Republic of Serbia

MINISTRY OF FINANCE

Department for Contracting and Financing of EU Funded Programmes (CFCU)

Belgrade, 07/04/2017

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1
"Supply Contract for AIS and AES Equipment"
Publication ref: EuropeAid/138047/IH/SUP/RS

No.	Question	Answer
1	a) Please confirm that Documentary evidence of the Tenderer's financial and economic capacity and technical and professional capacity according to the selection criteria specified in point 16 of the contract notice shall be submitted <u>only after successful tenderer has been informed (in writing) that its tender has been accepted</u> (notification of award). b) Does In his bid, Tenderer has to present <u>only information</u> regarding his qualifications (financial and economic capacity and technical and professional capacity), required by Contracting Authority?	a) Yes we confirm. Please refer to guidance stipulated under in the Section 21. Signature of the contract and performance guarantee (21.1.,21.2.,21.3) in the Instructions to Tenderers. b) Yes, Tenderer has to present <u>only information</u> regarding his qualifications/selection criteria (financial and economic capacity and technical and professional capacity), as required by the document c4l-Tender form.
2	a) Should the Part 1-Technical offer, Part 2 -Financial offer and Part 3- Documentation has to be at first placed separated each in its envelope, and after that placed together in same envelope? b) Should one envelope contains only originals, and other envelope all copies (set of 3 copies)?	a) No. Please note that in the Section 10.4. of Instructions to Tenderers is stipulated: *"The technical and financial offers must be placed together in a sealed envelope. The envelope should then be placed in another single sealed envelope/package, unless their volume requires a separate submission for each lot."* b) Yes, this is acceptable.

3	Are only an electronic version on CD/DVD of the Financial offer should be submitted (INSTRUCTIONS TO TENDERERS, Chapter 11, pg 7), or Tenderer should submit electronic version of all parts (Part 1-Technical offer, Part 2 -Financial offer and Part 3- Documentation), considering not precise request in INSTRUCTIONS TO TENDERERS, Chapter 10.2?	Please note that Section 10.2 of Instructions to Tenderers stipulates that the complete tender should be submitted in electronic form (CD/DVE), as well: "*All tenders* *must be submitted in one original, marked 'original', and 3 (in view of environmental considerations, as few copies as possible should be requested, with double side printing, degradable material for folders, presentation, etc…) copies signed in the same way as the original and marked 'copy'.* *An electronic version on CD/DVD should be provided.*"
4	Are all 3 copies of bid have to be signed in the same way as the original bid, or it is allowed to submit 3 photocopies of already signed original bid?	Yes, it is acceptable to submit the 3 photocopies of already signed original bid.
5	Please confirm are all prices and conditions offered Tenderer's bid has to be valid 150 days from the deadline for the submission of tenders, considering tender requests: • Tenderers will be bound by their tenders for a period of 90 days from the deadline for the submission of tenders – INSTRUCTIONS TO TENDERERS, Chapter 8.1, pg 4 • The successful tenderer will be bound by its tender for a further period of 60 days. The further period is added to the validity period (90 days) of the tender irrespective of the date of notification - INSTRUCTIONS TO TENDERERS, Chapter 8.3, pg 5.	As correctly noted, Tenderers will be bound by their tenders for a period of 90 days from the deadline for the submission of tenders. In addition, please note that in Instruction to Tenderers, Section 8. Period of validity, it is stipulated that: "8.3. *The* <u>*successful tenderer*</u> *will be bound by its tender for a further period of 60 days. The further period is added to the validity period of the tender irrespective of the date of notification.*" Furthermore, as stated under Sub-section 8.2 of Instruction to Tenderers: "*In exceptional cases and prior to the expiry of the*

		original tender validity period, the Contracting Authority may ask tenderers in writing to extend this period by 40 days."
6	In ANNEX II + III: TECHNICAL SPECIFICATIONS + TECHNICAL OFFER, for LOT1, in table Specifications Required, for Type 1- Processing server for item 1.8 it is specified, as follows: Operating System (OS) support Microsoft Windows Server 2012 Standard, Microsoft Windows Server 2012 R2 Standard Red Hat Enterprise Linux 7, SUSE Linux Enterprise Server 12 Same request regarding OS is provided for Type 2 - Database server. Could you please clarify are Processing and DB servers should be delivered without OS, but capable to cooperate with specified OS?	Yes, Processing and DB servers should be delivered without OS but capable to cooperate with specified OS.
7	The tender conditions stated in Lot 3 - Annex II + III Technical specifications + Technical offer, under the point 1.23 – "The ESB should be a Commercial-Off-The-Shelves (COTS) software application". Please clarify what is the exact quantity of licences for ESB and RDBMS expected to be delivered?	Point 1.23 is related to solution. Solution itself has to meet industry requirements for high availability. Solution should be designed to be implemented easily into existing systems without the need for additional development of solution itself. Bidder must offer adequate number of licences in order to meet above described requirement (Scalability and high availability - Enterprise editions of ESB and RDBMS). Licenses for RDBMS should support non limited number of users, i.e. they should cover number of cores of two database servers depicted in Lot 1, depending on licensing model of specific vendor. Same principle should be used according to requirements related to ESB. Number of applications/databases which will be connected to ESB has

