

Tender Specifications

Annex 1 to Invitation to tender No. EMSA/NEG/14/2020 for Access Management Platform Upgrade

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council¹ for the purpose of ensuring a high, uniform and effective level of maritime safety. Among its tasks, the Agency develops, hosts, operates and monitors several systems (a.k.a. Maritime Applications) that are responsible for the functional delivery to End-Users of the main core functions provided by the agency.

During the past years EMSA has developed a Horizontal Platform that centralizes Identity and Access Management (IAM) functionalities in a single system, “EMSA’s IAM Horizontal Platform”.

“EMSA’s IAM Horizontal Platform” is the platform that provides to all Maritime Applications two critical functionalities:

- Identity Management allowing user accounts to be created and managed centrally
- Access Management functions providing Authentication, Authorization and Single-Sign-On of user accounts.

This tender is only related with Access Management, as explained hereafter.

2. Objective, scope and description of the contract

2.1 Objective

EMSA’s Access Management was deployed 10 years ago, based on ORACLE Access Management 10g (OAM 10g) and is running smoothly since then. OAM 10g was, at the time, a state-of-the-art product, using top technologies and implementing cutting edge protocols.

But 10 years is a long time, and everything has quickly evolved; new products appeared, implementing new protocols and standards, responding to the actual security challenges, raising the security level of organizations and reaching Cloud readiness.

The objective of this procedure is to contract services to:

- Phase 1: Upgrade the actual Access Management platform to the latest versions of ORACLE products in a smooth and transparent way.
- Phase 2: Provide go-live support with corrective and preventive maintenance services.

¹ Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1.).

2.2 Scope and contract description

Phase 1: Upgrade Access Management platform

The services to be provided during Phase 1 shall address the following high-level tasks:

- Prepare the upgrade project
- Upgrade EMSA's Access Management platform
- Develop a migration strategy and procedures
- Test the new platform
- Prepare the project documentation set
- Migrate data and Maritime Applications from the old system to the new system
- Support the PRODUCTION go-live

The outcome shall be:

- EMSA's new Access Management platform using the latest ORACLE products running in all EMSA's environments (TEST, PRE-PROD and PRODUCTION) with all Maritime Applications smoothly and transparently integrated.

The annexes provide a detailed description of:

- Requirements for the upgrade project ("Appendix TS1 - AccMng-V2_Requirements")
- Requirements for project delivery ("Appendix TS2 - AccMng-V2_Project_Delivery")
- Requirements for maintenance services ("Appendix TS3 – AccMng-V2_Maintenance_Services")
- EMSA's System and Application landscape ("Appendix TS4 - System_and_Application_Technical_Landscape_V36_published")

Phase 2: Go-live and Maintenance services

The services to be provided during Phase 2 shall address the following high-level tasks:

- Go-live support
- Corrective Maintenance
- Preventive Assistance, Analysis and Investigations

The outcome shall be:

- Support activities for the identification, monitoring, reporting and diagnose of PRODUCTION specific issues
- Delivery of new versions and patches aiming the corrections of defects in the implementations
- Reports related with analysis and investigations aiming to assist EMSA in decision making process

The annexes provide a detailed description of:

- Requirements for Access Management Maintenance Services ("AccMng-V2_Maintenance_Services")

3. Contract management responsible body

EMSA Unit 3.1 in charge of Maritime Digital Services will be responsible for managing the contract.

4. Project Planning

Please refer to the Requirements for project delivery ("Appendix TS2 - AccMng-V2_Project_Delivery") for details on the Project Delivery requirements and Planning as well as to the Timetable below.

5. Timetable

The estimated date for signature of the Service Contract is August 2020.

Phase 1: Upgrade Access Management platform

The timeframe for Access Management Upgrade Project delivery and go-live phase is 7 months.

The table below lists the major milestones of this phase. Detailed planning and concrete delivery dates of all deliverables will be defined during the initiation phase and recorded in the project plan.

