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Poland-Warsaw: Library software package

 2017/S 156-323819

**Contract notice**

**Services**

Directive 2014/24/UE

**Section I: Contracting Authority**

I.1) **Name and addresses**

Biblioteka Narodowa
000275955
al. Niepodległości 213
Warszawa
02-086
Poland
Contact person: Elżbieta Biedruna; Bogumiła Bernatowicz
E-mail: przetargi@bn.org.pl
Fax: +48 226082624
NUTS code: PL911

**Internet address(es):**

Main address: [http://www.bn.org.pl](http://www.bn.org.pl/)

I.2) **Joint procurement**

I.3) **Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at:<http://bn.org.pl/bip/zamowienia-publiczne>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted to the abovementioned address

I.4) **Type of the contracting authority**

Body governed by public law

I.5) **Main activity**

Recreation, culture and religion

**Section II: Object**

II.1) **Scope of the procurement**

II.1.1) **Title:**

Purchase and implementation of an Integrated Resources Management System for Libraries.

Reference number: XIV/264/14/17

II.1.2) **Main CPV code**

48160000

II.1.3) **Type of contract**

Services

II.1.4) **Short description:**

The object of the procurement is the supply and implementation by the Economic Operator of a ready integrated Library Resources Management System for Libraries with access to the library system in a cloud, in the SaaS (Software as a Service) model, with the necessary licenses. A ready Library Resources Management System is understood as a solution which the Economic Operator already has and can implement it within the deadline specified in the contract. Prior to the commencement of the procedure the Contracting Authority will conduct a technical dialogue. Information from the technical dialogue forms Attachment no. 3 to the ToR.

II.1.5) **Estimated total value**

Value excluding VAT: PLN 23,000,000.00

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.1) **Title:**

II.2.2) **Additional CPV code(s)**

48161000

72263000

II.2.3) **Place of performance**

NUTS code: PL

Main site or place of performance:

On-line service provided to the National Library in Warsaw.

II.2.4) **Description of the procurement:**

1. The object of the procurement is the supply and implementation by the Economic Operator of a ready integrated Library Resources Management System for Libraries with access to the library system in a cloud, in the SaaS (Software as a Service) model, with the necessary licenses. A ready Library Resources Management System is understood as a solution which the Economic Operator already has and can implement it within the deadline specified in the contract.

2. The object of the procurement will be delivered:

1) Stage I – no later than by 30.6.2018.

Scope of the stage:

a) delivery of the Technical and User Documentation of the System

b) training of System administrators

c) delivery and configuration of the System

2) Stage II – no later than by 31.12.2018

Scope of the stage:

a) preparation of data migration and loading tools

b) migration of data of the National Library

3) Stage III – no later than by 14.8.2019

Scope of the stage:

a) System implementation in the libraries indicated by the National Library, in accordance with the description of the object of the procurement forming Attachment no. 2 to the Contract.

Upon the delivery and configuration of the System, the Economic Operator will provide the service in the SaaS model, in accordance with the provisions of § 4 section 5 of the contract template (Attachment no. 2 to the ToR).

3. The object of the procurement also includes:

1) grating a warranty for physical defects and a guarantee for physical and legal defects until 30.9.2024. The warranty and guarantee period shall commence as of the date of the final acceptance of the Object of the Procurement without objections.

2) Licences: the Economic Operator may grant to the Contracting Authority, within the contractual remuneration, a non-exclusive license without temporal or territorial limits to the said works in accordance with the provisions of § 6 section 1 indent II of the Contract template (Attachment no. 2 to the ToR).

4. The Contracting Authority requires that the object of the procurement be delivered on the terms and conditions set out in the Contract template (Attachment no. 2 to the ToR), in accordance with the “Description of the Object of the Procurement” (Attachment no. 1 to the ToR).

5. Additional requirements of the Contracting Authority regarding the object of the procurement:

1) During the guarantee period the Contracting Authority requires the Economic Operator to provide guarantee service. Guarantee service shall be provided 24 hours per day, 7 days per week.

2) The guarantee includes:

a. functioning of the System in accordance with the Description of the Object of the Procurement forming Attachment no. 1 to the ToR.

b. the obligation of the Economic Operator to provide free software updates and free technical support for the operation of the System.

c. elimination of System errors.

6. The system provided by the Economic Operator will ultimately be intended for libraries in Poland (regardless of the nature of the library and the type of library materials collected). The Economic Operator shall be required to provide a System that will be fully scaled with respect to future library implementations (in the period after September 30, 2019).