		been estimated at up to 4.
8	Assuming that the hardware infrastructure, that will be acquired through Lot 1 and Lot 2, will be used for exploitation of the required licenses, please verify that it is necessary to offer an adequate number of licenses that can be used with the hardware offered in Lot 1 and 2.	Please, refer to Answer to Question No. 7 above.
9	Please clarify whether the Contracting Authority may use existing licenses (previously acquired or otherwise available) for ESB and the RDBMS for the purpose of implementation of the requirement for Lot 3?	No, there is no possibility to use existing licenses.
10	What methodology will be used by the Contracting Authority to estimate the adequacy of the number of licenses offered for the ESB and the RDBMS?	Please, refer to Answer to Question No. 7 above.
11	Is it necessary to specify in the proposal the exact number of offered licenses and licensing model for the ESB and the RDBMS?	Yes, it is necessary.
12	If an adequate number of licenses for the ESB and the RDBMS is not offered in the proposal, will the proposal be rejected? If so, please state the exact number of licenses for ESB and the RDBMS expected to be offered.	Please, refer to Answer to Question No. 7 above. Additionally please note that the solution must meet technical and functional described requirements listed in *ANNEX II + III:* TECHNICAL SPECIFICATION + TECHNICAL OFFER. With reference to rejection of proposal please note that in Practical Guide, Section 4.3.4. Additional information during the procedure the following is stated:*" Please note that the Contracting Authority cannot give a prior opinion on the assessment of the tender."*
13	Since the above referenced is supply tender and the exact required amount of licenses for the ESB and the RDBMS is not defined within the Technical specification for Lot 3, please clarify the method Contracting Authority will use during the acceptance of delivered goods and how will the form "PROVISIONAL / FINAL ACCEPTANCE CERTIFICATE" for Lot 3 be filled (specifically the column 2 "qty")?	Please, refer to Answer to Question No. 7 above. In addition, please note that the solution must meet technical and functional described requirements listed in *ANNEX II + III:* TECHNICAL SPECIFICATION +

		TECHNICAL OFFER for Lot 3. With reference to Provisional/Final Acceptance of delivered goods, the quantities and goods listed in Provisional/Final Acceptance Certificates must be identical to the quantities/goods offered and presented in the tenderers offer, i.e. in the contract signed with the successful tenderer.
14	Please indicate clearly the quantity of goods required under the above specified supply tender, since you will otherwise obstruct us to give the correct and acceptable offer and we will be forced to complain in accordance with the instructions provided in Section 2.4.15 of the PRAG.	With reference to quantities of goods supplied under this tender, please refer to ANNEX II + III: TECHNICAL SPECIFICATIONS + TECHNICAL OFFERS and Financial offers (for all three lots) in the Tender dossier.
15	Regarding Supply Contract for AIS and AES Equipment, Publication reference: EuropeAid/138-047/IH/SUP/RS, Lot 3: Delivery and support of Enterprise Service Bus (ESB) solution could you please clarify if there should be a source code?	Ownership of source code should not be delivered to the Contracting Authority.
16	Regarding Supply Contract for AIS and AES Equipment, Publication reference: EuropeAid/138-047/IH/SUP/RS, Lot 3: Delivery and support of Enterprise Service Bus (ESB) solution could you please clarify if the software Enterprise Service Bus should be EU origin?	The ESB should be a Commercial-Off-The-Shelves (COTS) software application. Software itself should meet industry requirements for high availability. Solution should be capable to be implemented easily into existing systems without the need for additional development of solution itself. Bidder should submit MAF - Manufacturer authorization form issued by software vendor for this specific project together with proposal. With reference to the rules of origin, please refer to the Articles 4.1 and 4.2 of the Instructions to Tenderers and Article 2.3.1 of the Practical Guide.

