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Budget

Resources

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Tender Specifications

Call for Tenders

for

Open Procedure Reference Number: BUDG18/PO/02

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1. TITLE, PURPOSE AND CONTEXT OF THE PROCUREMENT

1.1. Contracting Authority

The Contracting Authority is the European Commission.

1.2. Title

“Connectivity to the SWIFT Interbank Network (SWICONN2)”

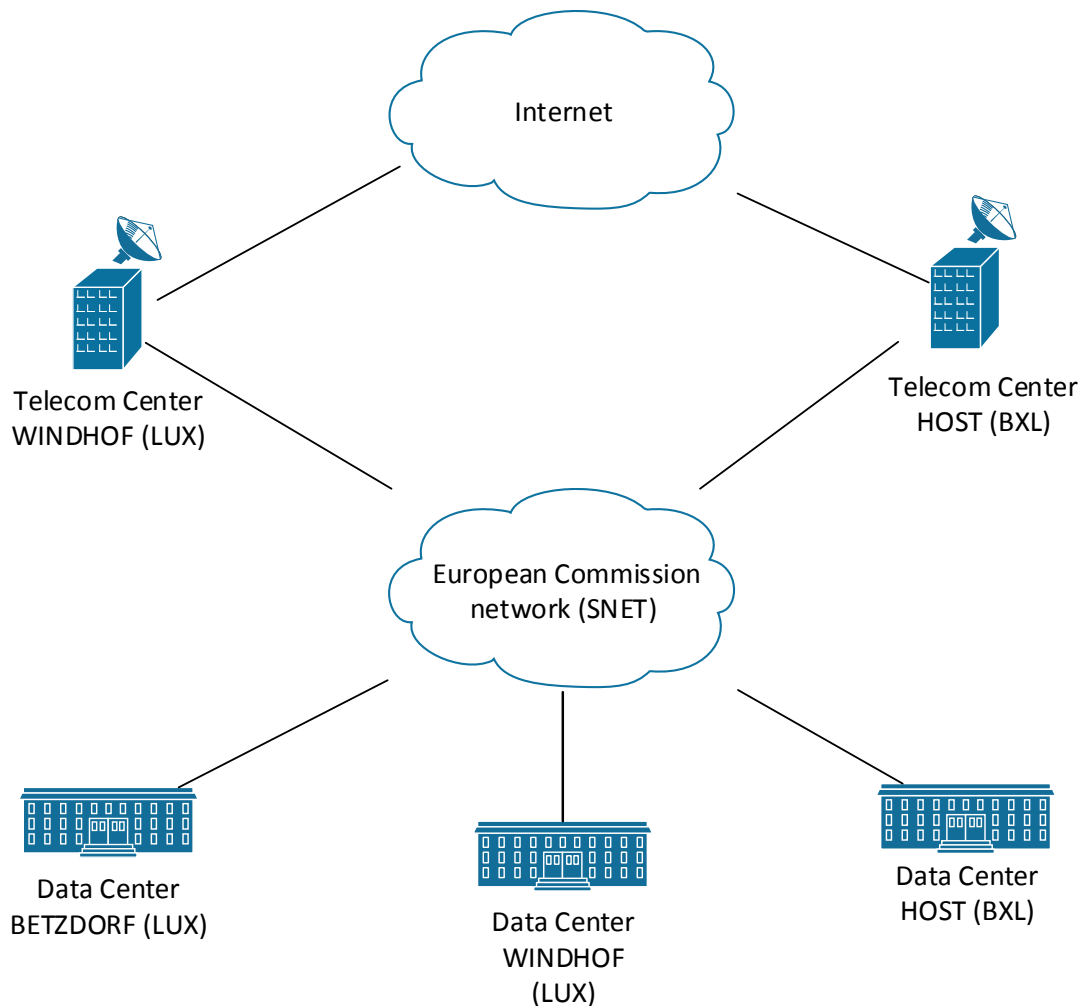
1.3. Purpose

The Contracting Authority is launching an invitation to tender for the provision of leased line access to the SWIFTNet messaging platform.

