

## SUPPLY CONTRACT NOTICE

**Renewal of licences, updates and support services for the Network Security Systems, OS and Utilities Software Applications of the Regional Coordination of Operations Centre (RCOC), Seychelles and the Regional Maritime Information Fusion Centre (RMIFC), Madagascar.**

**1. Publication reference**

COI/MASE/AO/2023/075

**2. Procedure**

Local Open Tender procedure

**3. Programme title**

Programme to Promote Regional Maritime Security (MASE)

**4. Financing**

10th European Development Fund - Financing Agreement No RSO/FED/024098

**5. Contracting authority**

Indian Ocean Commission, 3<sup>rd</sup> Floor, Blue Tower, Rue de l'Institut, Ebène, Republic of Mauritius.

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## CONTRACT SPECIFICATIONS

**6. Nature of contract**

Unit-price

**7. Contract description**

The subject of the contract shall be the procurement of Renewal of licences, updates and support services for the Network Security Systems, OS and Utilities Software Applications of the Regional Coordination of Operations Centre (RCOC) in Seychelles and the Regional Maritime Information Fusion Centre (RMIFC) in Madagascar through the supply, delivery, configuration, testing, commissioning and after-sales services.

The Contractor will provide the following for the requested quantities for the centres as are specified in the technical specifications table: -

**For RCOC/Seychelles**

1. Licences renewal for Fortinet 101E Firewalls
2. Licences renewal for Symantec End Point Protection
3. Licences renewal for Symantec Email Gateway for Exchange Server
4. Licences renewal for Office 365 Enterprise E3
5. Licence renewal for SolarWinds Network Performance Monitor SL100
6. Licences renewal for Veritas Backup Exec V-Ray On-Premise Standard Edition 1 CPU
7. Configuration and System Updates Services for RCOC
8. Annual Support Services for RCOC

**For RMIFC/Madagascar**

9. Licences renewal for Fortinet 101E Firewalls

10. Licences renewal for Symantec End Point Security Cloud
11. Licences renewal for Office 365 Enterprise E3
12. Licence renewal for SolarWinds Network Performance Monitor SL100
13. Licences renewal for Veritas Backup Exec V-Ray On-Premise Standard Edition 1 CPU
14. Licences renewal for Red Hat Enterprise 7.5 Premium Edition
15. Licences renewal for Red Hat Enterprise 7.5 Standard Edition
16. Licences renewal for vCenter Server 6 Standard Edition
17. Licences renewal for vSphere Server 6 Standard Edition
18. Configuration and System Updates Services for RMIFC
19. Annual Support Services for RMIFC

**1. Number and titles of lots**

One lot only

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## **CONDITIONS OF PARTICIPATION**

**2. Legal basis, eligibility and rules of origin**

The Legal basis for this procedure is Annex IV to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 as amended in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010. Reference is made to Annex IV as revised by Decision 1/2014 of the ACP-EU Council of Ministers of 20 June 2014.

Participation in tendering is open on equal terms to all natural and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are established in one of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is financed

Participation is also open to international organisations.

All supplies under this contract can originate from any country.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement\* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014\*\* and Annex IV of the ACP-EU Partnership Agreement\*\*\*, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom \*\*\*\*. Those persons and goods are therefore eligible under this call.

\* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

\*\* Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

\*\*\* Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

\*\*\*\* including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU

### 3. Number of tenders

No more than one tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

### 4. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide.

Tenderer included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

### 5. Sub-contracting

Subcontracting is allowed.

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## PROVISIONAL TIMETABLE

### 14. Provisional commencement date of the contract

20<sup>th</sup> November 2023

### 15. Implementation period of the tasks

20 days from the commencement date of the contract

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links it has with them. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality as the economic operator relying on them and must comply with the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should be included in a separate document.** Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

- 1) **Economic and financial capacity of tenderer** (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three financial

years for which accounts have been closed.

Criteria for legal and natural persons:

- The tenderer's average annual turnover must be more than EUR 200,000 over the last 3 years (2020, 2021 and 2022).
- Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium, this criterion must be fulfilled by each member.

2) **Professional capacity of tenderer** (based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years preceding the submission deadline.

Criteria for legal and natural persons:

- Has a professional certificate appropriate to this contract, such as network security systems and IT software applications
- At least 2 permanent staff currently work for the tenderer in fields related to this contract to fulfil the technical implementation works related to this contract, the tenderer must fulfil the following:
  - 1 x Network Certified Engineer;
  - 1 x Systems Engineer;

Note: A technical staff profile can be qualified in one or more fields.

3) **Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last three years preceding the submission deadline.

- The tenderer has delivered supplies and provided support services to other installation sites for similar or related software applications under at least 1 contract with a budget of at least that of this contract which was implemented at any moment during the following period : October 2020 to September 2023.

This means that the contract the tenderer refers to could have been started at any time during the indicated period, but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to supply contracts completed within the reference period (although started earlier) or to supply contracts not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the supply contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the supplies provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

## 17. Award criteria

Price

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## TENDERING

## 18. Deadline for submission of tender

The deadline for submission of tenders is **10th November 2023 at 12:00 am**

## **19. Tender format and details to be provided**

Tenders must be submitted using the standard tender form.

The tender must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

[https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA\(Ch.2\):General](https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General)

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

## **20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority, using the means specified in point 10 of the instructions to tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender, tenderers accept to receive notification of the outcome of the procedure by electronic means.

## **21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 15 of the instructions to tenderers.

## **22. Operational language**

All written communications for this tender procedure and contract must be in English.

## **23. Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of October 2023, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.