



NRK MA-3110/18E
FRAMEWORK
AGREEMENTS
FOR CDN
SERVICES

BASIS FOR QUALIFICATION –
NEGOTIATED PROCEDURE

Table of Contents

1.	Introduction	3
2.	About the procurement	3
2.1.	Background and purpose	3
2.2.	NRKs current internet structure	4
2.3.	Scope of procurement	4
2.4.	Procurement procedure	4
2.5.	Contract notice	5
2.6.	Time schedule	5
3.	Current overview	5
3.1.	General activity	5
4.	Qualification requirements	6
4.1.	European Single Procurement Document (ESPD)	6
4.2.	Mandatory documentation requirements	6
4.3.	Organizational and legal position	6
4.4.	Economic and financial situation	7
4.5.	Technical and professional capacity	7
5.	Requirements for the application	8
5.1.	Language	8
5.2.	The structure and the content of the application	9
5.3.	Submission of request for qualification	9
5.3.1.	Amendments and recall	10
6.	NRK's processing of the requests for qualifications	10
6.1.	Opening	10
6.2.	Evaluation of the qualifications	10
6.3.	Selection criteria	10
7.	Other provisions	10
7.1.	Communication regarding procurement	10
7.2.	Confirmation of intent to participate	11
7.3.	Corrections, addenda or change of the basis for qualification	11
7.4.	Confidentiality and freedom of information	11
7.5.	Cost of participation in the competition	11
7.6.	Cancellation of the competition and complete call off	12
7.7.	Tender Documents	12

Attachments

1. Declaration of commitment (**template**)
2. Tender Documents

1. INTRODUCTION

Norwegian Broadcasting Corporation Ltd., subsequently named NRK, invites interested contenders to request for participation in a negotiated procedure to offer framework agreements for delivery of a Content Delivery Network (CDN) service.

NRK is the main 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.

NRK broadcasts 3 television channels, (NRK1, and NRK2 and NRK3/NRK-super in HD), 11 regional TV-channels + radio channels (DAB+ and net channels) and 16 regional radio services. It is estimated that NRK provides 250 hours from linear channels - TV long-form content - and 1100 hours radio each week. Historic content from NRK's TV- and radio archives will add to this.

NRK has a nationwide activity, including 12 regional offices and is the country's largest media company. Presently NRK employs approximately 3,500 people.

For more information please visit www.nrk.no.

2. ABOUT THE PROCUREMENT

2.1. Background and purpose

NRK's streaming services have become an increasingly important part of the content distribution platform - and continue to grow rapidly. NRK wishes to use this CDN service to provide the public with high quality content. It is important that the service can be delivered on a large scale across Norway. Our goal is to bring on board providers that will support us in this task.

The service provision needs to be "future-proof" with the ability to cost effective easily adoption to new platforms and devices, new user habits and new ways to present this type of content.

The provider must be able to deliver support, technical insight, streaming, storage, and related services. Specific details of requirements will be given in the Tender documents to those who qualify for participation.

NRK will only accept applications from providers that are qualified to: Plan, install, test and deliver a complete solution, with all components and equipment.

NRK aims to be a world class content producer and publicist on all media. Our core activity is production and distribution of broadcasts and programs in various forms of publication. Within interactive forms of publication, video is the most important competitive advantage for NRK.

Over the next few years NRK will continue to focus strongly on expansion of both volume and technical quality. In recent years NRK has seen considerable expansion in terms of viewing figures for TV via interactive forms of publication. The challenge is to be able to meet this

growing demand with higher technical quality while reducing the distribution cost per viewing. With this service NRK want to offer our audience a higher quality of experience for consuming multimedia distributed over the open Internet. These kinds of services are continuously growing, and it is important that they can be provided in a large scale throughout Norway.

NRK's vision regarding the collaboration with the Provider is for them to be able to:

- adjust costs for the operation to the actual degree of utilization of the infrastructure. Distribution will substantially increase in terms of viewing figures, with constantly improving technical quality and reliability.
- help us provide a distribution portfolio which will cover near all live and on-demand delivery of multimedia content to the end users.
- provide a distribution over the Internet to a multi-platform end-user scenario.
- offer a partnership that enables proactive troubleshooting and improvement of NRK's streaming services.

With this service NRK want to offer our audience a higher quality of experience for consuming multimedia distributed over the open Internet. Subsequently this service is named “CDN”.

2.2.NRKs current internet structure

www.nrk.no has over 1,1 million unique visitors daily, and are one of the top three visited internet sites in Norway. The streaming-services is one of the most popular services, which reaches top figures of over 2,25 million users every week.

Top figures (peek) for live material (streamed video) are more than 680 Gbps. Just over 35 000 hours of videos are currently published.

