



TENDER CONDITIONS FOR TENDER PROCEDURE CONCERNING PROCUREMENT OF IT  
CONSULTANCY SERVICES: TEST MANAGER FOR THE NEMO PROGRAM



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## 1. Introduction

The Contracting Authority hereby invites you to submit a tender concerning IT-consultancy services, test-manager to the NEMO-program.

The tender procedure will be carried out via e-mail and all tender material is published at [www.ubud.dk](http://www.ubud.dk). Questions and tender must be sent per e-mail. See section 2.1 and 2.2.

This procurement is conducted as an open procedure. The tender is considered as having cross-border interest. As a result, a notification has been made via Udbud.dk, cf. The Danish procurement law (udbudsloven) section IV.

### 1.1 Contracting Authority

Nordic RCC A/S  
Copenhagen Towers  
Ørestads Boulevard 114  
2300 København S  
Company reg. no.42 88 25 85

In the present Tender Conditions called the Contracting Authority.

### 1.2 Preliminary time schedule

The tender procedure is expected to be conducted in accordance with the time schedule below. The time schedule is preliminary and may therefore be changed at the sole discretion of the Contracting Authority.

Date for published notice on <a href="http://www.ubud.dk">www.ubud.dk</a>	15. August 2022
Deadline for submitting the tender	29. August 2022 2:00 PM
Notification of award	2. September 2022
Commencement of contract	Shortly after the notification of award.

### 1.3 Tender Documents

The tender must be submitted on the basis of the Tender Documents, including any questions, answers and changes.

<b>Document:</b>
These Tender Conditions



Contract with attachments
<ul style="list-style-type: none"><li>• Appendix 1: Terms and Conditions for IT Consultancy Services</li></ul>
<ul style="list-style-type: none"><li>• Appendix 2: Scope of Works – Project description</li></ul>
<ul style="list-style-type: none"><li>• Appendix 3: Price List</li></ul>
<ul style="list-style-type: none"><li>• Appendix 4: Business Partner Form</li></ul>

Upon downloading of the Tender Documents, the tenderer is responsible to check that the copy received is compliant with the list above.

#### 1.4 The object of the tender

The Contracting Authority wants to purchase IT consultancy services: test manager for the NEMO-program from signing the Contract Agreement until October 2023, but with the possibility of extension of the Agreement 2 times.

See specifications regarding the assignment in Appendix 2.

For further details concerning the purchase, reference is made to the Tender Documents.

#### 1.5 Privacy notice

As part of the tender process, the Contracting Authority may process personal information about Tenderer's management and employees.

The Tenderer is obliged to ensure that physical persons, whose personal information will be included in any material provided by the Tenderer as part of the tender process, are informed of the below.

##### 1.5.1 Procedures which may require processing of personal information

The Contracting Authority may process information required to document the absence of grounds for exclusion and/or fulfillment of the minimum requirements for suitability (if relevant). Further the Contracting Authority will process information about Tenderer's employees who are intended by the Tenderer to be part of the team providing the works/services to the Contracting Authority. This information includes name, intended role in the project, relevant experience and other information provided by the Tenderer during the tender process.

The Contracting Authority's legal basis for processing this information is the EU General Data Protection Regulation (Regulation (EU) 2016/679), article 6 and 10.

Information may be disclosed to third parties supporting the Contracting Authority in the tender process.

Information contained in applications/tenders will be stored for the duration of the contract and at least 3 years from the date of awarding the contract. The retention period may be extended if necessary for the Contracting Authority to comply with other legal



obligations or where the Contracting Authority has a legitimate interest in keeping the information in order for the Contracting Authority to be able to establish, exercise or defend a legal claim.

#### 1.5.2 Data subject's rights

The data subjects have the following rights:

- The right to request access to and rectification or erasure of personal data.
- The right to object to the processing of personal data and have the processing of personal data restricted.
- An unconditional right to object to the processing of personal data for direct marketing purposes.
- The data subject may always lodge a complaint with a data protection supervisory authority, e.g. The Danish Data Protection Agency.

The data subjects may exercise their rights by contacting the Contracting Authority. There may be conditions or limitations to these rights.



