**Tender document**

* competition phase -

Innovation Partnership Competition

Pursuant to Parts I and III of   
the Procurement Regulations,

for the Procurement of

Support system for the Norwegian Coastal Administration’s Pilot Service

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# GENERAL DESCRIPTION

This document is relevant for those suppliers that have been qualified and chosen to be allowed to submit a tender upon the completion of the qualification round.

## Language

All written and oral communication in conjunction with this competition shall take place in Norwegian or English. This language requirement also applies to the tender.

## Key dates

The contracting authority has set up the following timetable for the process:

|  |  |
| --- | --- |
| Activity | Time |
| Deadline for enquiries regarding the tendering process | 12.1.2021 |
| Deadline for submitting a tender | 18.1.2021 12:00 |
| Tender opening | 18.1.2021 12:01 |
| Evaluation/negotiation | Week 4–7 |
| Notification of the choice of supplier | 3.3.2021 |
| End of the waiting period | 14.3.2021 |
| Contract signing | 15.3.2021 |
| Tender validity deadline | 30.4.2021 |
|  |  |

Note that all dates are tentative, final dates for this phase will be given after the qualification phase has been finalized.

# RULES FOR ENTERING INTO AND CARRYING OUT AN INNOVATION PARTNERSHIP

## Procurement procedure

The procurement must be carried out pursuant to the Public Procurement Act of 17 June 2016 (*lov om offentlige anskaffelser*) and parts I and III of the Regulations Concerning Public Procurement (*forskrift om offentlige anskaffelser*, 2016-08-12-974). The competition follows the procedure for an innovation partnership competition, cf. section 13.1.3 of the procurement regulations.

The contracting authority will sign Innovation partnership agreements with a maximum of 2 tenderers.

## Competition phases after qualification

The competition involves the following 5 phases:

1. Drafting of the tender

Tenderers that have been invited to submit a tender must now draft a tender. Tenders must be drafted on the basis of the procurement documents and be submitted to the contracting authority before the tendering deadline. Tenderers can submit questions regarding the procurement documents until the deadline for submitting such enquiries expires cf. 1.2 Key dates.

Note that a tender that deviates substantially from the procurement documents shall be excluded . Such an exclusion will preclude the potential supplier from negotiating their tender.

1. Evaluation of the tender

The contracting authority will begin evaluating the submitted tenders after the tender deadline has expired, cf. 1.2 Key dates. All the invited tenderers will have their tenders evaluated. The evaluation will be carried out on the basis of the criteria for awarding contracts (for further information on these criteria, see item 3 below).

The contracting authority reserves the right to reduce the number of tenders during the competition, with the first potential reduction taking place in advance of the negotiations.

1. Negotiation rounds

Following the preliminary evaluation, the tenderers will be invited to negotiate.

Innovation partnership agreements will not be awarded without negotiations being carried out.

The contracting authority reserves the right to carry out the negotiations over multiple rounds.

It will be possible to negotiate about changes or supplements to all aspects of the tenders. However, substantial deviations and substantial changes from the procurement documents cannot be negotiated. Nor can absolute minimum requirements or the criteria for awarding contracts in the procurement documents be negotiated. Any changes to the procurement documents stemming from the negotiations must be forwarded immediately to all of the remaining suppliers. In the wake of such changes, the contracting authority will afford the suppliers sufficient time to submit any revised tenders.

The aim of the negotiations is to optimize the tenders in regard to the contracting authority’s general need description (appendix 1 of the Innovation partnership agreement).

1. Conclusion of the negotiations

The contracting authority will conclude the negotiations when the tenders have been optimized in regard to the needs stipulated in the general need description (appendix 1 of the Innovation partnership agreement). The contracting authority will conclude the negotiations by setting a common deadline for receiving final tenders from the remaining suppliers.

1. Awarding of the Innovation Partnership agreement

After concluding the negotiations and receiving any updated tenders, the contracting authority will make a final evaluation of the tenders and award the contract. The final tenders will be assessed on the basis of the criteria for awarding contracts for the competition (see item 3 below, “Criteria for Awarding Contracts”). All the tenderers will be notified of the decision. The contracting authority intends to enter into Innovation Partnership Agreements with a maximum of 2 tenderers. The Innovation Partnership agreements cannot be signed before after a 10 days waiting period. The waiting period starts the day after notification has been given about the choice of supplier.

