitation and regulations (this document) (docx)
- Technical requirements (docx)
- NRK's standard procurement terms and conditions (pdf)

## 1.6 Announcement of the procurement and

The procurement has been announced at [mercell.no](https://mercell.no) (reference NRK - MA3308/20T)

## 1.7 Schedule/ Important dates

The tender procedure is carried out in accordance with this overall and tentative milestone plan presented in the table below. Suppliers will be notified if Contracting Authority decides to change the schedule.

Activity	Date
Date of publication	30 <sup>th</sup> of January 2020
Deadline for tenders	13 <sup>th</sup> of February 2020, 12:00 CET
Evaluation of offers	Week 8 and 9, 2020
Ordering	Week 11, 2020
Expected delivery time (at latest)	1 <sup>st</sup> April 2020

## 2. RULES FOR THE IMPLEMENTATION OF THE TENDER COMPETITION

### 2.1 Procurement procedure

This procurement is carried out in accordance with Norwegian Act of 17th June 2016 with regulations for public procurements. The procurement shall be made by means of a limited offer competition in accordance with part I of the Regulations for public procurements.

In a limited procedure, the Contracting Authority (CA) can limit the number of Contractors invited to submit a tender.

The CA will reserve the right to open negotiations on the received bids if needed or accept them as are. The bidder should therefore not rely on the CA to open negotiations and must therefore submit their best offer by the deadline for submission.

## 2.2 Confidentiality and disclosure

The Contracting Authority, the beneficiary and their employees are obligated to prevent others from gaining access to, or knowledge of, information about technical devices and procedures or operating and business matters which for competition reasons should be kept secret, cf. § 3-6 of the "Regulations on public procurements", cf. Public

Administration Act § 13.

The Contracting Authority acknowledges that the general public has the right to access the tender offers and the procurement protocol after the contractor has been chosen, cf. the Freedom of Information Act of 16 May 2006, no. 16, regarding the right of access in public sector agencies, see § 23(3), cf. "Regulations on public procurement" § 7-4.

The Contracting Authority is obligated to comply with the obligation to provide guidance, cf. the Freedom of Information Act § 11.

If a request for access is made, Contracting Authority is committed to make its own assessment of the demand for access against the legal framework.

## 2.3 Validity period

**Tenders must remain valid for one month after the deadline for tenders.**

## 2.4 Additional information, communication concerning the procurement

This procurement will be managed in the Mercell portal. The suppliers will be allowed to access, via the portal, the tender documentation and other correspondence relating to the procurement, and to submit an electronic version of the tender.

Any questions related to the tender documents or the procurement must only be submitted via [www.mercell.no](http://www.mercell.no). Enquiries must be labelled with a case number: "MA3308/20T".

Responses to other enquiries cannot be expected. Attempts to acquire information or influence NRK staff involved in the procurement could lead to rejection or cancellation of the tendering procedure.

Questions received will be reviewed and answers in a general, anonymous fashion and will be distributed continuously via [www.mercell.no](http://www.mercell.no), from which email notifications to the contacts of all suppliers invited to participate will be generated.

If you have any questions about how to use Mercell, please contact Mercell Support on +47 21 01 88 00 or by e-mail: [support@mercell.com](mailto:support@mercell.com).

## 2.5 Correction, supplementation or amendment of the tender documentation

If the supplier becomes aware that the tender documentation could include potential errors or unclear points, or that files sent cannot be read as anticipated, it is the obligation of the supplier to notice the Contracting Authority in order to have the error corrected or the unclear points clarified.

Contracting Authority reserves the right to make necessary amendments to the tender documentation. The deadline for tenders could be extended accordingly, where necessary.

### 3. CONTRACTING AUTHORITY'S PROCESSING OF TENDERS

#### 3.1 Tender opening

Tenders will be opened at NRK's premises by at least two representatives of NRK immediately after the expiry of the deadline for tenders. Suppliers will not be permitted to be present when the tenders are opened.

#### 3.2 Cancellation

It should be noted that it will not be possible to specify significant reservations to the contract terms or the tender documentation. Furthermore, the Contracting Authority will be obliged to reject tenders which contain reservations, errors, ambiguities, incomplete sections or similar which cast doubt over how the tender is to be evaluated in relation to other tenders.