## 2. Tender stage

### 2.1 Questions concerning the tender stage

It is possible to ask clarifying questions regarding the process and the Tender Documents. All questions must be submitted in writing via e-mail to [LJGH@ramboll.com](mailto:LJGH@ramboll.com). Every question should start with a clear reference to the section or sections in the Tender Documents the question relates to.

Written questions and answers will regularly be made available to all at [udbud.dk](http://udbud.dk) in anonymous form. Similarly, any changes to the Tender Documents will be made available to all tenderers at [udbud.dk](http://udbud.dk). It is the tenderers responsibility to keep up to date with any questions, answers and changes at [udbud.dk](http://udbud.dk).

Questions concerning the preparation of the tender should be submitted 6 days before the time limit for receipt of tenders. Questions submitted later than 6 days prior to the time limit for receipt of tenders cannot be expected to be answered.

### 2.2 Submission of tender

The time limit for the Contracting Authority's receipt of the initial tender is:

- 29. August 2022 2:00 PM
- The tender must be sent per e-mail to [LJGH@ramboll.com](mailto:LJGH@ramboll.com) within the stipulated time limit. Tenders received after the stipulated time limit will be rejected.
- The tender must be in English, which also apply for all communication during the tender procedure.
- Each tenderer may only submit one tender.
- The Contracting Authority reserves the right to request the tenderer to supplement, specify or complete the information submitted.

### 2.3 Structure of tender

The Contracting Authority wants the tenders submitted by the tenderers to be structured as set out below. The tenderers are solely responsible for ensuring that all the requested information as set out in the Tender Documents is included in the tender.

Section	Contents
Section 1	The price list completed as instructed
Section 2	Fulfillment of the qualitative sub-criteria's, see section 3.1
Section 3	Signed Business Partner Form (Appendix 4)
Section 4	Deviation list



When submitting the tender the tenderer should use standard file formats, as example Excel, Word and Pdf. The tender list should be submitted in the same format as it was received by the tenderer.

## 2.4 Handling of tenders

The tenderers are not invited to be present at the opening of the tenders. Tenders are registered upon receipt.

All tenders will be treated as confidential by the Contracting Authority. However, this does not apply in the event that a third-party requests and is granted right of access to files pertaining to all or part of the tender pursuant to the Danish Act on Public Access to Documents in Administrative Files (*offentlighedsloven*) or the Danish Public Administration Act (*forvaltningsloven*).

The Contracting Authority is not obligated to return any tenders submitted. Any costs incurred by the tenderer in connection with the tender process and the preparation of the tender etc. are of no concern to the Contracting Authority. No remuneration will be paid in respect of the tenderer's participation in the tender process and preparation of its tender(s).

## 2.5 Validity

The tenders submitted must be valid for a period of 1 month as from the specified time limit for the submission of tenders.

## 2.6 Reservations

### 2.6.1 Tenderers reservations

Any discrepancy between the Tender Documents and the tender will be considered as a reservation. This also includes insufficient information, errors and missing responses. Discrepancies between the Tender Documents and the tender are the sole responsibility of the tenderer, and The Contracting Authority is not responsible to identify reservations.

The Contracting Authority is entitled to reject any tender with reservations to the Tender Documents (unless the reservation is part of the evaluation, cf. section 3.1).

The Contracting Authority is obligated to reject tenders with reservations towards mandatory parts of the Tender Documents and as a result cannot award the contract to a tender including such reservations.

As a result of the above stated tenderers are encouraged not to make reservations, as reservations entail a significant risk of the tender being rejected. If the tenderer should choose to make reservations, these must be stated explicitly and with explanation as to why the reservation is made. Instead of making reservation the tenderers are encouraged to submit questions as early as possible, cf. section 2.1.

For this tender the below stated is explicitly considered as mandatory parts of the Tender Documents:

- Contract Agreement clause 2 and 6
- Appendix 1 clause 1, 5, 11, 14, 18, 21 and 23
- Appendix 4



The remaining parts of the Tender Documents may - with due respect of the principles of equality and transparency – be subject to changes to the Tender Documents at the sole discretion of the Contracting Authority.

#### 2.6.2 Contracting Authority's reservations

The Contracting Authority reserves the right to cancel the present tender procedure, always provided that valid reasons for such cancellation exist.

#### 2.7 Variants

The Contracting Authority does not accept variants.



