



## MINUTES OF MEETING

**Department/Unit**  
MSD/Procurement

**Drafted by**  
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Sibille CUKA

7 Sep 2020

PROC\_ECS\_2020\_169 ‘E-Tendering platform / Mini-site’

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| <b>Title, date and time of meeting</b>   | Information Meeting, 7 Sep 2020, 14:00 – 15:25 EAT  |
| <b>EUCAP Somalia participants</b>  | Simone GARIGLIO, Chief of Procurement<br>Sibille CUKA, Procurement Officer<br>Tom GRANQVIST, CIS Officer<br>Nima HASSAN, Procurement Assistant  |
| <b>Economic operators participants</b>   | Economic Operator No. 1, In-Tend (UK):<br>Caroline Featherstone<br>Euro Jones<br>David South<br><br>Economic Operator No. 2, Herufi (Kenya):<br>Dan Onyango<br>James Ngugi<br><br>Economic Operator No. 3, Agency 04 (Croatia):<br>Hrvoje Fijucek |
| <b>Date and location of activity</b>   | Virtual online meeting; presenters in Mogadishu (Somalia)   |
| <b>Summary</b>   |   |
| <p>The EUCAP Somalia Procurement Unit had scheduled this information meeting in the context of market consultations; subject procedure ref. PROC_ECS_2020_169 ‘E-Tendering platform / Mini-site’</p> |   |

### Description

#### Meeting Agenda:

1. Dialogue schedule and introductions
2. Presentation of the requirement (ref. procurement web-pages style; *Descriptive document* and *Visio* workflows mapping ;)
3. Protection of intellectual property and commercially sensitive information)
4. Q&A

All participants were able to successfully connect.

#### 1. Dialogue schedule and introductions

Mr. Simone GARIGLIO welcomed the participants and started the meeting by introducing himself, the EUCAP team and the subject matter of the *Information meeting*. He then asked the participants if

they had any objections regarding the recording of the meeting. No objections were made and the recording was thus initiated.

Mr. Simone GARIGLIO then gave the floor to Ms. Sibille CUKA who requested the participants to briefly introduce themselves and then proceeded to the second agenda point:

## 2. Presentation of the requirement

Procurement web-pages style on the example of *Ongoing and Future Business Opportunities* and *Information Meetings*

<https://www.eucap-som.eu/procurement/business-opportunities/>

<https://www.eucap-som.eu/procurement/information-meetings/>

Ms. Sibille CUKA emphasized that the colour scheme and style of the proposed mini-site should mirror the same colour scheme of the EUCAP Procurement web-pages; e.g. the bluish and whitish style of the Mission website colours. The ‘wheel’ should not be reinvented here, but all should be well aligned. In addition, being an EU funded Mission, EUCAP-SOM is bound by the EC visibility guidelines.

Ms. CUKA presented the technical requirement. She explained the four (4) major expected outputs; each of which requires certain functionalities:

- Suppliers’ Database (Supplier relationship management) – currently the database is being built (Excel format); this data will then be migrated into the platform Suppliers’ Database to form the baseline for the database. The database will be fed with new suppliers through the Vendor’s registration functionality. On a general note, for economic operators interested to tender with EUCAP-SOM they have to be registered in the database and have an account. Only registered suppliers will be able to apply for EUCAP-SOM business opportunities and to tender. The idea is that the database is populated through a few different avenues: one will be the migrated data, then through the Vendor’s registration functionality. The platform will enable authorised procurement professionals to search and manage the database, utilising various search parameters such as key words, procurement categories, type of contract (supply, services, works).
- Subscription services for suppliers/Mailing list – suppliers must register to the platform to digitally receive information about tenders/business opportunities. How this is done exactly technically is left to the suppliers; some kind of Email notification (alerts) with highlighted information could, e.g., be envisioned. The requirement is quite substantive in terms of notification functionalities: ability to notify Tenderers digitally on everything (invitations to tender, Corrigenda (amendment to initial requirement), invitations to information meetings, cancellations, outcomes of procedures, opportunities for Tenderers to pose requests for clarifications to the Contracting Authority (CA) during the tendering process, on the one hand, and, on the other, during the evaluation the CA can also request clarifications from Tenderers; as well as modifications to contracts (administrative orders, addenda, contract suspensions/termination). At this point Mr. Simone GARIGLIO intervened to explain in further detail that the clarifications provided by the CA shall be provided to all anonymously and simultaneously. In terms of the requests for clarifications during the evaluation, the CA sends requests only to single Tenderers under evaluation.
- Vendors’ registration - for authorised procurement professionals to create and configure a user-friendly self-registration form with optional, mandatory and editable fields which will generate a single and unique supplier ID number across the entire procurement process and allow traceability of a supplier throughout the process. In terms of the legally enforceable digital signature for suppliers, Mr. Simone GARIGLIO added that digital

signatures may be legally enforceable where the law governing the contract is EU law and the parties of the contract abide to the standard which is foreseen by the same law. So there are different standards worldwide, but most of the EUCAP contracts are bound by the EU law and thus an EU standard compliant digital signature is sought.