1.4. Context

1.4.1. IT Infrastructure

The IT infrastructure of the Contracting Authority can be schematically described as follows:



The telecom centres (TC) do connect the European Commission Network (SNET) to a number of different networks, including the Internet. The exact nature of all these connections is irrelevant for the purpose of the present tender, except for the SWIFT connectivity, which is the object of this tender.

1.4.2. SWIFT Connectivity

The Contracting Authority, through its BUDGET Directorate-general, uses SWIFT to communicate payment instructions within the framework of the execution of the European Union budget. The relevant financial IT system is called ABAC.

The SWIFT interbank network, named “SWIFTNet”, allows for different connectivity solutions. These may be classified under two broad categories: cloud-based and Customer-hosted¹.

¹ <https://www.swift.com/our-solutions/corporates/swiftnet-connectivity-options>

In view of the volumes processed by the ABAC system, for the purpose of the current tender, we are concerned with the second case - Customer-hosted connectivity.

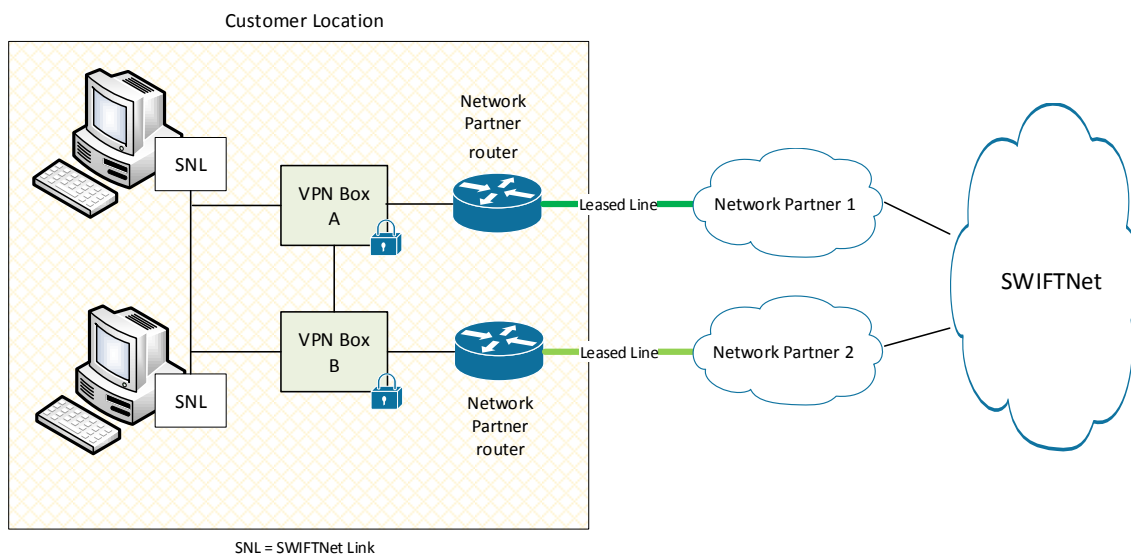
That is to say, the connection to SWIFT relies on a *customer-hosted* infrastructure based on a SWIFT proprietary solutions – “**Alliance Connect**”.

Alliance Connect may be implemented in one of several forms:

- Alliance Connect Bronze
- Alliance Connect Silver/Silver Plus
- Alliance Connect Gold

For **production** purposes, in view of volumes and security constraints, the Contracting Authority has decided to opt for the 3rd possibility: **Alliance Connect Gold**.

Today, Alliance Connect Gold allows for 2, 3 or 4 leased lines . The chosen solution for the purpose of the current tender is **2 leased lines**. The following diagram schematically describes that case:



The current setup, for both Telecom Centres, corresponds to the Alliance Connect Gold solution as follows:

- 2 leased lines in active/standby configuration
- bandwidth of 256 kbit/s per line

1.4.3. Segregation of providers

For its Alliance Connect Gold solution, SWIFT “highly recommends” that customers use two different Network Partners to benefit from the highest resilience and service level (cf. namely Alliance Connect Gold Service Description SWIFT document).

