



**NRK MA2426/11E**

**Nordif 3**  
**New solution for programme distribution**

**QUALIFICATION BASIS**

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**Attachments**

Att 1: Liability Statement

# 1. Introduction

## 1.1 Scope of procurement

On behalf of Nordvision, Norsk rikskringkasting (NRK) invites potential vendors to request for qualification in order to participate in a negotiated procedure for the delivery of a new solution for programme distribution (Nordif3).

The steadily increasing volume of the Nordvision programme exchange and the value of the material to the partners make it important to establish a new system for programme distribution, including HD files. Nordif3 will play a vital part in the Nordvision partnership, providing a stable and easy to operate system for programme distribution and for developing new ways of co-operating and co-producing.

Nordvision will choose a solution that meets the requirements for the core functionality as well as fulfilling the need for:

- Ease of use: interface and integration
- Manageability: Stability, support, monitoring
- Speed / throughput

The purpose of Nordif 3 is to exchange news items and long format programmes between the Nordic countries. The solution must support both SD and HD formats and include metadata handling, browse files, quality control and the possibility to attach documents. Nordif3 will:

- Expand the existing exchange of news (Nordif1) and long format (Nordif2) to support HD and 5.1 Audio, including drama programmes in the current exchange of factual, childrens- and educational programmes.
- Facilitate an additional increase in the volume of high quality material, including new types of exchange material, like archive material, programmes from other genres and programme groups.
- Facilitate new and flexible workflows, providing the partners with the opportunity to exchange for example current affairs or raw material for co-production as well as delivery the exchange, like possible common intake, or regional co-operation within the partnership and with external partners.

The Nordvision broadcasters each have a MAM solution that will be used to import/export metadata and material to Nordif 3. Due to different needs between News and long format exchange the Nordif 3 solution must support both workflows.

The central exchange process can be summarized as follows:

1. Programmes are selected in the different broadcaster's MAM systems and both essence files, metadata (XML) and associated materials are transferred to Nordif3.
2. The essence file sent to Nordif3 is subject to a simple integrity check. If there is a problem with a file the asset will be flagged.
3. Nordif3 has to use some type of WAN / internet accelerator protocol.
4. Essence files will be delivered to Nordif3 in the broadcaster's native format.
5. It must be possible to attach associated materials and metadata to the asset.
6. Nordif3 will generate browse and key frames.
7. The users will be able to search, browse and pick assets in the GUI of Nordif3.

### 8. Upon selection, assets are transferred to receiving broadcaster.

The scope of procurement can be summarized as shown in the table below.

Software		
	Component	High level description
1.	Technical platform	Technical platform based on industry standards like Windows and Linux for servers and IT equipment in the solution. Transcoding must follow the format vendor specification.
2.	Applications	Nordif 3's GUI must be based on a WEB interface and be supported by Internet Explorer 8 or higher, and Mozilla FireFox V3.6. The GUI must run on both PC and MAC platforms. As much as possible of Nordif 3 should be based on standard products.
3.	Integration	In order to be able to integrate to all broadcasters MAM-systems, Nordif3 should have a well-structured and well-documented integration layer / API (accessible for instance via an HTTP+XML based method, such as REST or SOAP) which allows for CRUD (Create, Read, Update, Delete) operations on all business objects managed by the solution.

Services and performances		
	Component	High level description
4.	Implementation	The total solution must be installed, tested and implemented.
5.	Documentation	Documentation of solution components.
6.	Training	Competency transfer and training of functional, technical and operational / internal 1 <sup>st</sup> line support personnel.

Support and maintenance		
	Component	High level description
7.	User and technical support	User and technical support in order to enhance the understanding and advanced use of the solution.
8.	Maintenance	Handling of error situations in order to maintain a stable and high availability solution.
9.	Continuous development	Development, release and implementation of new functional and technical features of the standard solution components, including enhancement of existing features based on the general technological development in the market place and the Contractor's proactive marked assessment and insights.

## 1.2 Contracting authority - NRK

The procurement procedure is conducted on behalf of Nordvision by NRK. NRK is a state corporation and Norway's public broadcasting corporation.