Statistics can be found in Appendix 2. Ch. 5 and in the Attachment_2 - STATISTICS WEB AND WEB-TV.

2.3.Scope of procurement

NRK currently have three similar framework agreements expiring 2018. The scope for this competition is to enter into a new set of framework agreement for the next four years.

2.4.Procurement procedure

This public procurement is conducted as a negotiated procedure in accordance with the Norwegian Act on public procurement of 17. June 2016 (LOA) and the Regulations on Public Procurement No. (FOA) FOR 2016-08-12-974, section I and III - above the EU threshold values.

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.

Contenders 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 contender any right to an additional claim.

2.5. Contract notice

The procurement is publicly announced at www.mercell.no (reference NRK- MA3110/18E), www.doffin.no and TED (www.ted.publications.eu.int/official).

2.6. Time schedule

The procurement is scheduled to be completed in accordance with the tentative and high-level time schedule provided below.

Milestone/activity	Date
Announcement of Contract Notice and invitation to request for qualification	13. April 2018
Deadline for submitting questions	7. May 2018
Closing date for submitting request for qualification	14. May 2018 at 12 noon CET
Notification of the result of the qualification and selection. Distribution of the Tender Basis to qualified and selected contenders	25. May 2018
Closing date for submitting questions concerning the tender documents	14. August 2018
Closing date for submitting written tender proposal	20. August 2018 at 12 noon CET
Initial evaluation	Week 34 to 36
Initial negotiations	Week 36
Closing date for submitting revised proposals	Week 37
Evaluation of revised proposals	Week 37 – 38
Contract award	Week 38 - 40

The contract will be signed after the expiry of the standstill period following the contract award notification.

3. CURRENT OVERVIEW

3.1. General activity

www.nrk.no has over 1,1 million unique visitors daily, and are one of the top three visited internet sites in Norway. The streaming-services is one of the most popular services, which reaches top figures of over 2,25 million users every week.

Top figures (peek) for live material (streamed video) are more than 680 Gbps. Just over 35 000 hours of videos are currently published.

Total GB output of streaming from NRK for the last years:

Year	2012	2013	2014	2015	2016	2017
GB pr. year	30 505 091	66 920 494	118 490 366	175 400 618	252 296 513	291 662 989

Statistics can be found in Appendix 2. Ch. 5 and in the Attachment_2 - STATISTICS WEB AND WEB-TV.

4. QUALIFICATION REQUIREMENTS

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

4.1. European Single Procurement Document (ESPD)

As a preliminary documentation for the fulfilment of qualification requirements and that there are no grounds for rejection, the contender and any subcontractors must validate / fill out the ESPD form in Mercell. The form will automatically be attached to the submitted request for qualification.

As this is a negotiated procedure NRK will also require the documentation on the fulfilment of the qualification criteria to be provided as part of the application in accordance with the following sections of this chapter. Please note also that national grounds for rejection apply

4.2. Mandatory documentation requirements

Qualification requirement	Documentation requirements
K 01 The Contender should not have substantial tax remarks related to payment of taxes to the public.	Company tax certificate. Documentation on the tax on the employer's salaries and VAT paid from "kemnerkontor" (Norwegian form RF-1244 should be used). The certificate must not be dated earlier than 6 months following the deadline for submission of application. Any arrears must be explained. The requirement is only mandatory for Norwegian Contenders, but international Contenders are encouraged to submit similar documentation.

4.3. Organizational and legal position

Qualification requirement	Documentation requirements
K 02 The Contender shall be a legally registered business	Certificate or equivalent documentation showing that the Contender is registered in a public register in their home country.

4.4. Economic and financial situation

Qualification requirements	Documentation requirements
<p>K03 - The Contender shall have sufficient economic and financial capacity to fulfil his contractual obligations.</p>	<p>Financial statements for the last three fiscal years including P&L statement, balance sheet, board of directors' annual report and external auditor's report</p> <p>Any recent information of relevance, e.g. quarterly reports.</p> <p>NRK will obtain a solvency assessment of the Contenders economic and financial situation through Experian. If the Contender also will provide their own – it must:</p> <ul style="list-style-type: none"> • be based on the most recent annual or later financially relevant information • provide information on credit worthiness and the degree of bankruptcy risk • not be dated later than 3 months prior to the closing date for submission of request to participate. <p>If the contender relies on other enterprise's capacity in order to fulfil the qualification requirement, the enclosed "Declaration of commitment" from the relevant subcontractor(s) or co-operating enterprises shall be filled out and submitted, signed by a duly authorised representative from the actual third party/-ies. Similar documentation as requested above must also be submitted for the other enterprise.</p>