17	Technical specification, Lot 2: The storage system and backup environment, item number 1.1, „Multi Controller designed system, with ITB of controller based cache memory, should be upgradeable to minimum 4 controllers" FICON ports, z/OS compatibility, PAV are distinctive features of mainframe storage systems. These storage systems are produced by three vendors only: IBM, Dell EMC, and Hitachi Data Systems. Mainframe storage systems are used with IBM mainframes and compatibility with IBM mainframes is their main feature. IBM has long history of making such systems − even Customs Administration of Serbia has been using IBM mainframe storage systems last three decades. DS8000 series are the latest and the most modern storage systems from IBM and they aren't „upgradeable to minimum 4 controllers". They have two controllers only. This request couldn't be justified from the angle of performance, scalability or functionality. IBM storage systems are scalable to 5.2 PT with two controllers only, which is 100 times more capacity than needed in the tender. IBM uses POWER8 architecture for its controllers, other vendors use Intel x86. Scalability is possible by adding processor cores, not controllers. There isn't any technical or business reason for the request except to create obstacles to competitive tendering. There isn't even any market reason to create obstacles because all three vendors are market leaders (according Gartner, Inc.[1]). We would like to remind you of some rules of writing technical specifications: „The terms of reference and the technical specifications must allow equal access for candidates and tenderers and must not have the effect of creating unjustified obstacles to competitive tendering. They must be clear and non-discriminatory, and proportionate to the objective and/or the budget for the project."[2]2 „There is a legal obligation for the Commission to take necessary measures to guarantee as wide participation as possible, on equal terms, in competitive tendering for the award of contracts financed by the EU. To that end, particular care shall be taken to eliminate any discriminatory practice or technical specifications liable to	Please note that the storage system required must fulfill all current and future needs of a complex service and application environment for production, development and testing. At the same time it must provide high level of business continuity, redundancy and scalability for both mainframe and open systems in order to support services and applications running currently and in the future. Request for a multi controller system upgradable to minimum 4 controllers is in line with service and application needs of Customs Administration (End Recipient of this project) and at the same time minimizes the risk of not being able to fulfill future growth of environment and adequate business continuity, redundancy and scalability needs. In addition, request for a multi controller system upgradable to minimum 4 controllers is moderate, having in mind that there are many storage solutions in the market scalable up to 16 controllers.

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[1] http://www.storagenewsletter.com/2016/11/10/magic-quadrant-for-general-purpose-disk-arrays-gartner-2/

[2] Procurement and Grants for European Union External actions-A Practical Guide, Version 2016.0-15 January 2016

	hamper wide participation an equal terms by all eligible persons."[3] Please describe the storage system as recommended in Practical guide Annex A11b. Please take necessary measures to guarantee as wide participation as possible – in this case to remove obstacles for all three above mentioned vendors.	
18	Technical specification, Lot 2: The storage system and backup environment, item number 1.5. "SW licenses to be offered: Compatible PAV, Compatible High performance FICON (z/hpf), zBoost PAV Optimizer" zBoostTM PAV Optimizer is registered trade mark of Dell EMC. Please confirm that equivalent product of other vendor could be offered. Please describe requested functionality according practical guide Annex A11b. Please define the service application should perform; in other words, what the application is supposed to do.	Equivalent product can be used and needs to support zOS 2.1 as minimal version.
19	Technical specification, Lot 2: The storage system and backup environment, item number 1.5. "7TB source based deduplication for Enterprise application license (for direct backup of environments like: Oracle RMAN, SQL, DB2, SAP, SAP Hana)" Could you please explain how many application servers will use VTL protocol and how many of them will use source based deduplication. Number and type of processor cores for each, description (SAP, Oracle or HANA) and size (in GBs) of the enterprise environment that should be backed up. These information are necessary for appropriate licensing, implementation and training for backup software application.	Request of Contracting Authority and its End Recipient of the contract (Customs Administration) is for licensing without limitations in number of servers which will be backed up. As Customs Administration has approximately 7TB application data on source, this capacity should be only limitation for backup with source de-duplication. Backup with source de-duplication must support applications: Oracle, SQL, SAP, SAP Hana, Exchange and DB2. Also, for VTL there should be no limitation on number of servers to be backed up with VTL (except capacity on backup target). Customs Administration also wants possibility to back up same servers on both ways if desired.

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[3] Annex A11b Guidelines for the drafting of IT tender's technical specifications in the field of external actions