## 1.3 The Nordvision Partnership

### 1.3.1 About Nordvision

Nordvision is a television and media partnership involving the five Nordic public service broadcasting organizations funded by license fees. The core business of the partnership is co-production of programmes and web projects, programme exchange and the sharing of professional expertise. Today, the news exchange is carried out in the Nordif1 system and long format programmes (SD) is exchanged in Nordif2.

Nordvision was established in 1959 by the public service broadcasting companies in Denmark (DR), Finland (YLE), Norway (NRK) and Sweden (SVT). Iceland (RUV) joined Nordvision in 1966. Sweden's Utbildningsradio (UR) Greenland's national broadcasting company (KNR) and Faroe Island's Sjørvarp Føroya (KVF) are associated members of the Nordvision partnership.

The partnership is coordinated by a small Nordvision secretariat (NVS), ambulating between the partners. From 2011 – 2014 the NVS is based in Copenhagen, at DR.

### 1.3.2 Future vision of the partnership

Nordif3 is an important piece of the Nordvision vision of strengthening the partnership through increasing exchange and co-operating more closely on co-production, combining the exchange of news and long format with the exchange of HD files, as well as the exchange of raw material and material for inspiration between the partners.

The Nordvision partnership is also in dialogue with other broadcasters and networks / partnerships globally. Presently, there is a need to deliver material to third parties through Nordif3. The solution should, however, be flexible enough to include both delivering and receiving material from external partners, as ad hoc deliveries and by adding new partners / nodes to the partnership.

## 2. Administrative provisions

Administrative provisions for the qualification phase are set out below.

### 2.1 Public announcement

The acquisition has been publicly announced 14.10.2011 at [www.mercell.no](http://www.mercell.no) (reference NRK-MA2426/11E), [www.doffin.no](http://www.doffin.no) and at TED ([www.ted.publications.eu.int/official](http://www.ted.publications.eu.int/official)).

### 2.2 Procurement procedure

This public procurement is conducted in accordance with the Norwegian Act on public procurement of 16 June 1999 and the Regulations on Public Procurement No. 402 of 7 April 2006 as a negotiated procedure in accordance with section I and III - above the EU threshold values. These regulatory provisions corresponds with EUs rules and regulations on Public procurement set out from the European Commission.

NRK reserves the right to reduce the number of proposals to be subject to negotiation. A reduction might take place before the negotiations start, or after each of the negotiation stages.

Potential vendors are expected to possess the necessary knowledge of the general public rules and regulations applicable to the public sector purchases in Norway and the EU. Any omission or mistake in any way whatsoever with reference to this does not give the vendor any right to an additional claim.

## 2.3 Time schedule

The acquisition has been scheduled to be completed after the tentative and overall milestone schedule as set out in the table below. Please note that time of day are CET local Norwegian time.

Activity	Date
Announcement / publication of this qualification	17.10.2011
Deadline for submitting questions regarding the Qualification Basis	8.11.2011
Last dispatch of answers and additional information	10.11.2011
Closing date for submitting request for qualification in the Merzell portal	16.11.2011 10:00 CET
Announcement of the result of the qualification to the vendors	1.12.2011
Distribution of the invitation to tender to the selected vendors	5.12.2011
Deadline for the submission of proposals	23.01.2011
Award of contract to be announced	15.05.2012
Signing of the contract with the chosen vendor	1.06.2012

## 2.4 Communication regarding the procurement

This procurement process is managed in the Merzell portal. The vendors will gain access through the portal to download qualification and competition documents, as well as to conduct other correspondence concerning the acquisition and submit an application for participation.

Any questions regarding the qualification basis and other matters concerning the procurement process should only be addressed through the Merzell portal's communications module. Inquiries should be labelled "*NRK MA2426/11E – NORDIF 3 Prequalification*" in the subject field.

Other inquiries cannot be expected to be answered. Attempts to acquire information or to influence NRK's or the NORDIF-consortium's employees involved in the procurement process will lead to rejection or that the competition is cancelled.

Incoming questions will be reviewed and answered in a general and anonymous manner, and will successively be distributed via the Merzell portal, where e-mail notification will be submitted to the contact person registered, not later than the date described in the timetable above.