4.5. Technical and professional capacity

Qualification requirement	Documentation requirements
<p>K04 - Previous experience</p> <p>The Contender shall have extensive experience from previous similar and relevant deliveries</p>	<p>Documentation of the most important relevant deliveries the last three years.</p> <p>The documentation must provide for:</p> <ol style="list-style-type: none"> a. customers' name and contact information b. delivery scope and delivered solutions and services c. value and duration of the delivery d. statement of the delivery's relevance to this procurement e. statement of whether the delivery has been performed by the contender itself or by subcontractors/co-operating enterprises. In the latter case the part/extent of delivery performed by subcontractors shall be specified <p>NRK reserves the right to make necessary investigations about the true relevance of the documented deliveries in order to get a complete picture of the Contenders capabilities.</p>

Qualification requirement	Documentation requirements
<p>K05 - Capacity The supplier shall have the capacity to delivery and support CDN-services as described in section 2.1 above.</p>	<p>Documentation of the organisational, professional and technical qualifications of the contender, whether it belongs to the contender itself or subcontractors/ co-operating enterprises, listing the number of personnel that can be made available for the execution of the contract; particularly:</p> <ul style="list-style-type: none"> a. Description of the provider's organization and the resources the contender has the disposal of for fulfilment of the contract. b. Overview of technical facilities and capacity for CDN services, hereunder overview of technologies and services offered by the company and the contender's certifications on these. c. Describe service and support organisation and the number of employees who will be made available for the fulfilment of the contract. Describe processes and routines for support and service Describe number of people in support organisation as a total. <p>It must be identified to which organisational/legal entity the resources belong/are employed. If the contender relies on other enterprise's capacity in order to fulfil the qualification requirements, the enclosed "Declaration of commitment" from the relevant subcontractor(s) or co-operating enterprises shall be filled out and submitted, signed by a duly authorised representative from the actual third party/-ies.</p>
<p>K06 - Quality assurance The contender shall have established suitable methods and/or systems to ensure the quality of the deliveries.</p>	<p>A copy of certificates (ISO9001 or equivalent) issued by an accredited certification body that documents that the contender has implemented quality assurance measures relevant to the scope. If the contender is not certified according to relevant standards a brief presentation of the contender's implemented methods and/or systems for quality assurance for the relevant parts of the deliveries. The documentation shall have an overall perspective and in particular elaborate how the undertaking through organisation, management, training, processes and routines maintains high quality and value for its Customers.</p>
<p>K07 - Information security assurance The contender shall have established suitable methods and/or systems to ensure information security.</p>	<p>A copy of certificates (ISO27001 or equivalent) issued by an accredited certification body that documents that the contender has implemented information security assurance measures relevant to the scope. If the contender is not certified according to relevant standards a brief presentation of the contender's implemented methods and/or systems for information security assurance for the relevant parts of the deliveries. The documentation shall have an overall perspective and in particular elaborate how the undertaking through organisation, management, training, processes and routines maintains information security.</p>

5. REQUIREMENTS FOR THE APPLICATION

5.1. Language

The request for qualification shall be written in Norwegian or English.

5.2. The structure and the content of the application

Contenders are asked to note in particular that all descriptions must be as complete and as transparent as possible.

The contenders must ensure that the documentation requirements are sufficiently exhaustive for NRK's ability to evaluate the Contenders qualifications, though NRK encourage you to keep responses short and concise. Extensive use of references to *external* and general information where we have to search for necessary information may be a disadvantage for the scoring of the Contender during the assessment.

The application should contain the following parts and documents:

Part	Description
1.	Signed application letter (scanned letter with signature), including <ol style="list-style-type: none"> a. Full name and address, and complete contact information for the Contender, including contact information for the person responsible for the application. b. Brief description of the Contender and any subcontractors/partners; history, markets, products and services, organization, etc. c. Information of which parts of the delivery any subcontractors/partners are intended to be used d. The Contender's statement for his understanding of section 7.4 "Confidentiality and freedom of information"
2.	Signed declarations of commitment from any subcontractors/co-operating parties.
3.	Public certificates, cf. Sections 4.2 and 4.3 <ol style="list-style-type: none"> a. K 01 Certificate on the taxes and VAT paid b. K 02 Certificate or equivalent documentation showing that the Contender is registered in a public register in their home country
4.	Documentation on fulfilment of the requirements to the Contender's economic and financial situation (Cf. K-03)
5.	Documentation on fulfilment of the requirements to the Contender's technical and professional capacity (K-04 – K-07) in the same outline as in Section 4.5 above.

