

Qualification Document 30/2010

Template for limited tendering according to Part I and
Part II of Regulations for Procurements below EEA
Threshold Values

for purchasing of

Consultancy Work in support of

**“Final symposium and close-out reporting on NATO
DAT POW project “Defence Against Mortar
Attacks””**

for delivery to

Forsvarets forskningsinstitutt (FFI)
Norwegian Defence Research Establishment

July 9th 2010

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1 GENERAL DESCRIPTION

1.1 The customer

Forsvarets forskningsinstitutt (the Norwegian Defence Research Establishment, hereafter named FFI) is a civilian institution of research directly answerable to the Norwegian Ministry of Defence. The establishment has 660 employees, of whom 450 are research scientists and engineers who are engaged in the development of technology and expertise to enable Norway to maintain a modern and effective national defence. FFI is a multidisciplinary enterprise covering such fields as mathematics, physics, information technology, chemistry, biology, medicine, psychology, political science and economics. It is located at Kjeller near Lillestrøm, and also has a smaller division at Horten. For more information, please see our internet web pages www.ffi.no.

1.2 Objective of the procurement

FFI is tasked by the Norwegian MOD to lead the NATO project "Defence Against Mortar Attacks" (DAMA). The project is the 9th initiative under the NATO CNAD Programme of Work for Defence Against Terrorism and was started by the Netherlands in 2005. Norway's tenure as lead nation started in May 2008 and is planned to be completed by the end of 2010.

The work to be conducted will support the planning, organization and execution of the DAMA symposium 2010, the final event for the project, to be held on 1-2 December at Bodø Main Air Station, as well as support the preparation of appropriate summary and other close out documents to be delivered to NATO.

1.3 Anticipated value of the contract

The estimated value of this procurement is in of the order of NOK 500,000 and thus below the threshold for EEA announcements; hence the decision to follow the regulations in Part II of the "Regulations on Public Procurement".

1.4 Composition of the tender document

The tender document consists of this template and its associated attachments:

1. "DAMA Toobox" document collection on CD (Annex A). Will be sent afterwards to qualified tenderers.
2. HES statement regarding health, environment and safety. (Annex B)
3. General Purchase Conditions, Form 5052 (March 2008) (Annex C)

1.5 Announcement of contract notices / invitation for tenders

Contract notices/invitations to submit tenders will be publicly announced in the Norwegian national tender notification service DOFFIN www.doffin.no .

1.6 Other information

In the event a supplier feels that the guidelines in the tender document are unclear, or that there are errors in the document, the supplier may submit a written request for more information to the customer through Mercell Sourcing Service's Procurement Tool, KGV (Norwegian, "Merzell Konkurransgjennomføringsverktøy", or KGV).

1.7 Corrections, supplementary information, or changes to the tender document

The customer reserves the right to make corrections, provide supplementary information or make changes to the tender document as long as these adjustments are not of a substantial nature.

Revisions, corrections, supplementary information, or changes to the tender document will be sent to all recipients of the original document immediately. Announcements concerning revisions, corrections, supplementary information or changes to the tender document will be made electronically on DOFFIN through the Mercell Procurement Tool (KGV).

1.8 Progress schedule

The customer has established the following timescale for the process:

Task	Target dates
Qualification	
Announcement in DOFFIN	9 July 2010
Deadline for delivering qualification documents	19 July 2010 by 1200 p.m
Opening of qualification documents	19 July 2010 by 1200 p.m
Qualification of Tenderer finished	20 June 2010
Competition	
Tender document sent to qualified Tenderer	20 July 2010
Deadline for submission of Tenders	26 July 2010 by 1200 p m
Opening of Tenders	26 July 2010 by 1200 p m
Meeting/communication for purposes of clarification or negotiations	Week 30, 2010
Evaluation	Week 30, 2010
Selection	
Awarding of contract and notification to other tenderers	Primo August 2010
Disputes – deadline for submission of tenderer complaints	Mid August 2010
Signing of contract	Mid August 2010
Project start	Mid August 2010
Final report, project end	February 2011

Please note that the target dates following the opening of tenders are intended as a guideline only and may be subject to change.

2 RULES FOR THE SUBMISSION OF TENDERS

2.1 Procurement procedure

Procurements are to be made according to the Law of Public Procurement of 16 July 1999 (Norwegian, "*Lov om offentlige anskaffelser av 16. juli 1999*" or LOA), and the Regulations Governing Public Procurements of 7 April 2006, no. 4022 (Norwegian, "*Forskrift om offentlige anskaffelser (FOA) av 7. april 2006 nr. 4022*"). The procurement process will be conducted through the system of limited tendering in accordance with Part I and Part II of the Regulations (below the EEA threshold value). The type of procurement is "Purchase of services" and negotiations are permitted.