For questions about the use of the Merzell portal, please refer to Merzell Support on telephone +47 21 01 88 61 / +47 21 01 88 00 or e-mail: [pro.norge@merzell.com](mailto:pro.norge@merzell.com).

## 2.5 Confirmation of intent to participate

Vendors are asked to confirm the successful download of this QUALIFICATION BASIS with 3 attachments, and inform NRK whether they intend to apply for participation. This is communicated through the Merzell portal by using the "I want to submit an offer" button.

## **2.6 Corrections, addendums or change of the qualification basis**

If a vendor understands that the QUALIFICATION BASIS may contain errors, ambiguities or that submitted files cannot be read as expected, it is the vendor's obligation to contact NRK to get the error corrected or to clarify the possible confusion.

NRK reserves the right to make necessary changes in the qualification basis. If needed, the deadline could be extended proportionately.

## **2.7 Publication and confidentiality**

With reference to the Norwegian Regulation on Public Procurements Section 3-5, and the Norwegian Act of 19 May 2006 no. 16 on the right to access to public services entered into force with effect from 1 January 2009. Pursuant to this Act the public can after the contract is awarded require access to, among other things, filed qualification applications and submitted tenders prepared for publication.

In order for NRK to fulfil its duty on confidentiality in accordance with Regulation on Public Procurements Section 3-6, NRK will require the vendor to enclose a copy where any trade secrets or other matters which are deemed to be competition sensitive, have been made illegible. However, NRK has an independent responsibility to assess under Norwegian law to what extent the information can be disclosed to the public.

## **2.8 Tender Basis**

A complete Tender Basis containing the further provisions for the negotiated procedure, the Customer's requirements and the contract terms will be sent to qualified vendors which according to the selection criteria in section 5.3 below are selected for the participation in the competition.

## **2.9 Participation costs**

Vendors prepare and deliver their requests for participation at their own expense and risk. NRK thus undertakes no financial responsibility for the efforts invested or other costs in relation to the preparation of an application, for participation or the participation in the competition as such.

## **2.10 Cancellation of the competition and complete call off**

NRK and the consortium reserve the right to cancel the competition if there are objective reasons for this.

## **3. Qualification requirements**

This chapter contains the qualification requirements for the vendor. They are to be considered as minimum requirements that all must be fulfilled in order to participate in the competition.

The financial and technical qualification requirements can be fulfilled by the applicant alone or with the support of subcontractors/ third party capacities from which signed liability statement shall be enclosed to the request for participation.

### 3.1 Mandatory documentation requirements

Qualification requirement	Documentation requirements
The vendor should not have tax arrears related to payment of taxes to the public.	<p>Norwegian vendors:</p> <ol style="list-style-type: none"> <li>1. Documentation on the tax paid and the employers salaries from kemnerkontor (Norwegian form RF-1244 should be used). They must not be older than 6 months following the deadline for submission of application. If there are arrears, these must be explained.</li> <li>2. Certificate on the VAT paid from skattefogdkontoret (Norwegian form RF-1244 should be used). They must not be older than 6 months following the deadline for submission of application. If there are arrears, these must be explained.</li> </ol> <p>International vendors:</p> <p>Certificates, not older than 6 months, issued by the competent authority to the effect that the vendor has fulfilled his obligations relating to the payment of taxes, social security contributions and VAT. Tax certificates are issued by the chief municipal treasurer in the municipality where the vendor has their head office and by the tax collector in the equivalent.</p>
The vendor shall confirm that the company meets the statutory requirements in Norway within health, safety and environment (HSE) for any work performed in Norway	<p>HSE personal statement that the vendor meet, at least at the time of the Contract awarding, statutory requirements in Norway within the HSE.</p> <p>The HSE personal statement can be downloaded from: <a href="http://www.anskaffelser.no/dokumenter/hms-erklaering">http://www.anskaffelser.no/dokumenter/hms-erklaering</a></p>

### 3.2 The vendor's organizational and legal position

Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Qualification requirement	Documentation requirements
The vendor shall be a legally registered business	Certificate of professional or commercial registration as mandated by the country in which the vendor is located.



