



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
TAXATION AND CUSTOMS UNION
Customs Policy, Legislation, Tariff
Customs systems & IT operations

Brussels,
taxud.r.1(2016)519996

Subject: Call for tenders TAXUD/2015/AO-03 (ITSM3 Operations) – replies to questions

Dear Madam, Dear Sir,

Enclosed you will find the reply to the question received from 20/01/2016 up to 28/01/2016 (question 14).

This letter is being posted on the website of the Directorate-General for Taxation and Customs Union, at the following URL (“Questions & Answers” section):

http://ec.europa.eu/taxation_customs/common/tenders_grants/tenders/ao_2015_03_en.htm

Questions received subsequently will be answered in further letters which will be placed regularly on the same website. Prospective tenderers are invited to monitor this site attentively.

As mentioned in the invitation letter (ref. Ares(2015)5447663 dated 30/11/2015) published with the tender documents, the contracting authority is not bound to reply to requests for additional information received less than six working days before the closing date for submission of tenders (15/03/2016).

Yours faithfully,

(e-signed)
Paul-Hervé Theunissen
Head of Unit

Question no. 1

Reference: Annex 11 – Baseline. When attempting to download the documents from CIRCABC, we encountered the following issues:

- Some people have difficulties to log on to CIRCABC (authentication failure) while giving the correct username/password. The site seems to be unstable, providing access randomly.
- The "clipboard" limitation of CIRCA (50 MB) prevents to download most of the folders or sub-folders. It means that, for folders exceeding 50 MB, people have to download documents one by one. What is extremely time consuming.

Therefore, for convenience reasons, would it be possible to:

- Increase the clip level of 50 MB when downloading folders up to 500 MB per download.
- or to provide all baseline documentation on a DVD-ROM, as you did for ITSM II.

Reply

In order to facilitate the download of the documents in the baseline DG TAXUD has made available an ftp service. To access this service you need to connect using the following coordinates:

Server address: `fts.ec.europa.eu`
Username: `itsm3`
Password: `6VxzMELbLM`

Question no. 2

We noticed you published the ITSM3 Operations tender. With ITSM2 there was a separate lot for QA activities. Do you intend to launch a separate FWC for QA, or are QA activities meant to be part of the offer of the participants?

Reply

Please refer to chapter 2 of the tendering specifications.

Question no. 3

Could you please clarify if DG-TAXUD considers that the participation of a company to an existing and/or future DG-TAXUD contracts, such as other lots of ITSM2, their equivalent in ITSM3, CUSTDEV3, FITSDEV3, CCN2DEV and QA3 contracts, generates a conflict of interest with the attribution of the ITSM3 operation contract to the same company?

Reply

The service delivery under the ITSM3 'IT service management, infrastructure and operations' framework contract must be segregated from any existing contracts with DG TAXUD (with the exception of ITSM2 Lot 1), at the level of the management, control, quality assurance and operational activities. The tenderer is invited to provide the detail

of the steps he proposes to take to ensure this tight segregation should it be involved - even partially - in an existing contract with DG TAXUD. DG TAXUD will reject the tender in case those steps are not providing the necessary segregation with the existing contract. Segregation for future contracts will be addressed at the time of publication of the relevant calls for tenders.

Question no. 4

Reference: Annex 1 - Questionnaire - page 3 – Subcontracting. On this page, you wrote "All other relevant information will have to be provided under section 4.3.3 and Attachments 3 and 4 of this questionnaire". However, we do not find section 4.3.3, nor Attachment 4. Could you please check and let us know if it is a clerical error.

Reply

Please read section 4.2.3 and Attachments 2 and 3 instead of section 4.3.3 and Attachments 3 and 4 of this questionnaire.

Question no. 5

Reference: Annex 5 - Declaration of honour on exclusion criteria and selection criteria. On page 3 of the Annex 1 - Questionnaire - Subcontracting, you wrote "These companies must fill in Sections 1 and 2 of this Questionnaire for assessment" and also "If a sole tenderer or a tendering group intends also to rely on the economic and financial capacity of the subcontractor(s), the subcontractor(s) also have to fill in Section 3 (except bullet point 4)."

Section 2 relates to the Declaration of honour on exclusion criteria and selection criteria. If we do not rely on the economic and financial capacity of our subcontractor(s), the subcontractor(s) does(do) not have to fill in Section 3.

