



Invitation

5/23/2022












Procuring organization

Ríkiskaup
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Procurement

DPS - Cloud service, hosting and other related services
21447
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Legend

- | | |
|---|---|
|  The text is included in the advert |  The text is included in the qualification |
|  The text will be part of the contract |  The text will be published in the contract catalogue |
|  The text/question contains requirements to be met |  The text/question contains ESPD requirements |
|  The question is weighted and included in the evaluation |  The question is weighted and included in the evaluation |
|  The question is asked for information only |  The question is answered by the buyer |
|  The question is marked for special follow-up | |

3. Criteria for participation

3.1 Selection criteria - qualification of tenderer

This section contains a description of the selection criteria for the tenderers. If the tenderer does not meet all the selection criteria for this ITP, tender is invalid according to Article 82 of the PPA and will be rejected. If an economic operator is relying on the capacity of another party in accordance with Art. 76 of the PPA the ESPD shall also include relevant information according to paragraph 1 of Article 73 concerning that economic operator.

The qualification of tenderers will be evaluated based on the information they submit with their tenders, or documentation which Ríkiskaup has reserved the right to request.

3.1.1 Statement of qualification - ESPD

European Single Procurement Document (ESPD) is a self-declaration of the businesses' financial status, abilities and suitability for a public procurement.

This can be done by choosing ESPD which is part of this ITP. Tenderers can upload previously answered ESPD form if they chose so in TendSign.

The tenderer may fill in and submit an ESPD together with the tender (according to Article 73 of the PPA).

If a tender is being considered, the tenderer must immediately upon the request of Ríkiskaup be able to present the evidence required under Article 74 of the PPA, cf tender response form.

If the tenderer prefers not to use an ESPD all the requested documentation concerning qualifications may be submitted along with the tender, cf requirements in the tender response form.

ESPD/Optional

Attachment

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3.1.2 Qualification based on ability of another company

If an enterprise is based on the capacity of another party in accordance with Article 76. OIL's tender must also contain relevant information in accordance with Art. Paragraph 1 Article 73, on that party.

A company must also prove to the buyer that it has secured the specified assistance, e.g. by submitting a mandatory statement to the party that he will perform the work or service.

The buyer reserves the right to demand that the tenderer and the party in question bear joint responsibility for the performance of the contract, cf. Paragraph 3 Article 76. OIL.

If a tenderer builds on the ability of another company or companies, that company / companies must submit the same information as the tenderer. The buyer reserves the right to demand that the tenderer and the party in question bear joint responsibility for the performance of the contract.

3.1.3 Grounds for excluding tenderer



A tenderer convicted by final judgment for the following offences shall be excluded from participating in the procurement procedure:

- participating in a criminal organization,
- corruption,
- fraud,
- terrorism, or for offences that are linked to terrorist acts,
- money laundering or the financing of terrorist acts,
- child labor or other form of trafficking in human beings.

The obligation to exclude a participant or tenderer also applies when a person who has been convicted by final judgment for a violation of article 68 of the PPA, is a member of the administrative, management or supervisory board of the relevant economic operator, or is an authorized representative, who is authorized to make decisions or has a controlling position in the relevant economic operator.

The participant, or the tenderer, shall be excluded from participating in the procurement process if in violation of duty to pay taxes, pension fund premiums or other statutory fees and there has been a final finding by a court of law or by Ríkiskaup where the tenderer is registered, or in a member state of the EEC. The participant or the tenderer shall hand in documentation according to the above mentioned which cannot be older than 3 months.

In addition, Ríkiskaup reserves the right to exclude an economic operator from participating in a procurement process if other reasons for exclusion listed in Article 68 of the PPA apply to the economic operator. Ríkiskaup / the buyer will, according to article 68 of the PPA, and because of recommendation from the OECD WGB, take into account whether an economic operator has made sufficient measures to prevent and detect foreign bribery committed by the company (e.g. internal audit systems, whistleblowing, code of conduct, policy on gifts, facilitation payments etc.) when

deciding whether to award a public procurement contract to that economic operator. The tenderer shall confirm and describe in his tender what measures have been taken to prevent and detect foreign bribery.

Ríkiskaup reserves the right at any time to call for further documentation according to Article 74.

By signing the tender, the tenderer confirms that the above grounds for exclusion do not apply to the economic operator, to individual persons on the board of directors, the executive board or the supervisory board, nor to individual authorized representatives, who are authorized to make decisions or have a controlling position in the relevant economic operator.

By submitting tender, the tenderer confirms that the above exclusionary circumstances do not apply to him (the company), the individuals in the management, management or supervisory body of the company, nor to persons authorized to represent, make decisions or control it.

Yes/No. **Yes is required**

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3.1.4 Qualification



The tenderer shall be registered in a register of enterprises. If an economic operator is from other states in the EEA, or from member states of the EFTA convention then the proper registration in its country of domicile must be demonstrated by certificate.