### 3.3 Economic and financial capacity

Qualification requirement	Documentation requirements
<p>The vendor shall have sufficient economic and financial capacity to fulfil his contractual obligations.</p>	<p>Economic and financial position must be documented with the following information:</p> <ol style="list-style-type: none"> <li>1. Latest approved financial statement with the annual report and auditor's report and any recent information of relevance.</li> <li>2. Solvency Assessment from a business with a license to operate a credit information bureau. The assessment must be based on the most recent annual or later financially relevant information, should provide information on credit worthiness as well as the degree of bankruptcy risk and must not be dated later than 6 months prior to the deadline for the request to participate.</li> </ol> <p>If the vendor has valid reasons not to disclose/submit the requested documentation, alternative documentation may be accepted, such as guarantees from parent companies that meet eligibility requirements (it must be accompanied by documentation as requested above for parent company) or declaration from the auditor that documents the fulfillment of the requirement.</p>

### 3.4 Technical and professional capacity

Qualification requirements	Documentation requirements
<p><b>Capacity</b> The vendor shall have the sufficient capacity to fulfil his contractual obligations with respect to the scope of procurement as described in section 1.1 above.</p>	<ol style="list-style-type: none"> <li>1. Description of the organizational and professional qualifications of the vendor, <i>whether it belongs to the vendor itself or subcontractors/ co-operating enterprises</i>, listing the number of personnel that can be made available for the execution of the contract; particularly for system development, adaptation, integration, implementation and technical support and maintenance of software and - if applicable - hardware.</li> <li>2. If the vendor relies on other enterprise's capacity to meet the contractual obligations, the enclosed "Liability Statement" from the relevant subcontractor(s) shall be filled out and submitted, signed by a duly authorized representative for potential subcontractors</li> </ol>
<p><b>References</b> The vendor shall have a broad and extensive experience of similar/relevant deliveries related to the broadcasting business and related sharing of content.</p>	<p>Documentation for at least three relevant deliveries. The documentation must provide for:</p> <ul style="list-style-type: none"> <li>- customers' names and contact information</li> <li>- delivery scope and delivered solutions</li> <li>- value and duration of the delivery</li> <li>- statement of the delivery's relevance to this procurement.</li> </ul>

## 4. Requirements for the application

### 4.1 Language

The request for qualification and all written communication for this tender competition shall be written in English.

## 4.2 The structure and the content of the application

The application documents should be placed in a (ring) binder and separated with separator sheets structured and numbered as indicated in the table below. Sheets should not be stapled.

Electronic document shall be named accordingly.

The application should contain the following parts and documents:

Part	Description
1.	<p>Signed application letter (scanned letter with signature), including</p> <ul style="list-style-type: none"> <li>a. Full name and address, and complete contact information for the vendor, including contact information for the person responsible for the application.</li> <li>b. Brief description of the vendor and any subcontractors/partners; history, markets, products and services, organization, etc. Similarly for any main subcontractors.</li> <li>c. Information of which parts of the delivery any subcontractors/partners are intended to be used</li> <li>d. The vendor's statement for their understanding of section 2.7 above.</li> </ul>
2.	<p>Certificates and attachments as described in chapter 3.</p> <ul style="list-style-type: none"> <li>a. Certificate on the tax paid (c.f. section 3.1)</li> <li>b. Certificate on the VAT paid (c.f. section 3.1)</li> <li>c. HSE personal statement that the vendor meets statutory requirements in Norway (c.f. section. 3.1) (Att 1)</li> <li>d. Certificate or equivalent documentation showing that the vendor is registered in a public register in their home country (c.f. section 3.2)</li> <li>e. Financial statement with the annual report and auditor's report (c.f. section 3.3)</li> <li>f. Credit-/ solidity rating and prediction for bankruptcy (c.f. section 3.3)</li> <li>g. Liability statement from the relevant subcontractors presented, if applicable (c.f. section 3.4)</li> </ul>
3.	<p>Documentation on fulfilment of the requirements to the vendor's technical and professional qualifications in the same outline as in Section 3.4 above. The vendor must particularly ensure that the documentation requirements are sufficiently illuminated for NRK's ability to evaluate the vendor's qualifications.</p>

## 4.3 Number of copies

The request for qualification should include:

- A hardcopy, complete paper version marked "ORIGINAL"
- An unbound and unstapled hardcopy marked "COPY - READY FOR PUBLICATION", cf section 2.7 above.

