ANNEX C

SCOPE OF THE ANTICIPATED SERVICE(S) PROCUREMENT

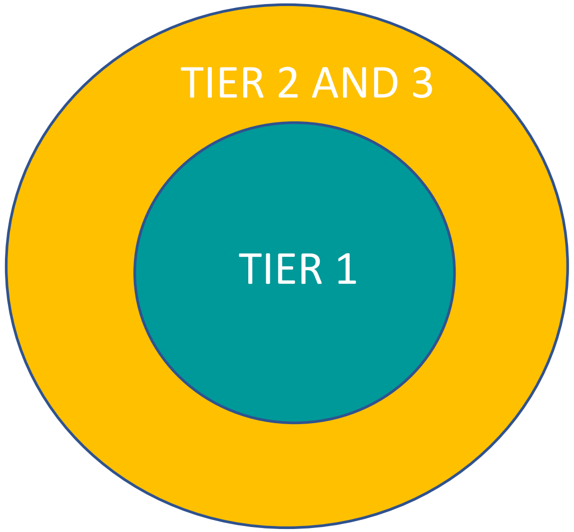
CONTENT

- Foreseen recipients of the procured service(s)
- Foreseen services
- Fair financial model
- Adequate governance model
- Fair risk management model
- Adequate migration(s) processes
- Adequate service levels for the various cloud services
- Adequate quality assurance requirements
- Adequate environmental requirements
- Fair contractual model including applicable GDPR articles
- Adequate best value for money criteria
- Fair evaluation methodology

FORESEEN RECIPIENT(S) OF THE PROCURED SERVICE(S)

regiogroei

- The rationale for this procurement action is the ambition to achieve a single service provider to host content of various Regional and Local Public Broadcasters.
- The start being tier 1: 10 regional public broadcasters that participate in Regiogroei.
- To be followed by tier 2 and 3 Regional and/or Local Public Broadcasters that procure these services through Regiogroei.



FORESEEN SERVICES

- Regiogroei seeks a service provider that can at least provide the following services:
  - Software as a Service (SaaS);
  - Platform as a Service (PaaS);
  - Infrastructure as a Service (IaaS);
  - Other available services suitable to be included in this tender procedure.
- Based on a so-called ‘cafeteria model’ so each individual (regional or local) public broadcasters can order the services (and service levels) they deem most appropriate for their processes (freedom to choose) through Regiogroei . For instance a SaaS solution for Regional Public Broadcaster X and PaaS solution for Regional Public Broadcaster Y.

FAIR FINANCIAL MODEL (1)

regiogroei

- All Regional and Local Public Broadcasters have limited financial resources. We need to arrange for a financial model where the costs (and discounts as a consequence of increasing volume(s)) are divided in a fair way.
- We need to avoid that Regional and/or Local Public Broadcasters will be waiting to start using services until a more attractive pricing level (as a consequence of total usage) has been realized. First-comers should, therefore, get a clawback on these savings.
- The same applies to individual Regional or Local Public Broadcasters that are, as a consequence of their usage, responsible for the applicable discount(s).
- This will have an effect on the invoicing process to Regiogroei (who will be charging the Regional and Local Public Broadcasters not included in the entity Regiogroei).

FAIR FINANCIAL MODEL (2)

- What Financial Model is most suitable for this procurement? The simplified figure below is provided to inspire Offerors to suggest solutions. **Please provide a model to Regiogroei that Offeror considers suitable**.

YEAR 1

4 RPO's order SAAS
1 RPO orders PAAS
5 RPO's order IaaS

In October, as a consequence of the usage by 1 IaaS RPO, a new and better pricing level kicks in. How can this be fairly 're-allocated' between these 5 RPO's?

YEAR 2

1 new RPO orders SAAS
2 LPO's order PAAS
3 LPO's order IaaS

In May, as a consequence of the total usage on SaaS a new and better pricing level kicks in. How can this be fairly 're-allocated' between these 5 RPO's?

YEAR 3

2 new RPO's order SAAS
20 LPO's order PAAS
33 LPO's order IaaS

In June, as a consequence of the total usage on all services a new and better pricing level kicks in. How can this be fairly 're-allocated' between all users?

ADEQUATE GOVERNANCE MODEL (1)

regiogroei

- Regiogroei can only officially represent the 10 Regional Public Broadcasters listed in Annex A. Consequently, Regiogroei can, initially, only enter into a contract with a service provider on behalf of these ten (10) regional public broadcasters.
- Other Regional OR Local Public Broadcaster can enter into a contract with Regiogroei to procure the services provided for by the winning service provider.
- Management thereof with Regiogroei. This includes the right(s) to block services in the event of non-payment by a Regional or Local Public Broadcaster (no headache for service provider). However service provider will need to calculate the financial effects as a consequence thereof to empower Regiogroei to charge such a Regional or Local Public Broadcaster for the financial effects on other Regional or Local Public Broadcasters.

ADEQUATE GOVERNANCE MODEL (2)

regiogroei

- **Issues that need to be addressed by Offeror:**

1) Rights management Regiogroei on AHD (add, halt or delete a user);
2) Effective ways to online allocate services and service levels to users;
3) Reporting on individual usage and incident report(s);
4) (Potential) effects as a consequence of GDPR;
5) (Potential) effects on risk management (allocation and appropriate mitigating measures)
6) (Potential) effects on contractual model in terms of liability between Offeror and Regiogroei;
7) One best practice based on a similar situation.

