



INVITATION TO TENDER

Purchase of content (eInstants) through Remote Gaming Server(s)

Lotteries Entertainment Innovation Alliance AS
(LEIA)

Deadline for submission of Tender March 15th 2023

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1 GENERAL INFORMATION

1.1 The Customer

Lotteries Entertainment Innovation Alliance AS (“LEIA”) is a joint venture between five European lotteries (Danske Lotteri Spil, la Francaise des Jeux, Norsk Tipping, Svenska Spel and Veikkaus) established in October 2018 as a tool for the lotteries to strengthen their positions in their respective local markets. LEIA has established a marketplace and all the lotteries will be connected to this in order for them to utilize the services and games of LEIA. LEIA is focusing its operation on the game verticals of digital lottery games and draw games.

The Client contact information is:

Lotteries Entertainment Innovation Alliance AS (LEIA)
Måsåbekkvegen 20,
N-2315 Hamar, NORWAY

1.2 Scope of Procurement

LEIA intends to enter into framework agreements with one or several professional partners to deliver content through an RGS-integration to LEIA and its customers.

The framework agreements will apply for 4 years from the time the contract is signed. It is assumed that the bidders when submitting offers accept the attached contract terms. Any deviations to the contract shall be stated in the offer letter. Any deviations not stated in the offer letter shall have no binding effect for LEIA.

1.3 Regulations and expectations

LEIA is representing 5 lotteries within 5 different legislations. Most content will be possible to adapt to all local markets, but there are certain limitations within each jurisdiction. These local requirements are set forth in Appendix 1, attachments A-E, and may limit the outtake and the localization processes.

Further, as LEIA is representing 5 lotteries with local monopoly rights within their local jurisdiction it is required that all Suppliers are aware of and compliant to the LEIA Code of Conduct specified in Appendix 8 with special attention towards Article 7, Conflict of Interest.

1.4 Partial Bids

Partial applications/tenders to the main contract will not be accepted, it is not mandatory to bid for the Option in Chapter 8 in Appendix 1. It is however acceptable to establish partnerships and utilize subcontractors in the tender and to deliver only on the main requirements as specified in Chapters 1-7 in Appendix 1.

1.5 Size of Procurement

LEIA estimate that purchasing services for a contract period of 4 years is in the range of 3-6 million Euros. The calculation is based on the primary part of the contract not including the option. The optional part of the contract is not estimated but can be a substantial opportunity for the suppliers depending on the needs from the lotteries. The Maximum outtake on the framework agreement is 8 million Euros. LEIA has, however, no obligation to perform any purchases under the agreement.

1.6 Award of Contracts under the Framework Agreement

Procedures for award of contracts (“call-offs”) is further described in the framework agreement section 2.1.

Award criteria for the award of assignments in connection with the implementation of mini competitions shall not be confused with award criteria for the competition for the framework agreement itself. Award criteria for the framework agreement itself are specified in chapter 5.

1.7 Announcement

The competition is announced in the DOFFIN database (www.doffin.no) and in the European database TED (<https://ted.europa.eu/>).

1.8 Important Dates

LEIA has set up the following timeframes for the process:

Activity	Date
Deadline for submitting questions to the tender documents	28.02.2023
Submit of qualification documentation deadline	15.03.2023 at 12:00 CET
Tender deadline	17.04.2023 at 12:00 CET
Negotiations finalized	10.05.2023
Award of contract	01.06.2023
Contract signing	Week 26/27
Abidance Period	3 Months after tender deadline

The procurement timetable is tentative and may be subject to changes at LEIA’s discretion. Changes will be communicated to all interested parties.

Project plan from chapter 6 in Appendix 1:

ID	Main Milestone	Month/Year
MM1	Contract(s) signed	Est. July 2023
MM2	Startup meeting	Est. August 2023
MM3	Subsequent delivery phase(s) complete	Est. November 2023
MM4	Launch of first LEIA lottery	TBD
MM5	Launch of second LEIA lottery	TBD
MM6	Launch of third LEIA lottery	TBD
MM7	Launch of fourth LEIA lottery	TBD
MM8	Launch of fifth LEIA lottery	TBD

The timetable is tentative and may be subject to changes at LEIA’s discretion. Changes will be agreed with the Supplier.