In that respect, can you clarify how our subcontractor(s) have to act to be compliant while filling in page 5 of the Declaration of honour on exclusion criteria and selection criteria because they do not have to fill in Sections 3 and 4 of the questionnaire ?

More specifically regarding the following statements in section (6) of the Declaration of honour:

- (1) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section 4 of the questionnaire;
- (2) It fulfils the applicable economic and financial criteria indicated in section 3 of the questionnaire;
- (3) It fulfils the applicable technical and professional criteria indicated in section 4 of the questionnaire.

Reply

In case of subcontracting:

- If the tenderer does not intend to rely on the economic and financial capacity of the subcontractor(s), then section 3 of the questionnaire does not need to be answered for that(these) subcontractor(s).

In that respect, section 6(a) and (b) of annex 5 (declaration on honour on exclusion criteria and absence of conflict of interest) are no applicable for that (these) subcontractor(s).

- If the tenderer does not intend to rely on the technical and professional capacity of the subcontractor(s), then section 4 of the questionnaire does not need to be answered for that (these) subcontractor(s).

In that respect section 6(c) of annex 5 (declaration on honour on exclusion criteria and absence of conflict of interest) is no applicable for that (these) subcontractor(s).

Question no. 6

In the tender documentation the “Annex11_baseline” contains a list of documents. Can tenderers have access to the documents listed in this baseline? If yes, how to gain access?

Reply

Please refer to page 29 of the Terms Of Reference and the reply to Question no. 1.

Question no. 7

Reference: Questionnaire Annex1, Chapter 3, page 9, point 4. Turnover for 3 years is asked, but only 2 respective numbers are given. How do we have to understand this?

Reply

For each of the last 3 financial years, the overall (global) turnover must be provided. This overall (global) turnover must be equal to or higher than 92 M€ per year. For the same financial years, the turnover for services similar to the services in the scope of this call for tenders must be provided; this turnover must be equal to or higher than 46 M€ per year.

Question no. 8

Reference: Price Table Annex 3, sheet 'Profiles'. The automatic amount reported from the sheet 'Profiles' to the sheet 'ITSM3 Operations' calculates the cumulated cost for all defined profiles and NOT the expected blended cost, i.e. an average man-day cost. Average is only provided between proximity extramuros and extramuros, not between the various profiles. Please clarify or confirm that our understanding is correct and provide updated price table.

Reply

We confirm that the price sheet is correct. The mentioned automatic amount reported from the sheet 'Profiles' (cell E62) is an average between the "proximity extramuros" and "extramuros" profile values in cells E60 and F60. These two cells are themselves each an average of the "proximity extramuros" and "extramuros" prices respectively and not a cumulated value.

Question no. 9

Reference: Technical Annex 2a, para 10.10.50 page 157. SQI5-050 refers as unit of measurement 20 key functions but the section to which the footnote refers is missing. Our understanding is that it should refer to para 9.1.1 "Key roles for continuous services", but 42 key roles instead of 20 are listed, whose 18 are non-junior. Please

clarify and provide us with the list of the 20 key functions initially considered by Taxud as Unit of measurement of the SQI

Reply

There is a mistake in the definition of SQI-050 in section 10.10.50 of the Technical Annex (Annex 2a). The Unit of Measurements should read as follows:

Unit of Measurement of the SQI	<p>This SQI will measure the occurrence of one of the following events:</p> <p>(1) The 42 key functions¹ of the Takeover team are not staffed by full time staff 1 month after the start of the first SC;</p> <p>(2) The 42 key functions have a turnover of more than 20% (8 people) over a 12 months sliding window.</p>
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Question no. 10

Reference: Questionnaire Annex1, para 5.3.1 page 22 and Technical Annex 2a, para 9.1.1 page 120. The questionnaire is speaking about "Business Thread Liaison Taxation" when the technical annex is introducing "Business Thread Liaison Direct Taxation" and "Business Thread Liaison Indirect Taxation". Please clarify

Reply

The correct list of Key Roles is that provided in the Technical Annex (Annex 2a) section 9.1.1. This list is not correctly transposed to the Questionnaire section 5.3.1 where the Key Roles associated to Taxation should be corrected as follows:

The Role

Business Thread Liaison Taxation	
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Should be replaced by the following three roles:

Business Thread Liaison Direct Taxation	
Business Thread Liaison Indirect Taxation	
Business Thread Liaison Recovery of Claims	

And the following four roles should be added:

Application SPOC Direct Taxation	
Application SPOC Indirect Taxation	
Application SPOC Excise	
Application SPOC Recovery of Claims	

A new version of the questionnaire has been published on the website.