The tenderer who uses a temporary work agency shall demonstrate that the agency has been reported to the Directorate of Labor and that the agency has authorization to operate in Iceland. A tenderer who intends to hire a citizen from a state outside of the EEA, from an EFTA state or from the Faeroe Islands, shall apply and have been issued a work permit prior to the commencing work.

Certificate from a company register or comparable foreign register

Attachment

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3.1.5 The financial standing of the tenderer



The financial standing of the tenderer shall be sufficiently secure so that commitments to the contracting authority may be fulfilled, cf Article 71 of the PPA.

The financial standing of the tenderer shall be a minimum of:

- Positive equity ratio according to newest endorsed annual account.

Financial Statements/annual accounts will be downloaded from skatturinn.is by Ríkiskaup, foreign party shall submit financial Statements as attachments.

Copy of endorsed annual accounts for the year before

Attachment

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3.1.6 Public and Pension dues



The tenderer shall confirm that he has paid all public dues and pension dues. If a tender withheld

tax payments, public dues or legally mandated premiums to pension funds, his offer will be rejected.

If a tenderer has negotiated with the tax authorities, payments of public dues in default and adheres to such agreement, it shall be viewed as being up to date in payments of public dues. Agreements on the payment of public dues that are being adhered to are therefore not viewed as being in default.

The certificate cannot be older than 3 months.

a. certificate of tax payment

Attachment

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b. certificate of payment of applicable public dues (pensions)

Attachment

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3.1.7 Technical and professional ability



The technical and professional ability of an economic operator shall be sufficiently secure so that commitments to Ríkiskaup may be fulfilled. An economic operator may rely on the financial, technical and professional capacities of other entities, regardless of the legal links it has with them, cf Article 76 of the PPA.

Providers providing managed services or professional services are required to be a qualified partner for the resources and services in question. This shall be demonstrated via certifications from vendors, certifications issued to current employees as well as testimonials from previous customers within the public sector for each lot.

Technical and professional ability

Attachment

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3.1.8 Quality assurance standards



CSP's and other vendors providing hosting or processing of data shall demonstrate compliance with applicable security and quality standards, such as ISO 27001 and compliance with applicable laws and regulations (GDPR, etc).

- Security Program
- Privacy Policy
- Audit reports

ISO 27001 certificate or other comparable certificate

Attachment

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3.1.9 Environmental standards



Ríkiskaup works in accordance with the government's policy on green procurement and green government operations. The aim of the policy is to take environmental considerations into account

in all government procurement, while assessing costs and quality. This reduces the environmental impact of public activities while encouraging innovation and competition in the market for ways to reduce the burden on the environment. It is therefore important for sellers / suppliers in government contracts to be prepared for increased demand for environmentally friendly products and solutions. Annex I sets out the GPP conditions that potential buyers can set as a requirement or award criteria in their future purchases.

The tenderer shall have an environmental policy stating at least: information on how waste sorting is carried out, his goal of reducing his carbon footprint, how he intends to meet that goal and at what time.

Tenderers shall provide a certification or a brief description of their environmental policy (A4). If the tenderer has a certification, it is sufficient to submit a copy of its confirmation/certificate.

Environmental policy or certification

Attachment

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3.1.10 Business ethics

Corruption and other financially fraudulent activities are not acceptable. The tenderer shall work actively against all forms of corruption, extortion and money laundering. The tenderer is required to have an ethical framework that applies to the tenderer's employees. The rules shall contain a prohibition on offering, promising or giving unfair benefits to customers, suppliers and public employees. The same applies to the receipt of such benefits. By accessing tender documents and sending a tender in this procurement procedure, the tenderer /supplier confirms that the firm has ethical rules /framework. See further terms and conditions regarding tender documents on the Ríkiskaup website where there are information regarding penalty for bribery offences.

3.1.11 Reservation concerning additional information about qualification at later stages

Ríkiskaup reserves the right to call for further information at a later stage as evidence for there not being reasons for exclusion according to Chapter VI of the PPA. By submitting the tender, the tenderer consents that Ríkiskaup may verify that grounds for exclusion according to PPA do not apply if his tender is the most advantageous. For example, tenderer may be checked in Creditinfo database (Creditinfo offers a variety of information on both domestic and foreign companies such as credit reports, information from financial reports, information about the insolvency of companies, media information and payment behavior system.) The tenderer confirms that it is permissible to check the business history of the economic operator, principal owners and the directors, cf. paragraph 7 of Article 68 of the PPA.

Ríkiskaup reserves the right to request further information

- A statement from the principal commercial bank regarding reliability in business transactions.
- Information about fulfilment of contracts

Tenders must comply with the minimum requirements. Tenders may be considered non-compliant with the minimum requirements of the Tender Specifications if they:

- propose a solution different from the one prescribed in the Tender Specifications (if variants are not allowed);
- do not comply with the applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international

environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU17 and compliance with data protection obligations resulting from Regulation (EU) 2016/679 ("GDPR") and Regulation (EU) 2018/1725.

- contain an incomplete, conditional or non-compliant offer;
- do not cover all, or deviate from other minimum requirements provided for in the Tender Specifications of ITT's.