	Dates	Milestones
T0		Signature of the Service contract
T1	T0+1 week	Kick-off meeting Acceptance of the Minutes of the Kick-off Meeting Payment milestone – 10%
T2	T0+1 month	Delivery of the Infrastructure (HW and SW) and deployment/installation documentation
T3	T0+2 month	Delivery of the migration strategy
T3	T0+3 month	Delivery of the Prototype and 1 st approach to migration scripts
T4	T0+6 months	Delivery of the Final version and final migration scripts Acceptance of the Final version Payment milestone – 30%
T5	T0+7 months	PRODUCTION upgrade Acceptance of the Final Version in PRODUCTION and start of the Warranty period Payment milestone – 30%

Phase 2: Maintenance services

The timeframe for Access Management Maintenance Services phase is 3 months.

The table below lists the major milestones of this phase. Detailed planning and concrete dates will be defined during the kick-off meeting and recorded in the project plan.

	Dates	Milestones
T6	T5+1 day	Start of the Maintenance Services Kick-off Meeting
T7	T5+3 months	Delivery of the Service Report Acceptance of the Service Report End of the contract Payment milestone - 30%

Payments are always linked to acceptance of the deliverables defined.

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 60000 excluding VAT.

7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Service Contract** available in the Procurement Section under the call to tender **EMSA/NEG/14/2020** on EMSA's website (www.emsa.europa.eu).

8. Terms of contract

When drawing up a bid, the tenderer shall bear in mind the terms of the draft Service Contract.

EMSA may, before the contract is signed, cancel the award procedure without the tenderers being entitled to claim any compensation.

9. Subcontracting

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners it shall indicate in its offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the overall responsibility for the work remains with the tenderer.

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and when applicable on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria². The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfil the criteria.³ However, the selection criteria may apply individually where it is relevant in view of their nature.

² To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

³ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

10. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and shall in particular include an English version of the documents requested under points 13.5 and 14 of the present Tender Specifications. The tenderer must comply with the minimum requirements provided for in these Tender Specifications. This includes compliance with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.⁴

The tenderer shall complete the Tenderer's checklist.

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Join Offers) it shall indicate it in its offer by completing the form "Statement of Subcontracting / Joint Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website (www.emsa.europa.eu).

The tender must be presented as follows and must include:

- a) A signed **cover letter** indicating the name and position of the person authorised to sign the contract/purchase order, the bank account on which payments are to be made and the email address to be used for contacts during the procurement procedure.
- b) **The Financial Identification Form completed**, signed and stamped. This document is available on the Procurement Section (Financial Identification Form) of EMSA's website (www.emsa.europa.eu).
- c) **The Legal Entity Form** completed, signed and stamped along with the requested accompanying documentation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu)

Tenderers are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this case the tenderer shall simply indicate on the cover letter the bank account number to be used for any payment in case of award.

Part A: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points 9, 12 and 13.2 of these specifications (exclusion criteria).

Part B: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the Economic and Financial Capacity (part of the selection criteria) set out under point 13. 4 of these specifications.

Part C: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the Technical and professional capacity (part of the selection Criteria) set out under point 13. 5 of these specifications.

Part D: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **15** of these specifications;

Part E: Setting out prices in accordance with point 11 of these specifications.

⁴ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

11. Price

- a) Price must be quoted for the Access Management Platform Upgrade and shall include all the costs to execute the project / all elements included in section 2 “Objective, scope and description of the contract”, including any travel costs required by the tenderer to travel to EMSA for the meetings set out in the project plan.
- b) Prices must be fixed amounts and non-revisable.
- c) Prices must be quoted in euro.
- d) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Union, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation 1406/2002/EC. Therefore, price and the amount of VAT must be shown separately.

12. Joint Offer

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the group must provide the required evidence for the exclusion and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the group will be checked to ensure that the group as a whole fulfils the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature

If awarded, the contract will be signed by the person authorised by all members of the group. Tenders from consortiums of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

13. Information concerning the personal situation of the tenderer and information and formalities necessary for the evaluation of the minimum economic, financial, technical and professional capacity required.

13.1 Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section of EMSA's website (www.emsa.europa.eu).

13.2 Grounds for exclusion – Exclusion criteria

To be eligible to participate in this contract award procedure, a tenderer must not be in any of the exclusion situations listed in the Declaration of Honour.

For this purpose, the Declaration of Honour available on the Procurement Section of EMSA's website (www.emsa.europa.eu) shall be completed and signed.

13.3 Legal and regulatory capacity – Selection criteria

13.3.1 Standards / Prerequisites

The tenderer must have the legal and regulatory capacity to pursue the professional activity needed for performing the contract.