All interested Tenderers may take part in the competition and ask for the qualification documents. The tender document is thereafter sent to all qualified tenderes which in that way are invited to participate in the competition.

Norwegian Ministry of Defence regulations on procurement will be adhered to where the Law of Public Procurement (LOA) or the Regulations Governing Public Procurement (FOA) do not apply.

2.2 Language

All written and oral communication with regards to this competition shall be in Norwegian or English.

2.3 Merzell Sourcing Service's Purchasing Tool (KGV)

The competitive tendering process will be administered through use of Merzell Sourcing Service's Purchasing Tool (KGV). All inquiries concerning the invitation to tender should be made through the Merzell communication module so that they may be documented and registered. Verbal responses and descriptions will not be considered unless they are formally documented in writing.

Please contact Ragnar Synstad or Rune Johansen at Merzell support +47 21 01 88 60 with questions. If assistance is needed after 1700, please contact: Une Moslet at +47 97 58 92 62.

2.4 Qualification requirements

The supplier must fulfil the qualification requirements for participation in the selection process in the competition:

Documentation of the qualification requirements is added under "Kvalifikasjonskrav" in Merzell and answered as described under pkt 3 "Qualification Requirements" in the Tender Document.

To be qualified for participation in the competition all the requirements must be answered with "Ja" and valid documentation must be attached.

The project documentation on CD, called "DAMA Toolbox", will be sent afterwards only to Tenderer who is qualified.

2.5 Electronic signature

In this connection there will be asked for electronic signature for validation of the identity of the supplier. Electronic signature can be provided from www.commfides.com, www.buypass.no or www.bankid.no. We call attention to that it may take some weeks to receive electronic signature. Suppliers who download tenders after the tender due date will be rejected.

Merzell Kundesenter, tlf +47 21 01 88 60 will assist suppliers who need technical support regarding the Merzell tool or electronic signature.

2.6 Confidential information

According to § 23 in the Law Relating to Public Access to Documents in the Public Administration (Norwegian Freedom of Information Act or in Norwegian, "*Offentleglova*"), information contained in public procurement tenders may be held in confidentiality until the contract has been awarded. After that, barring other extenuating circumstances such as business confidentiality or issues of national security, the information contained in the tenders may be made public. If the tender or parts of it should remain confidential, also after the contract has been awarded, this should be clearly stated in the tender at the time it is submitted.

2.7 Client Confidentiality

FFI and its employees are obliged to prevent that persons not concerned are admitted access or knowledge to information concerning technical arrangements, procedures, management or business matters that for security reasons should be kept secret. cf. FOA § 3-6, jf. forvaltningsloven § 13.

2.8 Use of FFI name for marketing purposes

Vendors must obtain permission from FFI in order to use the business relationship between FFI and the vendor following the award of a contract for advertising/marketing purposes. This restriction applies to any form of advertising, both internal and external, whether in word, speech or image.

2.9 Deadline for submission

The deadline for submission of the documentation of quality requirements is set to Monday 19 July 2010 by noon (1200 p.m.). Later submissions will be rejected.

2.10 Exceptions and deviations

If a tenderer wishes to make certain exceptions and stipulations to certain parts of the tender document, this should be clearly stated in the tender. These provisos should be clearly specified in the bid, and their implication for performance, price or other relevant factors should be clearly stated.

The same terms apply to deviations. Exceptions and deviations should be formulated precisely and clearly so that the purchaser can assess them without having to contact the supplier. Exceptions and deviations should refer to the relevant point in the tender document and should be specified and discussed in a

separate enclosure (see point 2.5.). Exceptions and deviations of a substantial nature will result in the tender being refused.

2.11 Subcontractor

FFI desires to work with a single source vendor who can document the desire and capability of assuming responsibility for the entire delivery. If in order to be able to furnish a bid for complete delivery of goods or services, the vendor wishes to include sub vendors, the applying vendor should appear in the tender document as the primary tenderer. FFI reserves the right to disallow the tenderer's choice of sub vendor. The main supplier should be able to enter into a long term cooperative effort with FFI for common administration of the system described in the invitation for tenders. FFI should be advised of any changes of sub vendors well ahead of time, and the primary supplier agrees to provide any analysis certificates that may be requested in the transition phase.