2 GENERAL RULES OF PROCUREMENT

2.1 Procurement Procedure

This procurement is conducted under the Norwegian law for public procurement of 17th June 2016 (LOA) and the regulations for public procurement of 12th August 2016 no. 974 (FOA). These regulations are based on the EEA Directives for public procurement. This procurement is estimated to be above the EEA-threshold value and will therefore follow the regulations in Part I and Part III in FOA.

In this competition there will be negotiations. Tenderers are encouraged to give their best tenders as this qualifies for the negotiation process. There will however be an opportunity to improve the offerings during the negotiation period. Furthermore, please note that tenders containing significant deviations from the tender documents shall be rejected, pursuant to FOA § 24-8 (1) b. The contracting authority may reject tenders containing deviations from the tender documents, vagueness's etc. that are not considered insignificant, pursuant to FOA § 24-8 (2) a. The tenderer is urged to familiarize himself with the regulations concerning rejection of tenders in FOA.

2.2 Amendments to Tender Documents

Any corrections, supplementations, or changes to the tender, as well as questions and answers in anonymized form, will be communicated to all suppliers who have registered their interest in the acquisition on the Merzell platform, cf. section 6 below.

2.3 Additional Information

If the Supplier finds that the tender does not provide sufficient guidance, he may ask in writing for additional information from the client at the client's contact person. If errors are found in the competition basis, it is requested that this be communicated in writing to the client's contact person. Written request for additional information is market: "Tender competition – Name of the procurement" and sent to the client's contact person by e-mail.

3 QUALIFICATION REQUIREMENTS, ESPD ETC.

In order to have his offer evaluated, the Supplier must complete the electronic declaration form (ESPD), cf. section 3.4, that the Supplier meets all of the eligibility requirements stated below, cf. sections 3.1 to 3.3.

LEIA prefers that all documentation is submitted with the application. LEIA will, however, allow later submission upon a deadline set by LEIA before entering the final stages of negotiations.

3.1 Proof of business registration and legal standing

Requirement	Document proof
The Supplier shall be registered in an enterprise register, professional register or a trade register in the state the supplier is established.	<ul style="list-style-type: none">Norwegian companies: Certificate of establishment from the Norwegian business register (NO: Foretaksregisteret)Foreign companies: Proof that the company is registered in an enterprise register, professional register or a trade register in the state provider is established.

3.2 Proof of tenderer’s economic and financial standing

<i>Requirement</i>	Document proof
The Supplier shall have sufficient financial capacity to fulfil the contract.	Credit rating based on the latest known accounting figures. The rating shall be carried out by a professional and solid credit reference institution that have a license to conduct such activities. Creditworthiness without security requirements will be sufficient to meet the requirement. If this threshold is not met by the supplier, added documentation/guarantees will have to be presented.

If the Supplier has reason not to provide the documentation required by the client, he may document his financial and financial capacity by presenting any other document that the client deems appropriate.

3.3 Proof of professional qualifications and organizational capacity

<i>Requirement</i>	Document proof
The Supplier shall have experience from comparable assignments.	The Supplier shall provide at least 3 relevant assignments performed the last 2 years that includes the assignment’s overall content, value, time, and recipient. This requirement shall also include at least 1 reference from lotteries outside LEIA.
The Supplier shall have sufficient capacity to handle the framework agreement	A description of the Supplier’s organization, work force, location, and scalability to handle LEIA as a customer.

3.4 About European single procurement document (ESPD)

European Single Procurement Document (ESPD) is a self-declaration of the business’ financial status, abilities, and suitability for a public procurement procedure. It is available in all EU languages and used as preliminary evidence of fulfilment of the conditions required in public procurement procedures across the EU.

As a preliminary documentation for fulfilment of the qualification requirements and proof of that there are no grounds for rejection of offer, the tenderer shall fill in the ESPD document via the Mercell platform.

Tenderers may be excluded from the competition if the information in the ESPD is seriously misrepresented, withheld or cannot be complemented with supporting documents.

3.5 Purely national rejection grounds

The Norwegian procurement regulations go beyond what is specified in the EU Directive on Public procurement and in the standard ESPD form. Please notice that all rejection grounds listed in FOA §24-2, including the purely national rejection grounds apply in this competition.

The following rejection grounds in the Norwegian Public procurement regulations § 24-2 are purely national rejection grounds:

§24-2 (2): The contracting authority must reject a tenderer when it comes to his knowledge that the economic operator has been convicted or has accepted a fine on the mentioned criminal act(s). The demand for exclusion on accepted fines on criminal act(s) is a purely Norwegian demand.

