

Information Notice Tender Telephony for Detainees ref. IUC/DJI/IENEA/NO/2021-04

12 October 2022

Het IUC DJI received the questions regarding the Information Notice.

The content of this Information Notice is binding and is part of the Tender Documents. This Information Notice is published at www.tenderned.nl and therefore available to all Candidates.

No.	Document (document title and appendix number)	Section or Article	Page number	Question	Answer
1	Selection Guidelines	4.2.2	18	"Intended date for submitting Tendering Guidelines - 01 December 2022" In defining the submission date for the tenders, please take care of the Christmas holiday period and allow a longer than usual time for preparing the submission.	The Contracting Authority does not have a detailed timeline of the Award Phase yet, however the Contracting Authority will follow regulations and guidelines at this matter.
2	Selection Guidelines	4.5.4	20	"If, after completing steps 1 to 3, more than seven Requests to Participate remain, the Contracting Authority will determine which Candidates will be invited to the Award Phase on the basis of a lottery." Our strong suggestion is to use qualitative criteria when selecting from more than seven candidates. The aim of selection is to find the best deal. As a result of a lottery, you risk excluding the possibly best match in advance.	The Contracting Authority will not change this selection process, however it is not to be expected that more than seven Requests to Participate will be submitted (and/or remain after the assessment of the Requests to Participate).
3	Selection Guidelines	4.9.1	21	"Article 2.81, paragraph 1 of the Public Procurement Act 2012 applies to the performance of the Co." Does "Co" mean "Contract" in this case, or has more text disappeared?	The complete sentence is: 'Article 2.81, paragraph 1 of the Public Procurement Act 2012 applies to the performance of the Contract '.
4	Explanation Tender Types	1.3.1 - 1.3.2	3	"Third parties / holding / subcontractors for meeting eligibility requirements" A - If we rely on our holding (parent company) not only for financial and economic capacity requirements, but also for technical and professional competency requirements, can all this be covered by the holding statement? B - Do we correctly understand that no ESPD is needed for the parent company? C - Do we correctly understand that no Trade Register document is needed for the parent company? D - Do we correctly understand that no Gedragsverklaring Aanbesteden is needed for the parent company? E - Do we correctly understand that no Tax Statement is needed for the parent company?	A. Yes, this can be covered by the holding statement, however in this statement the holding must confirm for all the eligibility requirements you rely on them for that the holding actually have the means that you relies on and that they are willing to make these means available for performance of the Contract. In Part 3A of the Participation Form you must include the details of the holding and provide a brief description of what you are relying on. B. No, that is not correct. Any party you rely on to meet eligibility requirements has to fill in and duly sign an ESPD. C/D/E. No that is not correct. Any party that has to fill in and duly sign a ESPD must also submit a Gedragsverklaring aanbesteden, Trade Register Document and Tax Statement for verification (on request of the Contracting Authority). Please note paragraph 'Information for non-Dutch companies' which also applies to third parties Candidates rely on for the eligibility requirements.
5	Explanation Tender Types	1.3.2	3	"Subcontracting" We will involve several suppliers, whose products and services we're fully responsible for and who we don't have to rely on to meet our eligibility requirements. In what circumstances would such suppliers need to be announced as subcontractors?	Suppliers that supply products to the Candidate and companies that supply services that will not effect the Contracting Authority directly do not have to be mentioned as subcontractors. Only parties that will carry out a significant part of the Contract and/or will have contact with the Contracting Authority during the Contract must be mentioned as subcontractor following the instructions in paragraph 1.3.2 of Annex 3.
6	Selection Guidelines	Introd. 4.8	2 20	"The Custodial Institutions Agency,, is looking for a partner who can provide a reliable and modern telephony facility for detainees, which is embedded in DJI's IT environment." "The Contracting Authority currently intends to weigh Quality ['1 Quality of implementation, software development and management' and '2 Quality of the solution offered'] for 60% and Price for 40%. A - For the sake of the required reliability, we suggest to include a Proof of Concept (PoC) into the evaluation criteria. B - For securing the embedding requirements, we suggest that this PoC should include a proof of the capability to organise and develop, within the required time frame, important specific linkages like the NOvA interface and the Police Tap interface. C - The assessment of this PoC could e.g. be weighted for 10% - 15% at the expense of the other percentages.	In the Award Phase the 'Quality' will be elaborated in detail. The Contracting Authority will consider to include a Proof of Concept in the Award Phase. The weight of the Quality and Price is wrong in the Selection Guidelines. This must be: Price will weigh for 60% and Quality for 40%.
7	Selection Guidelines	2.2.2	9	"Characteristic components: (.....) • Connection to the intercoms in the cell for In-Cell Telephony;" Can you confirm that this refers to the central devices (e.g. firewall, switch) of the intercom supplier?	Yes, we can confirm this refers to the central devices.
8	Selection Guidelines	3.3.2	15	"A copy of the ISO 27001:2017 certificate and the corresponding Statement of Applicability that forms part of the ISO 27001:2017 certificate with regard to all domains and control measures as described in the annex A of the ISO27001:2017." ISO27001:2017, compared to the 2013 version, was a 'cosmetic' upgrade in which no new requirements were introduced. Please confirm that a valid ISO27001:2013 will be considered to be compliant with this requirement.	The Contracting Authority will consider a valid ISO27001:2013 certificate equivalent, as there are no requirements added in ISO27001:2017.
9	Selection Guidelines	4.9.5	21	"The Contracting Authority reserves the right, in appropriate situations, to award or outsource parts of the Contract, which are the subject of this invitation to tender, outright to a third party as part of an integrated project, public-private partnership, DBFM contract or similar construction, if such an integrated approach is desirable in the opinion of the Contracting Authority. In such situations, the relevant service falls outside the scope of the Agreement and the party cannot claim the service or any compensation, including lost turnover and/or profit or otherwise." Since all costs (including the investments) of the telephony facility will be financed from the revenues from call minutes, pricing can only be based on a reliable outlook on the business volume. Variations in user behavior are a normal business risk, but assigning parts of the contracted scope to another supplier is not. This clause should preferably be deleted, or otherwise be capped at a very limited percentage of potential users.	The Contracting Authority will delete paragraph 4.9.5 of the Selection Guidelines.