The Contracting Authority wishes to follow this recommendation and for this purpose has defined two lots (infra).

2. SUBJECT OF THE CONTRACT

2.1. Lots

The call for tender comprises 2 lots:

- **LOT 1 “OSCAR” (Odd lines)**: covers the installation, configuration, and maintenance of 2 leased lines operating in Alliance Connect Gold setups, one for each of the Telecom Centres (WINDHOF and HOST).

- **LOT 2 “ECHO” (Even lines)**: covers the installation, configuration, and maintenance of 2 leased lines operating in Alliance Connect Gold setups, one for each of the Telecom Centres (WINDHOF and HOST).

Important: The tenderer must submit an offer for each lot.

2.2. Limitation on the number of awarded lots

The maximum number of lots that a tenderer can be awarded is one.

The limitation clause shall only enter in force in the event that, for each lot, there are at least two valid offers.

3. SITE VISIT

As from the dispatch of the tender specifications up until 7 calendar days before the deadline for submitting tender, site visits are possible subject to a formal request. Such request must be put forward with an antecedence of at least 7 calendar days before the requested date for the visit.

4. TECHNICAL SPECIFICATIONS

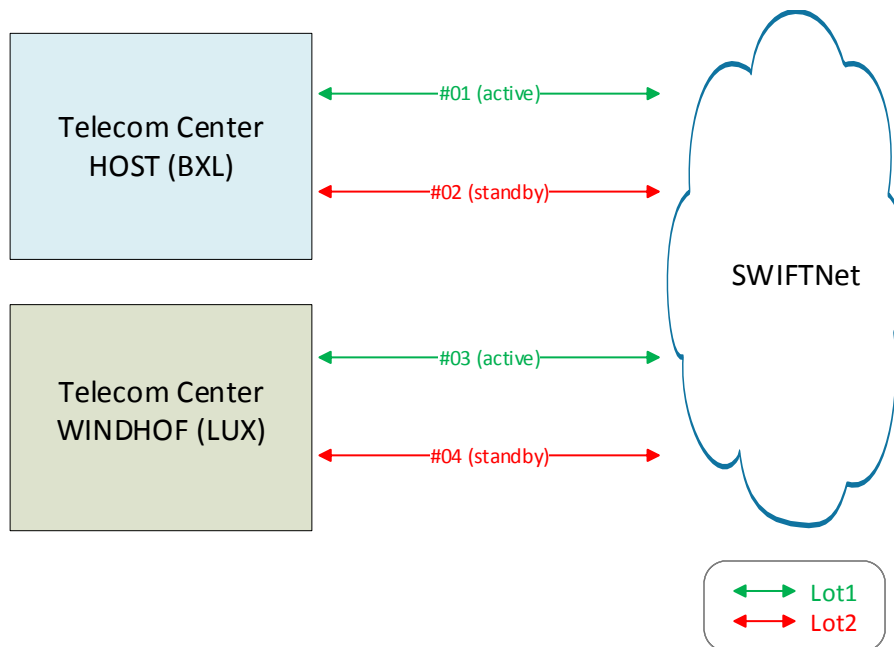
4.1. Lot 1 “OSCAR” (Odd lines):

Lot	Description (refer to schema below)
1	<p>Line #01: 1 access line from the <i>HOST Telecom Center</i> to SWIFTNet as part of a GOLD solution with a 2-lines topology, in active mode.</p> <p>Line #03: 1 access line from the <i>WINDHOF Telecom Center</i> to SWIFTNet as part of a GOLD solution with a 2-lines topology, in active mode.</p>

4.2. Lot 2 “ECHO” (Even lines):

Lot	Description (refer to schema below)
2	<p>Line #02: 1 access line from the <i>HOST Telecom Center</i> to SWIFTNet as part of a GOLD solution with a 2-lines topology, in active mode.</p> <p>Line #04: 1 access line from the <i>WINDHOF Telecom Center</i> to SWIFTNet as part of a GOLD solution with a 2-lines topology, in active mode.</p>

4.3. Schema



4.4. Specifications

For each lot, the requirements are as follows.