FAIR RISK MANAGEMENT MODEL

regiogroei

- Offerors are requested to submit, based on the information provided for in the tender documents, a risk management model that includes the following topics:

1) Top three (3) risks that have 1) the highest chance of occurring AND b) the highest impact on the quality of the services;
2) Top three (3) risks that have 1) the highest chance of occurring AND b) the highest impact on the costs of the services;
3) A proposal for adequate mitigating measures including the allocation of the ownership of a risk based on the rule: the party that can manage a risk the best should bear it.

ADEQUATE MIGRATION PROCESS(ES)

regiogroei

- All Regional and Local Public Broadcasters are faced with two (2) moments of migration:

  1) at the start of using the services of Offeror (onboarding);

  2) when stopping using the services of Offeror (offboarding).
- Offeror is requested to describe these process(es) in terms of workflow and allocation of tasks and allocation of responsibilities between Offeror, Regiogroei and the Regional or Local Public Broadcasters.
- In this description special attention should be given where offboarding is a consequence of default for payment (for instance no transfer of the existing content to the owner until the consequences thereof are being paid to Regiogroei).

ADEQUATE SERVICE LEVELS FOR THE VARIOUS CLOUD SERVICES

regiogroei

- Offeror is requested to describe, based on their own insight and experience when it comes to:

  a) the content of Regional and Local Public Broadcasters;

  b) the fact that most of the Public Broadcasters work around the clock (24/7);

  c) the Regional Public Broadcasters have, by law, a responsibility when it comes to disaster(s);

  1) adequate service levels per service;

  2) available guaranteed up-times and responses times when there is a technical problem;

  3) Financial consequences on 1 and 2.

Preferably in a model using tiers per service and a percentile towards the “standard” costs of the services. No actual pricing needs to be provided for: insight is needed to establish a robust set of awarding criteria.

ADEQUATE QUALITY ASSURANCE REQUIREMENTS

regiogroei

- Regiogroei has used a set of standard requirements towards quality assurance in the selection criteria listed in the RFP.
- In addition thereto, Regiogroei requests Offeror to submit a short proposal on adequate quality assurance requirements that should be in place (either by Offeror itself or by Regiogroei) to make this procurement (read: service delivery by Offeror) successful. A one pager is sufficient.

ADEQUATE ENVIRONMENTAL REQUIREMENTS

regiogroei

- All regional and Local Public Broadcasters are substantially financed through public funding.
- Cloud services do have an environmental impact (energy, usage of natural resources and so forth).
- Regiogroei requests Offeror to submit a short proposal on adequate environmental requirements that should be in the tender documents (either a requirement or as a suitable best value for money criterium). If possible also with an impact on the Green Deal. A one pager is sufficient.

FAIR CONTRACTUAL MODEL INCLUDING APPLICABLE GDPR ARTICLES

regiogroei

- Regiogroei would like to enter into a (modified) ARVODI-2018 contract with Offeror included in Annex C.
- Part of this contract is the so-called “Data Processing Agreement” included in Annex C.
- No problems are foreseen when it comes to the relation: Offeror <-> Regiogroei.
- However, as a consequence of the fact that there will be no contractual relation between Offeror <-> and each Regional Public Broadcasters not participating in Regiogroei AND each Local Public Broadcasters, it is anticipated that Regiogroei will have to agree on a Data Processing Agreement with each of said entities in the event they want to procure services of Offeror through Regiogroei.
- Regiogroei invites Offerors to submit suggestions based on their own insight and experience to address this issue in a profound and cost-effective manner.

ADEQUATE BEST VALUE FOR MONEY CRITERIA

regiogroei

- Regiogroei provided in the RFP a number of quality criteria that could be used as best value criteria. These are: technique, security, privacy, risk management, governance, migration and redeployment, data protection -recovery and -disposal, service provisioning, trial and testing processes, energy saving solutions or other measures with social impact.
- Regiogroei provided in the RFP a number of financial criteria that could be used as best value criteria. These are: price and migration costs (onboarding and offboarding).
- Regiogroei requests Offerors to:
  1) elaborate on said criteria and suggests alternative better criteria based on the scope of the services, the risks and so forth;
  2) provide for a model where each criterium has been allocated with a weight factor (total should be 100%).

FAIR EVALUATION METHODOLOGY

- Regiogroei seeks a fair evaluation methodology preferably based on ranking towards available budget instead of (relatively) comparing between prices offered;
- Regiogroei seeks suggestions by Offerors when it comes to the applicable evaluation methodology based on:

  a) the risks for both Offeror and Regiogroei when it comes to actual usage (up and downwards);

  b) the costs of onboarding and offboarding;

  c) Total Costs of Ownership of the services

Offerors are requested to submit a proposal that includes, next to a proposed evaluation method, also three (3) examples on how this would work out when evaluating tenders. One (1) based on the expected usage as listed in the RFP, (one) 1 based on 40% less (or later) usage and (one) 1 based on 40% more (or earlier usage). Only in terms of costs in percentiles.