3 QUALIFICATION REQUIREMENTS

The separate points in the qualification requirements in the suppliers start menu is answered in the following way :

- Choose "Ja" from the drawdown menu to the question: Er du kvalifisert? (Are you qualified?)
- Attach necessary documentation to the qualification requirements.
- Eventually give your comments to the requirements and answers in the writing area to the left.

3.1 Vendor's organisational and juridical position

Requirements - examples	Documentation requirements - examples
The vendor shall be a legally established business enterprise.	<ul style="list-style-type: none"> • Norwegian firms: Company registration certificate. • Foreign enterprises: Official documentation that the company is formally registered in the relevant business directory or formal registry of business enterprises in the country in which it is established.

3.2 Mandatory requirements

Requirement	Required documentation
The vendor should be current and up to date in the payment of income tax and value added tax.	<ul style="list-style-type: none"> • Paid income tax statement (In Norway, tax statement are issued by the municipal treasurer – Form RF-1244 in Norway and should not be more than 6 months old). • Value added tax certificate (VAT certificates in Norway are issued by the department of revenue – Form RF-1244, and should not be more than 6 months old).
The vendor should have a functional HES system	<ul style="list-style-type: none"> • HES-self-certificate (Health, environment and safety) signed by the management and a representative of the employees. An example of the form is attached.

Foreign vendors should provide certificates of compliance issued by the relevant authorities in their own countries.

3.3 Vendor's economic and financial position

Requirements - examples	Documentation requirements - examples
The vendor shall have the economic capacity to deliver/carry out the contract.	<ul style="list-style-type: none"> Credit check/rating within the past year based on the last publicly available accounting figures. Credit rating to have been assessed by a publicly approved credit rating institution. The rating shall be credit-worthy or higher.

If there are legitimate reasons that prevent the vendor from providing the specific documentation the customer requests, the vendor may provide other supporting documentation acceptable to the customer which proves his economic and financial position.

3.4 Vendor's technical and professional qualifications

Requirement	Required documentation
The Vendor shall have experience in organizing and executing scientific conferences/meetings	References
The Vendor shall have knowledge of scientific reporting and/or editing of conference proceedings	References
Quality assurance.	FFI requires the tender to include an explanation of the Vendor's quality assurance system.
The personnel involved in this project shall be cleared for work in support of NATO.	Name and identity number (Norwegian "personnummer" or equivalent) of employees with Security Clearance "NATO Restricted" or higher. The validity of this will be checked by the FFI.
The Vendor shall have knowledge in planning, running and analyzing demonstrations and trials	Clearly, and with references, show qualification in planning, running and analyzing demonstrations and trials
The Vendor shall have operational military experience	CV (resume) including rank and time of service for minimum one member of the Vendor's project team
The Vendor shall have relevant knowledge or experience from either ground based air defence (GBAD), artillery (ARTY), counter rocket, artillery and mortar (CRAM), force protection or base defence operations	References
Qualifications of the offered personnel	Name and CV (resume) for Consultants dedicated for this project. Further the Consultants connections to the reference contracts.

4 PROCESSING OF SUBMITTED INQUIRES

4.1 Registration of inquires

All incoming inquires are registered in the Merzell Purchasing Tool (KGV).

The opening of tenders will not be public.

4.2 Rejection of submitted inquires

Tenderers who fail to submit income tax statements and workplace health and safety statements by the closing date of the invitation to tender will be rejected, likewise tenderers who do not fulfil the established and announced qualification requirements.

Furthermore, the customer may refuse tenderers for other reasons, cf. FOA § 11-10 (Regulations Governing Public Procurement), or for grounds and procedures that fall under Part I and Part II of the above-mentioned Regulations, such as:

- bankruptcy, if the company is in receivership or in the process of liquidation, suspension of business operations or in the process thereof according to national laws and regulations;
- petitioning for bankruptcy, initiation of debt settlement procedures or compulsory dissolution of the enterprise according to national laws and regulations;
- the company has, by legally enforceable judgment, been found guilty of unlawful conditions with respect to its professional conduct;
- the company has breached professional and ethical norms in its branch of operations;
- failure to pay social security insurance in the company's country of establishment or in Norway;
- failure to pay taxes and public duties according to the statutes of law in the country in which the company is established or in Norway;
- grossly misleading or falsification of information and/or withholding of information mentioned herein; likewise falsification/withholding of information with respect to the customer's stated requirements for suppliers.

4.3 Cancelling the competition

FFI can cancel the competition or reject all offers if there is a factual reason for it.