All electronic application files/documents must be labelled as follows:

<Part no>_<MA3110>_<name of document>_<Company short name>

Example: P1_M A3110_Cover letter_Company-ABC

5.3. Submission of request for qualification

The application shall be delivered electronically via the Merzell-web portal, no later than the closing date stated in section 2.6 and must contain the following:

- One "Complete application PDF-compendium" as NRK is meant to read it
- One complete set of single files/documents, preferably in its original format as described in section 5.2
- One censored version as described in section 7.4 below.

For avoidance of doubt and errors we will ask you to provide both a complete PDF-compendium with all documents in the correct order – as well as, a copy of all the above-mentioned single files.

Please note that the Merzell portal will close at delivery deadline.

You will no longer be required to sign the document electronically.

For further assistance, please contact Mercell support at support@mercell.com / +47 21 01 88 60 / +47 21 01 88 00.

5.3.1. Amendments and recall

The request for qualification 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 compiled in accordance with the requirements for the application that is stated above.

6. NRK´S PROCESSING OF THE REQUESTS FOR QUALIFICATIONS

Received requests for qualification will be processed in accordance with the provisions set out below.

6.1. Opening

Opening of submitted applications will be made in NRKs premises immediately after the submission deadline. Contenders will not be allowed to be present at the opening.

6.2. Evaluation of the qualifications

Properly submitted requests for qualification will be evaluated as to whether the qualification requirements are met. Contenders that do not meet the qualification requirements will be rejected in accordance with the provisions set out in the procurement regulations.

Similarly, public procurement regulations chapter 24 will be applied for assessment of the Contender in general.

6.3. Selection criteria

Among the qualified contenders, NRK will select a minimum of three (3) to be invited to participate in the tender proposal stage provided that a sufficient number of providers are qualified.

The selection will be based on an overall assessment of the contenders documented economic and financial situation and technical and professional capacity, of which the latter will be emphasised. NRK will particularly seek to select providers with good experience from similar deliveries within the media/production industry.

The selection will also take into consideration the need for good competitive dynamics. Thus, NRK may select the best qualified Contenders with experience from different technologies.

7. OTHER PROVISIONS

7.1. Communication regarding procurement

This procurement process is managed via the Mercell portal. The contenders will gain access to the portal in order to download qualification and competition documents, as well as conduct other correspondence concerning the acquisition and submit the application for participation.

Any questions regarding the basis for qualification and other matters concerning the procurement process should only be addressed through www.mercell.no. Inquiries should be marked "Case number NRK MA3110/18E ". The deadline for questions is stated in section 2.6.

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

Incoming questions will be reviewed and answered in a general and anonymous manner, and will be continuously distributed via www.mercell.no, where e-mail notification will be submitted to the contact persons registered without undue delay.

7.2. Confirmation of intent to participate

Contenders are kindly asked to confirm the download of the basis for qualification, and inform whether they intend to apply for participation. This can be communicated through the procurement portal www.mercell.no by using the "I want to submit an offer" button, preferably within 10 days after reading.

7.3. Corrections, addenda or change of the basis for qualification

If a contender understands that the basis for qualification may contain errors, ambiguities or that submitted files cannot be read as expected, the contender is encouraged to contact NRK to get the error corrected or to get possible confusion clarified.

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

7.4. Confidentiality and freedom of information

With reference to the regulation on public procurements § 7-3 has new Act on the right to access to public services (Act 2006-05-19 no 16) entered into force with effect from 1.1.2009. In pursuance to this, the public can after the Contract award, require access to, among other things, filed qualification applications and submitted tenders prepared for publication.

In accordance with the Norwegian Freedom of Information Act § 23 (3), the public can request access to information in requests for qualification as well as proposals after the contract is awarded. NRK may exempt information considered as trade secrets and other matters of competitive significance, ref. the Norwegian Public Administration Act § 13.

Hence NRK will require the Contender to enclose a copy of the request for qualification where any trade secrets or other matters of competitive significance has been censored. The contenders should note that NRK has an independent responsibility to assess the extent of information that the Contender requests to be exempt from publication.

If the contender does not enclose a document specifically prepared for publication, NRK will consider the original qualification document ready for publication at its own discretion.

Qualification applications and tenders will not be returned, but filed or properly destroyed.

7.5. Cost of participation in the competition

Contenders prepare and deliver request for participation and participate in the subsequent Concept proposal stage and negotiated procedure at their own expense and risk

NRK assumes no further financial responsibility for the invested effort or other costs in connection with the request for participation or the participation in the competition as such.

7.6. Cancellation of the competition and complete call off

NRK reserves the right to cancel the competition if there are objective reasons for this.

7.7. Tender Documents

The tender documents are enclosed, and will be made available for qualified and Invited Contenders along with the Invitation to participate. Please be advised that the tender documents should not be responded to in the qualification stage and may be subject to revision before the tender stage.