## 4.4 Labelling and packaging

The complete request for participation with all documentation enclosed, cf section 4.2 overabove, shall be delivered in double and closed envelopes.

The outer envelope must be labelled with the addressee and "NRK-MA2426/11E NORDIF3 – Request for qualification. To be opened by the addressee only".

The inner envelope should only be labelled with the vendor's name and address.

The request for participation must be packed in such a way that it is anonymous and that the contents will remain undisclosed until the opening.

#### 4.5 Submission of request for participation

The complete request for participation shall within the closing date as stated in section 2.3 over be physically delivered to:

NRK AS  
Attn: Kristen Erik Thorp  
Kringkastingshuset, radioresepsjonen  
Bjørnstjerne Bjørnsons plass 1  
0340 OSLO  
NORWAY

The complete application with all included documentation shall also be submitted electronically via the MerCell portal within the closing date.

The vendors are encouraged to allocate sufficient time for this process, as the MerCell portal will be closed for uploading documents immediately after the application deadline.

The Norwegian public procurement regulation only accepts electronic signatures issued in accordance with a national Requirement Specification by certification service providers registered with the Norwegian Post and Telecommunications Authority. Vendors that do not have such an e-signature shall thus after the bid is sent through the MerCell portal follow the procedure below:

1. Print and sign the Bid.pdf document (*The document includes a summary of the application delivered through the portal including hash on documents*).
  - a. To access this document the vendor shall enter the tender (*MyMerCell / Latest bids/Tender name*) and press the tab "My bids".
  - b. Press the underlined date on page (popup appears)
  - c. Choose Tab "Files"
  - d. There has been added a file named "Bid" to your list of documents
  - e. Open, print and sign the PDF file.
2. The signed document shall be physically delivered within the application deadline in a closed envelope labeled "*NRK-MA2426/11E NORDIF3 – Request for qualification. To be opened by the addressee only*" to:

NRK AS  
Attn: Kristen Erik Thorp  
Kringkastingshuset, radioresepsjonen  
Bjørnstjerne Bjørnsons plass 1  
0340 OSLO  
NORWAY

It is emphasized that it is the responsibility of the vendor to ensure that the electronic delivery is correct and identical with the paper based delivery and that documents are structured and name in accordance with in accordance with section 4.2 over and above. In case of any deviation the paper based version will be taken into consideration.

#### 4.6 Amendments and recall

The application can be recalled or changed until the application deadline. Revocation shall be made in writing.

Changing the application is considered as a new application and shall be constructed in accordance with the requirements for the application that is stated above.

## **5. NRK's processing of the requests for participation**

Received applications will be processed in accordance with the provisions set out in sections 5.1 through 5.3 below.

### **5.1 Opening**

Opening of applications will be made in NRKs premises immediately after the submission deadline with at least two representatives from NRK. Vendors will not be allowed to be present at the opening.

### **5.2 Evaluation of the qualifications**

If the application is properly submitted it will be evaluated whether the qualification requirements are met. Applications that do not meet the qualification requirements will be rejected in accordance with the procurement regulations' provisions.

Other possible rejection questions will be assessed in accordance with the public procurement regulations § 20-12.

### **5.3 Selection of vendors**

Among the qualified vendors, NRK will select a minimum of 3 vendors who will be invited to participate in the competition and thus get an invitation to tender. The selection will be based on an overall assessment of the vendors as to those that to the greatest extent fulfil the qualification requirements in Sections 3.3 and 3.4 above.

The selection process will also take into consideration the need for good competitive dynamics.

Any partners / subcontractors' qualifications will be considered discretionary in relation to the role of the partner / subcontractor during the contract execution phase, and will not necessarily be given the same importance as the main vendor.