

Ljubljana, 22 -09- 2016
ACER/2016/AP/sv/mv/421

TELEKOM SLOVENIJE, d.d.
Cigaletova ulica 15
1000 Ljubljana
Slovenia

For the attention of:
Mr Gorazd KLEMENČIČ

E-mail: andrej.nebec@telekom.si

BY E-MAIL AND REGISTERED MAIL

Dear Mr Klemenčič,

Subject: *Procurement procedure No. ACER/OP/MMD/04/2016 for the provision of IT hosting services for the Agency for the Cooperation of Energy Regulators*

Reference: *Your e-mail dated 15.09.2016*

With regard to your request for additional information regarding the outcome of the procurement procedure mentioned above, please be informed that the framework contract for the procurement procedure no. ACER/OP/MMD/04/2016 for the provision of IT hosting services for the Agency for the Cooperation of Energy Regulators was awarded, based on award criteria published in the procurement documents, to INFORMATIKA informacijske storitve in inženiring d.d., Vetrinjska ulica 2, 2000 Maribor, Slovenia.

Below you will find the characteristics and relative advantages of the winning tender:

'Criterion 1.1: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

Each of the proposed components guarantees availability and resilience/redundancy. The proposed infrastructure is based on a solid and new, less mature solution. Scalability meets the Agency's expectations.

Criterion 1.2: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

The solution offered is very flexible and allows several degrees of freedom. The variety is sufficient but it requires some efforts to find a proper balance between costs and performances. The technologies offered are standard and supported by almost all other vendors.

Criterion 1.3: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

Reliability of the performance is in line with the current standards. The efficiency of the solution is appropriate to the range of machines. Performances offered are adequate to the needs expressed in the Tender Specifications. Description of the offered performance is comprehensive but lacks certain details.

Criterion 1.4: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

The proposed solution is capable to assure the availability, integrity and confidentiality of information. The offered security model is based on what is foreseen by ISO 27000 standards, which cover physical, technical and organisational security measures.

Criterion 1.5: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

Variety, flexibility, compatibility and maturity of the software offered meets the expectations. It shows that the actual model is based on hands-on knowledge of the proposed software. Nevertheless, especially on the variety, a wider range of proposals would have helped in the selection of a more cost effective tool.

Criterion 1.6: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.

Service support is complete and its availability is in line with the minimum needs of the Agency as well as relevant to the tasks to be performed.

Criterion 1.7: marks awarded: 6.00 points / maximum marks available: 8.00 points / threshold: 4.80 points.

Project management is based on Prince 2 Standard Methodology and all documents provided for quality control are well structured but too concise.

Criterion 1.8: marks awarded: 6.00 points / maximum marks available: 8.00 points / threshold: 4.80 points.

Business continuity and disaster recovery services are comprehensive, consistent and the plan meets the requirements and the needed achievements. It includes only partially some details on the possible final implementation.

Criterion 2: marks awarded: 11.00 points / maximum marks available: 18.00 points / threshold: 10.80 points.

The plan presented for the case study is concise, comprehensive and consistent in terms of the solution offered as well as feasible. It lacks some details which would have helped in better understanding of how, on a lower level, the operations would be planned.

Criterion 3: marks awarded: 4.00 points / maximum marks available: 6.00 points / threshold: 3.60 points.

Products offered are relevant only to a limited extent. Their variety is sufficient to fulfil the Agency's needs. The usability and flexibility of equipment and hosting services is difficult to assess but nevertheless meets the minimum requirements.'

Further, the total reference price of INFORMATIKA informacijske storitve in inženiring d.d., as per the formula published in the procurement documents, amounted to EUR 1,334,792.40.

Further to your comment on the conflict of interest, we would like to inform you that the Agency was aware of the ownership structure of both tenderers and looked into it during the evaluation. The Agency did not identify any situation which could lead to a conflict of interest.

In relation to your comment on your '*...financial proposal...*' and your '*...expectations...*' please note that the Agency published an open procurement procedure in line with the applicable procurement rules, namely Decision AB No 22/2013 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 12 December 2013 on the adoption of the Financial Regulation of the Agency for the Cooperation of Energy Regulators¹, Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union² and repealing Council Regulation No 1605/2002 as amended and Commission Delegated Regulation No 1268/2012 of 29 October 2012 on the rules of application of Regulation 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union³ as amended.

The procurement documents for the above mentioned procedure described in detail what the tenderers had to include in the tender, the criteria according to which the tenders would be evaluated as well as the formulae to calculate economically the most advantageous offer according to which the tenderer with the highest mark for the final score would be awarded the framework contract.

Sincerely Yours,


Alberto POTOTSCHNIG
Director

¹http://www.acer.europa.eu/en/The_agency/Public_Procurement/Documents/DECISION%20AB%2022-2013%20ACER%20Financial%20regulation.pdf

² OJ L 298, 26.10.2012, p.1.

³ OJ L 362, 31.12.2012, p.1.