4.4.1. VPN Boxes

Not part of this tender; to be provided separately by SWIFT.

4.4.2. Leased Line

Bandwidth for each line: 256 kbit/s

4.4.3. Router

The service must include the provision, installation and configuration of fully managed router associated to the leased line, at the Contracting Authority's premises.

4.4.4. Migration

Any migration from the current setup must be performed without disrupting the flow of automated instructions of ABAC - to and fro SWIFT.

4.4.5. Lead Time

Lead time, defined as the number of working days between the date of the signature of the contract and the verifiable delivery of the working solution, shall be 60 calendar days maximum.

4.4.6. Installation Tasks

- install the access lines at the relevant sites
- install the routers at the relevant sites, and connect each relevant line to each router.
- connect each router to the relevant VPN box (cabling itself inside the Telecom Centre from the router to the VPN box is to be undertaken by the Contracting Authority)
- hand over fully operational connections
- Provide, for each line, the following information:
 - Assurance ID
 - IP address of router

- PGUA of router

It is to be noted that:

- (a) The exact configuration of the SWIFT Gold setup (i.e. whether active/standby or load sharing) is **transparent** to the leased line providers: leased line providers are ultimately only concerned with connecting their line to the relevant VPN box.
- (b) The interconnection of the VPN boxes by RJ45 cable shall be done by Contracting Authority technicians.
- (c) Otherwise, the synchronization of the VPN boxes is a task pertaining to SWIFT.

4.4.7. Coordination

The two leased lines of each SWIFT Gold setup must use a **different telco network backbone**. The line providers shall coordinate to ensure that this requirement is achieved.

In addition, the connections to the VPN boxes shall be done according to the following connection table:

Telecom Centre	Leased Line	Lot	VPN Box
HOST	#01	1-Oscar	A
HOST	#02	2-Echo	B
WINDHOF	#03	1-Oscar	A
WINDHOF	#04	2-Echo	B

4.4.8. Operation and Maintenance

After successful migration the Network Partner will be responsible to maintain a fully operational connection for the entire duration of the Contract, end-to-end, starting from the Network Partner Router (included) and then downstream up to SWIFTNet (excluded).

The provider should provide a binding SLA (Service Level Agreement).

4.4.9. Acceptance Tests and Documentation

For each lot, the tenderer shall demonstrate that the installation fulfils the technical requirements by running a test demonstrating that the lines are up.

Detailed documentation of the installation and of the acceptance tests shall be provided to the Contracting Authority within 14 calendar days of the successful completion of the acceptance tests.

5. OPTIONS

For each Lot, 2 options are defined.

- **Option 1:** upgrade to 512 kbit/s of both lines
- **Option 2:** move of the HOST line to BETZDORF: This option covers the possibility of the move of the HOST Telecom Center (Brussels, Belgium) to the BETZDORF data centre in Luxembourg.

6. ACCESS TO THE MARKET

Participation in this tender procedure is open on equal terms to all natural and legal persons falling within the scope of the Treaties (this includes all economic operators registered in the EU and all EU citizens).

7. ASSESSMENT OF TENDERERS AND OFFERS

Tenderers and their tenders will be evaluated in stages as follows:

7.1. Exclusion criteria

The exclusion situations, as well as the required evidence, are listed hereafter.

7.1.1. Declaration

Tenderers will be disqualified if:

- (a) it is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under Union or national law;
- (b) it has been established by a final judgment or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
- (c) it has been established by a final judgment or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

- fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the legal commitment;
- entering into agreement with other persons or entities with the aim of distorting competition;
- violating intellectual property rights;
- attempting to influence the decision-making of the authorising officer responsible during the award procedure;
- attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

(d) it has been established by a final judgment that the economic operator is guilty of any of the following:

- fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
- corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;
- conduct related to a criminal organisation as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
- money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
- terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
- child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