¹ Based on the organisation proposed in the **ITSM2 Operations** contractor's bid and respecting the key roles specified on section .

Question no. 11

Reference: Questionnaire Annex1, p. 16-25. In the questionnaire we do not find a maximum amount of pages allowed per answer. Do we need to understand that there are no page limits for the questions from the Award Criteria ?

Reply

As indicated in section 6.3.5.3 of the Guidebook for Tenderers (Annex 4), replies to the questions in the questionnaire must be concise and refer to the relevant sections of your bid where you can further develop the replies.

Question no. 12

Reference: Price Table Annex 3, sheet 'Profiles'; Questionnaire §5.3.1 Mapping Roles and Profiles; Technical Annex §9.1.1 Table 7 Key Roles

As mentioned in Questionnaire and in Technical Annex, there is a distinction between Roles and Profiles.

A mapping between Roles and Profiles is requested (cf. Questionnaire §5.3.1). For some of the Roles, proximity extramuros are requested (marked "P" in Table 7 of the Technical Annex).

The financial tables must be filled in with the costs of the Profiles, for both "proximity extramuros" and "extramuros".

Our understanding is the following:

- Mandatory: "Proximity extramuros" costs must be provided for all Profiles related to "proximity extramuros" Roles (Marked "P" in Table 7 of the Technical Annex).
- Optionally: "Extramuros" costs may be provided for the Profiles related to "proximity extramuros" Roles (Marked "P" in Table 7 of the Technical Annex).
- Mandatory: "Extramuros" costs must be provided for all Profiles not related to "proximity extramuros" Roles (Not marked "P" in Table 7 of the Technical Annex).
- Optionally: "Proximity extramuros" costs may be provided for the Profiles not related to "proximity extramuros" Roles (Not marked "P" in Table 7 of the Technical Annex).

Please could you confirm our understanding is correct.

Reply

It should be noted that, as specified in section 9.1.1 of the Technical Annex, the Key Roles only relate to the Continuous Services while the costs required for the profiles in the Price Table relate to the On-Demand Services.

Therefore, for the list of profiles as requested in section 5.3.1 of the Questionnaire, two distinct uses are made:

- (1) Tenderers must define the appropriate profiles that will assume the Key Roles for Continuous Services while ensuring that they comply with the proximity requirement (if the associated Role is marked with a (P) in Table 7 of the Technical Annex).

- (2) Tenderers must define profiles that can be requested in the context of On-Demand services and provide the costs for such profiles in the Price Table both in extramuros mode and in proximity extramuros mode.

Therefore, Tenderers must indicate in the Price Table the profile cost that will be available for On-Demand services in both modes (extramuros and proximity extramuros).

For example, for a Profile A defined in the tender, the following options are possible:

- Profile A is associated to one or several Key roles however, no price is provided for this profile in the Price Table: this means that this profile will only be used for continuous services and is not offered for on-demand service.
- The Profile A is not associated to any role but a price is provided in the Price Table for extramuros and for proximity extramuros: this means that the profile will not be associated to any Key Role of the continuous services but will be available for on-demand services in both of the options.
- The Profile A is associated to one or several roles AND a price is provided in the Price Table for extramuros and for proximity extramuros: this means that the profile will be associated to one or several Key Roles of the continuous services AND will be available for on-demand services in both of the Proximity extramuros and extramuros options.

Question no. 13

In the questionnaire in chapter 4.4.1, it is requested to provide evidence of compliancy with the following standard:

- ISO standard (or equivalent, to be specified)
- ISO 20000-2:2013 [& optionally ISO 20000-1:2013]
- ISO 27001.2013
- ISO 27002.2013
- Others (add as necessary) [optionally SAS 70 type II – now SSAE16]

Is compliancy with these standards mandatory as they are indicated as mandatory for the document A2-TOR (page 29 & 30)?

Reply

The standards referred to in section 4.4.1 of the Questionnaire are part of the selection criteria for the Tenderers' technical and professional capacity. The Tenderers must indicate if they possess such certifications or not (compliance with those standards is not mandatory).

As far as the Terms of Reference document is concerned, it must be noted that this document provides an overview of the current services that need to be taken over by the ITSM3 Operations contractor (see also page 12 of the Technical Annex). Therefore, the standards listed in section 2 "*Reference Documents*" of the Terms of Reference should be understood as references of quality levels particularly applicable to the services that will be taken over by ITSM3 Operations contractor.