#### 3.3 Award criteria

The selection will be based on the most financially and technically beneficial tender offer, based on the following criteria:

Award criteria	Weight	Description/subcriteria
The offered products suitability and quality	60 %	When assessing this criterion, the Contracting Authority will evaluate the extent to which the tender meets the requirements. A complete assessment of what will be covered by the tender will also take place, including: <ul style="list-style-type: none"> <li>a) Suitability for meeting the needs and general product requirements</li> <li>b) The technical and performance quality of tendered system/tools</li> </ul>
Price level	40 %	<b>Contracting Authority will assess the total price offered.</b>

CA wishes to assess the scope and consequences of any reservations to the terms of the agreement, as well as any criteria and requirements from the supplier. These will be assessed under the "Prices" criterion if the condition is deemed to be of economic value, or under the other award criteria if they are deemed to be of significance to these.

### 4. REQUIREMENTS FOR THE TENDER

#### 4.1 Tender content and structure

Suppliers are asked to note in particular that all descriptions of requested and provided services must be as complete and as transparent as possible.

Contracting Authority requests that responses be kept as concise as possible in relation to what suppliers are asked to describe. Extensive use of references to brochures or other general information where someone has to look for the necessary information could reduce your chances to win this contract. The responses to each section should be kept brief and precise. Though, they must still enable us to assess whether you fulfil requirements and purpose of this procurement.

Tenders may include specifications/documentation providing complete and detailed information on relevant options and functionality, including technical specifications etc.

The tender documents must be compiled as specified in the table below. The following documentation must be included in the tender:

Part	Description
1.	Cover letter or Signed Company Statement (see last page of this document) <ol style="list-style-type: none"> <li>a. The full name, address and exhaustive contact information for the supplier, including contact information for the person responsible for the tender.</li> <li>b. The supplier's understanding of section 2.1 above concerning Confidentiality and disclosure.</li> <li>c. Deadline for period during which offers are binding.</li> </ol>
2.	Answers and prices filled out in the technical requirements document.
3.	Your standard terms (if any)

## 4.2 Language

Tenders can be written in Norwegian or English. The contract will be in English.

## 4.3 Number of copies

The tender delivery in [mercell.no](http://mercell.no) must comprise:

- One complete copy version labelled "ORIGINAL" as stated in section 5.1 above.
- One copy labelled "CENSORED COPY" as stated in section 2.2 above.

It should be noted that it is the responsibility of the supplier to ensure that electronic documents are named correctly in accordance with the above templates and that the electronic deliveries are correct and coincide.

## 4.4 Reservations and deviations

If the bidder makes reservations against parts of the Tender notice, this must be clearly stated in the tender offer. The conditions must be specified with consequences for performance, price or other matters related to the tender scope and purpose.

The same applies to deviations. Any reservations or deviations shall be precise and unambiguous so that the Contracting authority can consider them without contacting the bidder. Reservations and deviations must refer to the relevant sections in the tender documentation and be well described. Significant reservation and deviations may lead to rejection of the offer.

Any reference made by the bidder to standardized terms of delivery or the like will be considered a reservation if these deviate from the current Tender notice.

#### **4.5 Alternative tenders**

As is also stated in the announcement, submission of alternative tenders is not permitted beyond what is stated in this tender documentation. Alternative tenders will be rejected; cf. section 4.4 above.

#### **4.6 Amendment and withdrawal**

Tenders may be withdrawn or amended up to the expiry of the deadline for tenders via the Merzell portal.

Amended tenders are to be regarded as new tenders, and these must be formulated in compliance with the tender requirements as specified above.

#### **4.7 Costs for participation in the tendering procedure**

Suppliers will prepare and submit tenders at their own expense and risk. Thus, Contracting Authority accepts no financial responsibility for discontinued work or other expenses in connection with suppliers' participation in the tendering procedure.

#### **4.8 Cancellation of the tendering procedure and total rejection**

Contracting Authority reserves the right to cancel the tendering procedure if there are reasonable grounds for doing so.



## 5. TENDER FORM

Cover letter or Signed Company Statement

(Please use this form or copy paste this page into your cover letter)

Company:			
Organization Number:			
Address:			
Zip/City			
Phone:			

Contact:			
Phone:		Mobil no:	
E-mail:			

We hereby confirm that our company, within the specified area of supply, commits to provide the resources necessary for contribution to the fulfillment of the contractual obligations in case of contract award.

The supplier's understanding of section 2.2 above concerning Confidentiality and disclosure:

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The supplier accepts the NRK standard procurement terms and conditions.

The bid remain valid for three months after the deadline for tenders as stated in section 1.10 above, or until a contract has actually been signed if this takes place before the expiry of the validity period.

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Place                      Date                      CEO (or authorised sign.)