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10	Explanation ... (Appendix 3)	1.3.1	3	"The Candidate may rely on the means of one or multiple third parties to meet the eligibility requirement with respect to financial and economic capacity specified in Chapter 3 of the Selection Guidelines," Please note that a section on "financial and economic capacity", as referred to, is missing in Chapter 3 of the Selection Guidelines. The ESPD just asks for a tax statement and a self-declaration of not being in a state of bankruptcy or insolvency; however this by no means guarantees that the bidder is capable of providing the important volume of investments required for this project (since all costs of the telephony facility will be financed from the revenues from call minutes). • We suggest to add financial parameters (e.g. turnover volume, asset ratios) to the eligibility requirements.	The Contracting Authority will not add financial parameters.
11	Selection Guidelines	2.1.2 2.4.3	8 12	"This agreement with the current contractor includes a phasing-out period of a maximum of 12 months, counting from 1 November 2022." "The current planning aims for an operational telephony facility on 1 November 2023, which will then be rolled out in the correctional institutions." There seems to be an inconsistency between these clauses.	Thanks for noticing. This should be: This agreement with the current contractor includes a phasing-out period of a maximum of 12 months, counting from 1 November 2023 ." "The current planning aims for an operational telephony facility on 1 November 2023, which will then be rolled out in the correctional institutions."
12	TvJ-Ist 220912 TvJ-Soll 220912			In the Ist technical drawing a clear scope of the current provider is defined by a green circle. In the Soll technical drawing the required scope is not defined. Please clarify.	The scope is the same, except for the marked 'important changes'.