### 3. Evaluation and award stage

#### 3.1 Award criterion

The award criterion is the most economically advantageous tender based on the best price-quality ratio, cf. the stated sub-criteria's including weight:

Price (30%)	
Documentation	Evaluation
<p>Prices must be stated in the attached Price List and the defined price elements must be completed herein. Prices must be stated exclusive of VAT but inclusive of all other expenses associated with the purchase.</p> <p>Prices must be stated in EUR.</p>	<p>When evaluating 'Price', the Contracting Authority will evaluate the total cost (for evaluation purpose), cf. cell D6 (the blue) in the Price List.</p>
Competencies (60%)	
Documentation	Evaluation
<p>The tenderer should fill out the table regarding requirements in Appendix 2, clause 4.</p> <p>The tenderer should enclose CV of the test-manager who will be allocated to the assignment.</p> <p>The CV should include a detailed description of experience and competences of relevance to the tendered assignment considering the position for which the key person is proposed (e.g., experience within that position, experience with similar assignments etc.).</p> <p>Fulfilment of requirements cf. Appendix 2 clause 4 will be included in the evaluation.</p>	<p>The evaluation will be based on the demonstrated competences and experience in the included CV with respect to the tendered assignment and the specific role of the test manager.</p> <p>An overall evaluation will be made of the criterion.</p>
Contract terms (10 %)	
Documentation	Evaluation

<p>Deviations pertaining to tender documents Contract Agreement shall be stated in 'Deviation list'.</p> <p>Any deviation shall be explicit with a clear reference to the specific document(s) and section(s) it concerns and with explanation as to why the deviation is made.</p>	<p>The tendered assignment must be performed on the basis of the attached terms and conditions. With the exception of Contract Agreement clause 2 and 6, Appendix 1 clause 1, 5, 11, 14, 18, 21 and 23 and Appendix 4 which is considered as mandatory parts, it is possible for the tenderer to make explicit and well-explained deviations. These will be included in the evaluation of the subcriterion "Contract Terms" and it is noted that any deviation may lead to a reduction in the score depending on the content, clarity and consequence. In this regard it is explicitly noted that deviations which intends to limit liability and shift the financial risk in favor of the tenderer will be of particular importance in the evaluation.</p>
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### 3.2 Evaluation model

The Tenderer with the highest total score is awarded the contract. The score is calculated on the basis on the following formular:

$$\text{Total score} = ((\text{point for "Price"}) \times 30 \%) + ((\text{point for "Competencies"}) \times 60 \%) + ((\text{point for "Contract terms"}) \times 10 \%)$$

#### 3.2.1 Evaluation of "Price"

The Contracting Authority awards point for "Price" from the total cost. Points are awarded based on following evaluation model, where points are awarded on a scale from 1-8, where 8 is maximum point.

The lowest total cost is automatically awarded maximum point. The other offered total costs are awarded point from a relative point model from following formular:

$$\text{Point} = \text{maximum point} \times \left( \frac{\text{Lowest price}}{\text{total cost}} \right).$$

Points are rounded to a number with 2 decimals.

The calculated point for sub-criterion "Price" cf. above, is included in the comparison with points for the evaluation of the qualitative sub-criteria.

#### 3.2.2 Evaluation of qualitative criteria

The Contracting Authority awards point for the qualitative sub-criteria based on the evaluation description in clause 3.1 and the scale below:

Evaluation of the qualitative criterion	Point
Best possible fulfillment of the criterion	8
Very highly satisfying fulfillment of the criterion	7
Considerable satisfying fulfillment of the criterion	6
Satisfying fulfillment of the criterion	5



Acceptable fulfillment of the criterion	4
Less satisfying fulfillment of the criterion	3
Poor fulfillment of the criterion	2
No fulfillment of the criterion	1

### 3.3 Notification of the award decision

All candidates prequalified for the tender procedure will, as soon as possible and simultaneously receive a written notification of the award decision.

The notification of the award decision to the successful tenderer does not constitute a promise to enter into a contract with the tenderer, but is simply a notification to the effect that, in the view of the Contracting Authority, the successful tenderer has submitted the winning bid. No contract or promise of a contract exists until a contract, if any, has been signed by the parties.

The Contracting Authority's notification of the award decision does not exempt the eliminated tenderers from the obligations set out in their tenders, which are still binding.