24-2 (3) litra i: The exclusion grounds in the ESPD form apply only to grave professional misconduct, whereas the Norwegian exclusion ground also includes other serious mistakes that may cause doubt about the tenderer's professional integrity.

4 SUBMISSION OF TENDER

The tender shall be submitted via <http://www.mercell.com/>.

Tenders submitted by e-mail or via other channels than stated above will be rejected from the competition.

If the tenderer is not a user of Merccell, or if there are questions related to the functionality of the system, for example how to submit a tender, please contact Merccell Support on telephone: (+47) 21 01 88 60 or by e-mail: support@mercell.com.

It is recommended that the tenderer becomes well acquainted with the system used for submission and begins submitting the tender well in advance of the deadline.

The tender and all its attachments must be submitted in English.

The tender shall contain the following:

1. Tender Letter

The Tenderer shall confirm that the tender is made without deviations or clearly specify if there are any deviations to the tender documents in a tender letter. The tenderer must confirm in the tender letter that the tender is valid in its entirety until the date given in section 1.7. The tender letter shall also state name and contact details for a contact person for the tender process.

All suppliers shall in the tender letter confirm that they fulfill all requirements and expectations set out in the LEIA Code of Conduct in appendix 8. Where relevant the supplier shall submit documentation concerning:

- **Any ongoing or expected lawsuits or governmental investigations including, but not limited to, bribery, corruption, human-rights, fair competition, money laundering and GDPR/data-protection**
- **Any operations or contractual relationships the Supplier currently has or plans to enter into with legal or physical persons that offer gaming products to consumers in violation of the laws within the LEIA jurisdictions (Denmark, Finland, France, Norway, or Sweden).**

Violations of the above will most likely lead to exclusion of the tender.

2. Response to Appendices

The tenderer shall fill out the appendices according to the given instructions in these.

3. Price Matrix

Completed price matrix in accordance with instructions in appendix 5.

5 AWARD CRITERIA

Contract will be awarded to the tenderers offering the best price-quality ratio based on the award criteria as specified below. The award criteria will be weighted accordingly. LEIA will choose between 2 to 3 of the best suppliers based on the award criteria. The final number will be decided based on the quality of the tenders, the tenderers capacity, and a sufficient scope of competence to secure the best possible services for LEIA in the framework agreement period.

#	<i>Award criteria</i>	<i>Weight</i>
A	Suppliers strategy and portfolio	40%
B	Integration	10%
C	Process	20%
D	Prices	30%

5.1 Specification of award criteria

Award criterion category A: Suppliers strategy and portfolio.

Under award criterion A, one will evaluate the market-understanding of the Supplier, the portfolio and the innovativeness of the Supplier including new features, together with the Suppliers understanding of the game requirements and its flexibility on localization.

Award criterion category B: Integration.

Under award criterion B, one will evaluate the Suppliers ability to acknowledge and understand the APIs, the integration pattern and game elements, integration of sub suppliers, native coding, and LEIA specific integration requirements.

Award criterion category C: Process

Under award criterion C, one will evaluate the working methodology that will be used towards LEIA including the game development processes, the project management and the resources offered to LEIA.

Award Criterion category D: Pricing and pricing provisions

Under award criterion D, one will evaluate the prices and terms offered.

5.2 OPTION Specification of award criteria

It is voluntary to submit an offer for the option.

#	<i>Award criteria</i>	<i>Weight</i>
E	Teams and experience	35%
F	Process	35%
G	Prices	30%

Award Criterion category E: Teams and experience

Under award criterion E, one will evaluate the resources offered, the capacity of the teams, the experience and the references provided to develop replica and/or other game categories.

Award Criterion category F: Process

Under award criterion F, one will evaluate the game development process and the progress plan used to develop games for LEIA.

Award Criterion category G: Prices

Under award criterion G, one will evaluate the prices and terms offered.

5.3 Notification of award

When the evaluation process is completed, all tenderers will receive written notice of the award, together with the grounds for selection. A deadline for appeals will also be detailed.

The notification will be provided in due time before contract signature.

5.4 Contract signature

Contract signature will take place after the deadline for appeals has expired. An agreement is not binding until it is signed by both parties.

6 ATTACHMENTS

The following appendices form part of this Invitation to tender:

Attachment 1: Framework Agreement including attachments