## Innovation partnership phases

After the competition has been completed and the Innovation Partnership agreement has been signed, the innovation partnership commences. The innovation partnership is regulated in ch. 2 of the Innovation Partnership agreement.

The innovation partnership includes the following four phases:

PHASE 1: The development in the form of partial deliveries

PHASE 2: The partner’s development and testing of the solution

PHASE 3: The contracting authority’s testing and approval of the solution

PHASE 4: Acquisition of the solution

Partial objectives/ performance targets will be set for each phase. The contracting authority reserves the right to terminate the innovation partnership or reduce the number of partners by terminating individual contracts on the basis of these agreed-upon objectives. The terms of such termination are regulated in ch. 2 of the Innovation Partnership agreement.

The time frame for the innovation contract is estimated to be 2 years and 3 months from it is signed, expected signing date is 15.03.2021.

Purchase of a developed solution/product is contingent upon the price not exceeding the one stated in the Innovation partnership agreement in appendix 7, concerning the agreed-upon maximum costs.

## Immaterial rights

Arrangements for immaterial rights are regulated in ch. 10 of the Innovation partnership agreement.

## Requirements to working conditions and salaries

The Regulations Concerning Salaries and Working Conditions in Public Contracts of 8 February 2008, no. 112 (*Forskrift om lønns- og arbeidsvilkår i offentlige kontrakter*) apply to this commission.

The contract will contain requirements to salaries, working conditions, documentation, and sanctions in line with these regulations.

## Duty of confidentiality

The contracting authority and the employees thereof are duty-bound to prevent others from gaining access to or knowledge of information about technical solutions/methods or operations/business activities that would be of competitive importance to keep secret, cf. section 7.4 of the procurement regulations, cf. section 13 of the Public Administration Act.

## Tender validity deadline information

The supplier is bound by their tender until the point in time specified in item 1.2 above.

## Updating the procurement documents

Any emendations, supplements, or changes to the procurement documents, as well as all questions and answers (duly anonymized), will be conveyed to all the suppliers that have been invited to submit a tender.

## Additional information

If a supplier finds that the procurement documents do not provide sufficient guidance, said supplier may send a written request via the contracting authority’s communication channel in Mercell in order to obtain additional information from the contracting authority.

If a mistake is discovered in the procurement documents, suppliers are requested to convey this in writing via the contracting authority’s communication channel in Mercell.

# CRITERIA FOR AWARDING CONTRACTS

Contracts shall be awarded on the basis of which tender has the best ratio between price and quality, based on the following criteria:

| Criteria for awarding contracts | Emphasis | Documentation requirements |
| --- | --- | --- |
| Development cost of the innovation partnership to be covered by the Contracting Authority | 10 % | * Completed price form   + The development of the solution in regard to the information in appendix 7 * Costs in regard to any reservations should be clearly stated in addition to the complete price |
| Quality  The effect of the solution.  Under this criterion the degree in which the offered solution covers the needs and objectives as described in appendix 1 including 1A and 1B. | 60 % | The supplier should describe in appendix 2 the concept of the solution/idea, in addition to how the solution/idea will cover the needs and give added value to the objectives and the pilot`s different pilot operations as described in appendix 1, – “The Contracting Authority's description of needs and objectives” (including appendices 1A and 1B). |
| Ability to complete the project  Both the resources and project description for the completion of the project will be evaluated. | 30% | The supplier’s project organisation shall be presented in appendix 2. Key workers and other relevant resources in the project shall be part of the description. Both internal and external. The CV for the key workers shall be included, attached CV template shall be used.  Project description with reference to which choices and assessments that are done to ensure the completion of the project shall be included in appendix 6.  Appendix 4 “project and milestone plan” shall be completed, description of the different phases and sub-goals shall be included. |

## 3.1 Evaluation method

The evaluation method used is relative – and more information about the method is to be found in Mercell.

# SUBMITTING TENDERS AND TENDER FORMULATION

The tender must be submitted via [www.mercell.com](http://www.mercell.com).

## The tender’s formulation

The tender must be submitted in accordance with the formulation indicated by the electronic submission system.

The following appendices must be filled out and submitted as part of the tender by the supplier:

* Appendix 2
* Appendix 4
* Appendix 6
* Appendix 7

# ATTACHMENTS

Draft of an Innovation partnership agreement w/appendices.