Question 14

Annex 2a, p. 42 - Service Block 5 states the underlying infrastructure services as part of service block 5: "Licence management allowing to identify software licences deployed, their level of utilisation and licence compliance;"

Annex 2a, p. 80, covering the HW/SW/Maintenance acquisition channel defines that "a comprehensive licence management services including software lifecycle management services" need to be implemented:

"- A base package consisting of an on-line service enabling secure access to catalogue(s) and licence pricing information (via an on-line product catalogue), order tracking information (via an order tracking tool), licence inventory information, and provision of regular consumption follow-up reports, as well as other types of reports (provided periodically or on request from DG TAXUD within a maximum delay of 5 working days), linked to Service Level Agreement (SLA) requirements;

- Licence management services, which involve the ITSM3 Operations contractor coming on-site to identify licences and software products already deployed on a computer network. These services may include licence disposal, licence metering, and licence compliance services.

- Periodic and complete licence verification (including licences of products and COTS purchased by other acquisition channel) followed by a report of the Contractor with the verification made and a letter certifying full licence compliance.

It must be possible to trace any order back to its originating entity. It is up to DG TAXUD to decide which of these services will effectively be used in the course of the contract, and to which extent, but the ITSM3 Operations contractor must be capable of offering all of them;"

Related to these two paragraphs, we have the following questions:

- (1) Is our understanding correct that the "licence management services" as requested on p. 80 of Annex 2a include services requested in Annex 2a, p. 42 as part of service block 5?
- (2) Is our understanding correct that the license compliance responsibility as stipulated on Annex 2a p. 42 applies to the services requested on Annex 2a p. 80?
- (3) Is our understanding correct that "It is up to DG TAXUD to decide which of these services will effectively be used" (Annex 2a p. 80) , means that we need to propose a transformation project as part of SB02 and present the solution as an answer to Questionnaire: Question 5.2.2 Proposed Transformations as part of the "Asset management solution implementation" (Questionnaire, p. 19)? Upon selection of this transformation project, this service will be implemented and the compliance responsibility as highlighted in question 2 will be activated. Please confirm that this understanding is correct.
- (4) Related to question 3, could DG TAXUD confirm that the ITSM3 Operations supplier will get full access to the existing and new licence contracts (also those contracts that are acquired outside the ITSM3 Operations acquisition channel for which the ITSM3 contractor needs to assume license compliance responsibility)?

- (5) Could DG TAXUD provide a description of the existing licensing scheme (data model, if any) when available?
- (6) Could DG TAXUD provide a description of the existing workflow of the hw/sw/maintenance acquisition channel including products and COTS purchased by other acquisition channel than ITSM2 Lot1.

Reply

As general reply to Question 14, please note that Annex 2a (Technical Annex) is modified as follows:

- The fourth to seventh paragraphs (bullet points) of page 80 are to be moved just after the first paragraph of page 46. These paragraphs stay unchanged except for the first one which loses its bullet point and is modified to result as follows:

"A comprehensive licence management services including software lifecycle management services shall be implemented by means of:"

- Footnote 15 is deleted.
- The fourth and fifth bullet points of page 79 are deleted.

A new version of the Technical Annex reflecting these changes has been published on the website (URL indicated on page 1 of this letter) in the "Questions & Answers" section.

In reply to you specific questions:

- (1) Your understanding is correct; the licence management service is to be provided as part of SB05.
- (2) Your understanding is correct; the license compliance responsibility as stipulated on Annex 2a p. 42 applies also to the services requested on Annex 2a p. 80. (in the new version of the Technical Annex which is published in the "Questions & Answers" section on the website; URL indicated on page 1 of this letter).
- (3) This third question contains two parts:
 - (a) On the first part, your understanding is correct: the Tenderer has to propose a transformation project as part of SB02 in reply to question 5.2.2 of the questionnaire.
 - (b) On the second part, your understanding is not correct. The compliance responsibility is activated at the moment of take-over regardless the implementation of the proposed transformation project.
- (4) DG TAXUD will (unless restrained for legal reasons) provide the ITSM3 Operations contractor the available contractual information. This does not limit in anyway the licence compliance responsibility as described in SB05.
- (5) Such description is currently not available.
- (6) The workflow for the other hardware, software, maintenance acquisition channels are similar to the ITSM2 Lot1 and ITSM3 Operations acquisition channels.