- (e) the economic operator has shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the EU budget which has:
- led to the early termination of a legal commitment;
 - led to the application of liquidated damages or other contractual penalties;
or
 - been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;
- (f) it has been established by a final judgment or final administrative decision that the economic operator has committed an irregularity which has, or would have, the effect of prejudicing the general budget of the Communities or budgets managed by them;
- (g) it has been established by a final judgment or final administrative decision that the economic operator has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;
- (h) it has been established by a final judgment or final administrative decision that an entity has been created with the intent referred to in point (g)

Tenderers shall be also excluded from the award procedure if they:

- (i) are subject to a conflict of interests. There is a conflict of interests where the tenderer and a person who is a player in the implementation of the Community budget or an internal auditor share interests (including, for example, family, emotional life, political or national affinity and economic interests) which compromise the impartial and objective exercise of that person's functions;
- (j) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information;

To this end the tenderer must either complete and sign the Declaration of Honour (affidavit) set out in Annex 1, or else, alternatively, provide a duly filled in *European Single Procurement Document* (ESPD) as referred in Directive 2014/24/EU (the URL of the ESPD service is <https://ec.europa.eu/tools/espdp>).

7.1.2. Evidence

During the assessment of tenderers stage, evidence will only have to be provided following a specific request by the Contracting Authority. In that case, the said evidence shall be provided within 5 working days from the sending of the specific request.

In case of award, evidence with a view to corroborate the aforementioned Declaration(s) of Honour, or ESPD, the Contracting Authority may request corroborating evidence. In such case, some or all the following evidence in relation to items mentioned previously may be specifically requested:

- In relation to items (a), (c) and (d) above, relevant extract(s) from the judicial record or, failing that, equivalent documentation issued by a judicial or administrative authority in the country where you are established. The extract(s) or equivalent documentation must be the most recent available. Depending on the national legislation of the country in which you are established, these documents must relate to entities with legal personality and/or natural persons; in the latter case, they must relate to the person(s) empowered to represent the tenderer and sign the contract if your offer is successful.
- In relation to item (b) above, the most recent certificates issued by the competent social security and tax authorities of the country where you are established. Where no such certificate is issued in that country, this can be replaced by a sworn or solemn statement made before a judicial or administrative authority, a notary or a qualified professional body in that country. The statement provided must be dated less than four months before the final date for submission of offers. Depending on the national legislation of the country in which you are established, these documents must relate to entities with legal personality and/or natural persons; in the latter case, they shall relate to the person(s) empowered to represent the tenderer and sign the contract if your offer is successful.
- In relation to items (e), (f), (g), (h), (i) and (j) above, regarding the tenderer, an affidavit, signed by a person(s) empowered to represent the tenderer and sign the contract if the offer is successful and dated less than four months before the final date for submission of offers, stating that:
 - 1) The tenderer has not shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the EU budget
 - 2) The tenderer has not committed an irregularity which has, or would have, the effect of prejudicing the general budget of the Communities or budgets managed by them

- 3) The tenderer has not created an entity, whether in a different jurisdiction or not, with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business
- 4) The tenderer is not subject to a conflict of interest;
- 5) The tenderer has supplied all the information required for the call for tenders in good faith and without misrepresentation.

7.2. Selection criteria

The procedure for the selection of the tenderers is intended to assess their professional, economic, financial and technical capacity for providing the required services on the appropriate dates.

7.2.1. Economic and financial capacity

Tenderers are required to prove that they have sufficient economic and financial capacity to perform the contract.

The following documentation shall be supplied in the tender bid:

- profit and loss accounts for the last three financial years;
- a statement of overall turnover concerning the services covered, during the last three financial years, establishing that, on yearly average, the financial threshold (minimum value) of **€150.000,00** (one hundred fifty thousand euros and zero cent) is complied with.

7.2.2. Technical and professional capacity

Tenderers are required to prove that they have sufficient technical and professional capacity to perform the contract.

It is required that the service provider must be a **SWIFT recognized network partner**. SWIFT agreed network partners are listed on the following web page: <https://www.swift.com/our-solutions/interfaces-and-integration/alliance-connect/network-partners>

7.3. Award criteria

For each lot, tenderers will be ranked according to the tender price.