13.3.2 Evidence

A duly filled-in and signed Legal Entity Form (see section 13.1 above) accompanied by the supporting documents requested therein.

13.4 Economic and financial capacity – Selection criteria

13.4.1 Standards / Prerequisites

- a) The tenderer must be in stable financial position and must have the economic and financial capacity to perform the contract.

13.4.2 Evidence

- a) Financial statements or their extracts for the last three years for which accounts have been closed.
- b) Statement of the overall turnover and, where appropriate, turnover relating to the relevant services for the last three financial years.
- c) Tenderers are exempt from submitting the documentary evidence if such evidence has already been completed and sent to EMSA for the purpose of another procurement procedure and the provided documents are up-to-date. In this case the tenderer shall simply indicate on the cover letter the procurement procedure where the evidence has been provided.
- d) If, for some exceptional reason which EMSA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity.

13.5 Technical and professional capacity – Selection criteria

13.5.1 Standards / Prerequisites

The tenderer's technical capacity will be evaluated based on the following criteria :

- a) The tenderer shall have proven experience with similar projects using the tools adopted at EMSA.

13.5.2 Evidence

The tenderer shall submit a list of the tenderer's past projects with an explanation of which item of the selection criteria above is addressed by the project and how the technical and professional capacity in question was obtained from the project. The list should include:

- Project Name, Project description, Tools used, Tasks executed

The evidence should be presented using the template table below:

Project Description	Selection Criteria	Justification
Project Name with short description of the project (if there is a link to a project website or similar this can be included)	<ol style="list-style-type: none"> 1. Bullet list with the selection criteria items that the project is providing the evidence. 2. ... 	<ol style="list-style-type: none"> 1. Bullet list with short explanation of how the project provided the experience required for the respective bullet point of the previous column 2. ...

14. Declaration of Honour (DoH)

Please note that the tenderer shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

If the candidate already submitted such evidence for the purpose of another procedure, provided its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

15. Award criteria

The contract will be awarded to the tenderer who submits the most economically advantageous bid with the highest quality (the one with highest score) based on the following quality criteria and their associated weightings:

1. Quality criterion 1 ($W_1 = 10\%$),
2. Quality criterion 2 ($W_2 = 10\%$),
3. Quality criterion 3 ($W_3 = 40\%$),

and the price criterion and associated weighting:

4. Price of the bid ($W_{Price} = 40\%$).

Quality criterion 1

Quality of the project plan proposed, with respect to its organization, completeness and suitability to achieve the project goals within the maximum duration of the project and details of the tasks presented.

Quality criterion 2

Quality and suitability of the specific methodology for the tasks being requested.

Quality criterion 3

Quality of the solution proposed for the tasks being requested. The offer shall describe, as detailed as possible, the core elements foreseen for the execution of the services. As a minimum it shall address:

- Requirements coverage
- Technical approach for the upgrade
- Technical approach for the migration
- Final design of the system
- Deviations from the requirements and/or from the current architecture
- Expected impacts in the integrated Maritime Applications
- Approach for the Go-live support and Maintenance Services
- Deliverables
- Approach for the Maintenance Services

For all bids, evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion i is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$PP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{\text{Price}_i}$$

Only bids that have reached a minimum of 50 % for Q_1 , a minimum of 50 % for Q_2 , and a minimum of 50 % for Q_3 , will be taken into consideration when calculating the score for quality SQ , score for price SP and score S .

Only bids that have reached a minimum of 60 % for the score S will be taken into consideration for awarding the contract.

16. Rejection from the procedure

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

17. Intellectual Property Right (IPR)

Please consult the contract for IPR related clauses.

If the results are not fully created for the purpose of the contract this shall be clearly pointed out by the tenderer in the tender. Information shall be provided about the scope of pre-existing rights, their source and when and how the rights to these rights have been or will be acquired.

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.

18. List of Appendices to the Tender Specifications

The following appendices contain information relevant to the tender:

Appendix TS1 - AccMng-V2_Requirements

Appendix TS2 - AccMng-V2_Project_Delivery

Appendix TS3 – AccMng-V2_Maintenance_Services

Appendix TS4 - System_and_Application_Technical_Landscape_V36_published