- E-tendering Platform/Mini-site (incl. Design review) – the *Visio* workflows mapping was described in detail, on the example of the Open/Negotiated procedure with reference to the occurrence points with M-Files where documents/information is to be generated and stored in M-Files automatically; this is where the interface should be placed.
- *Visio* workflows mapping:
  - starting with the search function to identify suppliers to be shortlisted to tender;
  - the shortlist shall be based on the *Selection criteria* set out in the tender documents and/or *Contract Notice*;
  - Tender Dossier (a set of tendering documents): this set of documents is to undergo a certain approval workflow internally. Discussions are still ongoing internally whether these workflows will be maintained within the EUCAP-SOM data-management system, M-Files (currently Assignments), or whether these workflows will be embedded in the new E-tendering platform; in case the latter will be the case, the various roles assigned to the approval workflow, apart from Procurement staff, will have to log-on to the platform and there undertake certain actions; in case of the former, they will continue to utilise the data-management system as before;
  - a user-friendly tool, e.g., a wizard, to guide tenderers through the tender submission process;
  - ‘multi-envelopes’ tenders submission process allowing tenderers to securely submit separate administrative, technical and financial envelopes which are then safely stored on the platform until such time the evaluation or cancellation is to be started/notified;
  - a number of other functionalities: a calendar (incl. alerts/automatic pop-ups), countdown clock;
  - in terms of the evaluation: there should be generic templates available for evaluation and award;
  - simple arithmetic formulas for financial evaluations;

Mr. Simone GARIGLIO intervened and provided a clarification on the double-envelopes system: this applies to procedures where the award criteria are a price and quality ratio which is normally the case for supply procedures, for which the technical evaluation has to be concluded before the financial is started. This is why the virtual financial envelope needs to be stored safely for a certain period of time.

- simultaneous notification of award and unsuccessful outcome of evaluations;
- contract modifications: once the contract has been awarded the platform should still provide functionalities in regards administrative orders, addenda as well as contract suspension/termination;

Mr. Simone GARIGLIO referred back to the tendering workflow once again in order to expand on the differences between the Open/Negotiated, on the one hand, and Restricted/Competitive Dialogue/Competitive Procedure with Negotiation procedures. For restricted procedures, e.g., there is a 1<sup>st</sup> stage which is called publication of a contract notice (on OJEU e.g.) with duly specified selection criteria. Any company can apply, however, only those that are shortlisted (by application of selection criteria) will be eventually invited to tender and the tender dossier made available to them. For this type of procedure there is no double application of selection criteria at evaluation but straight to technical compliance because the administrative compliance is done at an earlier stage.

The main difference being that in one group the application of selection criteria before the invitation to tender is done and for the other group after.

Mr. GARIGLIO further emphasised that the workflows will need to be tailored to all the EU public procurement procedures currently available: Negotiated/Open Procedure, Simplified Procedure (reserved for EU external actions) Restricted Procedure, Competitive Dialogue and Competitive Procedure with Negotiation (all to be detailed in the final *Descriptive Document/ToR*) and, moreover,

for any future new procedures.

Ms. Sibille CUKA proceeded with the presentation of the individual phases in the schedule of the activities and their respective timelines:

1. Configuration and Installation (design review and release) -----TO + 4 months =T1
2. Integration and Testing (warranty, troubleshooting and maintenance)-----T1 + 4 months = T2

In regards the warranty Mr. Simone GARIGLIO added that change requests envisaging a change in the requirement will not be free of cost in case of substantial change requests. An agile approach, e.g., would hence be welcomed.

3. Operational support (warranty, troubleshooting, maintenance and training/knowledge transfer)-----T2+4 months= T3

Scalability: Mr. Simone GARIGLIO added that the procedure is currently fully funded by the Mission since it is a EUCAP-SOM Mission procedure, but shall be fully scalable in future and the cost may be shared by other CSDP Missions if necessary.

### **3. Protection of Intellectual Property & commercially sensitive information**

Mr. Simone GARIGLIO underlined that the Mission is entrusted with public funds and its work is not for profit. A risk had been identified in regards to IP in reference to the source code. The Mission does not require to be the sole owner but would like to have access to it. Thus, there will be no requirement set out in the tender documents (Tender Dossier), for the Mission to be the exclusive owner, however, the Mission wants to identify a mitigating measure proportionate to the possible risk. One idea would be the inclusion of a provision in the contract on source code ownership. Provisions can also be added on the protection of the source code owner; e.g., it may not be used to any other end but in regards the e-tendering platform (no commercial benefits whatsoever). Furthermore, Mr. GARIGLIO encouraged the economic operators to propose possible solutions when presenting their Initial Solutions.

As for the Initial Solutions, no information on individual solutions shall be disclosed, however, the technical requirement shall be fine-tuned based on these market consultations. Especial attention shall also be placed on not distorting competition; there can be no tailoring based on one single solution.

### **4. Questions & Answers:**

Q1: Is it possible to issue a link to M-Files if it is an internal application you use, so we can ensure the correct integrations if you go this route and can price correctly

A1: M-Files has a public API that can be shared without any problems.

**ACTION TO BE TAKEN BY CONTRACTING AUTHORITY:**

Share the API in the final *Descriptive Document/ToR*.

Q2: What are the different steps for the design before the tendering process?

A2: The design should be the initial solution of the operator with rough prices based on the requirements of the contracting authority.

Q3: Do you require the PO integration - it was crossed off the Annex document shown and discussed a short while ago?

A3: The functionality of PO integration was removed from the workflow and will not be in the final *Descriptive Document/ToR*.

Q4: Will the migration of the supplier database be done from current platform to the mini-site?

A4: There is no platform in place currently; the database is only available in a physical document.

Q5: Will the hosting of the application be on-premises or in cloud?

A5: The hosting on both is possible by the Mission.

Q6: Is there any imposition of the technology coding language?

A6: The Mission is open for a fairly modern and secure coding language.