For each lot, a contract will be awarded to the most economically advantageous tender that satisfies the requirements set in the technical specifications.

With regards to clause 2.2. ‘*Limitation on the number of awarded lots*’, in the event that an economic operator is ranked first for the award of the two lots, then that economic operator will only be awarded the lot for which it bid the price with the highest spread relative to the tenderer ranked in second place, as per the award criteria.

The price covers all tasks laid out in the technical specifications section (supra) over a period of 4 years, and is computed in accordance with the following formula:

$$P_{tender} = P_{total} \times 0.90 + P_{option1} \times 0.05 + P_{option2} \times 0.05$$

$$P_{tender} = \text{tender price}$$

$$P_{total} = \text{total price, excluding options}$$

$$P_{option1} = \text{option 1 price}$$

$$P_{option2} = \text{option 2 price}$$

8. VOLUME OF THE CONTRACT

Current estimates for the services covered by the contract, including all options, amount to (without VAT):

Lot 1	150 000 EUR , for 4 years.
Lot 2	150 000 EUR, for 4 years.

9. PRICE AND REIMBURSEMENT OF EXPENSES

9.1. Prices

Prices shall be inclusive of all costs and expenses directly and indirectly connected with the goods and/or services to be supplied.

The prices quoted must be firm, and not subject to revision for the first year. Prices must be quoted in EUR.

Prices should be quoted free of all duties, taxes and other charges, including VAT, as the European Commission is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Communities; if any, the amount of VAT should be shown separately.

The price offer should use Annex 2 ‘Price List’ template.

9.2. Reimbursement of expenses

Any travel expenses shall be included in the global price offered by the tenderer.

The same principle applies to any specific expenditure incurred in performance of the contract, which cannot be priced by the tenderer during the procedure, such as the cost of translating various reports of unknown length into the languages indicated in the specifications.

10. PREPARING AND SUBMITTING THE OFFER

Without prejudice to the instructions in the *Invitation to Tender* letter, this section describes how you should go about preparing and submitting your offer.

10.1. Preparing your Offer

10.1.1. Receiving the tendering specifications

The Budget Directorate General makes available the tendering specifications for downloading from the following Internet address from the date of the publication of the contract notice in the Official Journal of the European Union at the latest.

http://ec.europa.eu/budget/contracts_grants/call_tenders/call_tenders_DGbudg/call-tenders_fr.cfm

Answers to questions of general interest and any other important information about the call for tenders arising during the tendering period will be handled in the same way, i.e., by publication at the same Internet address. Tenderers should thus continue to monitor this website during the tendering stage.

10.1.2. Clarifying the tendering specifications

Clarifying the tendering specifications shall be done as per the instructions in the *Invitation to Tender* letter.

10.1.3. Drawing up your offer

You should attach great importance to how your offer is presented. The following guidelines lay down a minimum standard which must be respected in all cases.

Your offer should be drawn up using word-processing or desktop publishing software, in a font size giving a readable result on paper.

An **electronic copy** of your offer should be submitted, as specified in the *Invitation to Tender letter*. However, please note that where there is any doubt, the paper version of the offer will prevail over the electronic one.

10.1.4. Specific requirements for the financial quotation

Your financial quotation should be completely unambiguous. Your offer will be rejected if it contains any statements preventing an accurate and complete comparison of the offers (such as “To be discussed”, “Depending on x”, etc.) or referring to external circumstances (such as an already existing but separate contract) or if it involves any assumption or hypothesis.

If a particular tendering specification concerning the price is not clear or seems imprecise to you, you can send us a request for clarification in writing via the email box of the tender before the final date for submission of tenders, but no later than 6 working days before such date.

10.2. Submitting Your Offer

Your offer shall be submitted as per the instructions in the *Invitation to Tender letter*.

11. LIST OF ANNEXES

- Annex 1: Declaration of Honour (Affidavit)
- Annex 2: “Price List