7. The Contracting Authority informs that it may cancel the contract award procedure if funds from the European Union budget and non-recoverable funds from the EFTA Member States which the Contracting Authority intends to use to finance to the whole or part of the procurement are not granted to it.

8. The procurement forms part of the “E-service OMNIS” project co-financed under the Digital Poland Operational Programme from the European Regional Development Fund and the state budget under co-financing agreement No POPC.02.01.00-00-0043/16-006-01.

II.2.5) **Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) **Estimated value**

Value excluding VAT: PLN 23,000,000.00

II.2.7) **Duration of the contract, framework agreement or dynamic purchasing system**

End: 30/09/2024

This contract is subject to renewal: no

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: no

II.2.12) **Information about electronic catalogues**

II.2.13) **Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project: Project “e-service OMNIS” POPC.02.01.00-00-0043/16-006-01.

II.2.14) **Additional information**

The Contracting Authority requires the tender of the Economic Operator to include a completed and signed Tender Form – consistent with Attachment no. 5 to the ToR.

The tender must be secured by a security deposit of PLN 540,000 (say: five hundred forty thousand zlotys). Provisions regarding the security deposit are contained in Chapter of the ToR “Security deposit requirements”.

**Section III: Legal, economic, financial and technical information**

III.1) **Conditions for participation**

III.1.1) **Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

The Contracting Authority does not set any requirements in this regard.

III.1.2) **Economic and financial standing**

List and brief description of selection criteria:

In order to meet the economic situation condition, the Economic Operator shall be obligated to demonstrate that he holds professional third party liability insurance covering the activity relating to the object of the procurement with the sum insured of at least PLN 2,000,000.

In order to meet the financial situation condition, the Economic Operator shall be obligated to demonstrate that he has funds or creditworthiness of at least PLN 6,000,000.

\* If the information from a bank or a savings and loan association confirming the funds or the creditworthiness of the Economic Operator gives a value in a foreign currency, the Contracting Authority will convert this value into PLN according to the average exchange rate of the National Bank of Poland (Table A) for a given currency published on the date of publication of the contract notice in the Official Journal of the European Union. If the NBP average exchange rates (Table A) were not published on the day of publication of the contract notice in the Official Journal of the European Union, then the Contracting Authority will convert that value into PLN according to the average NBP exchange rate (Table A) for the currency published on the first day following the publication of the contract notice in the Official Journal of the European Union, in which the average exchange rates were published by the NBP (Table A).

Minimum level(s) of standards possibly required:

To confirm compliance with the aforementioned economic situation condition, the Contracting Authority requests the submission of information from a bank or a savings and loans association confirming the funds or creditworthiness of the Economic Operator, within a period not earlier than 1 month before the deadline for submission of tenders or requests for participation in the procedure.

In order to confirm the meeting of the financial situation condition, the Contracting Authority requests the submission of documents confirming that the Economic Operator holds professional third party liability insurance covering the activity relating to the object of the procurement with the sum insured of at least PLN 2,000,000.

III.1.3) **Technical and professional ability**

List and brief description of selection criteria:

The above condition will be met, if the Economic Operator can demonstrate that (under one or several contracts):

a) within the last three years prior to the lapse of the tenders submission deadline, and if the period of trading is shorter, within that period, he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system at a national library having no fewer than 11,000,000 records of the following types: bibliographic, model, copy, periodicals resource, orders, readers, suppliers and accounts.

b) within the last three years prior to the lapse of the tenders submission deadline, and if the period of trading is shorter, within that period, he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system at an academic library having no fewer than 7.000.000 records of the following types: bibliographic, model, copy, periodical resource, orders, readers, suppliers and accounts.

c) within the last three years prior to the lapse of the tenders submission deadline, and if the period of trading is shorter, within that period, he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system worth at least PLN 1,000,000.

d) within the last three years prior to the lapse of the tenders submission deadline, and if the period of trading is shorter, within that period, he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system in a consortium of at least 20 libraries.

e) within the last three years prior to the lapse of the tenders submission deadline, and if the period of trading is shorter, within that period, he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system operating in the SaaS model (software as a service).

f) during that period he duly provided under one contract, at least one service consisting in maintaining the continuity of functioning of an integrated library resources management system operating in a computing cloud.

\*If a foreign currency is given in the list of supplies, the Contracting Authority will convert this value into PLN according to the average exchange rate of the National Bank of Poland (Table A) for a given currency published on the date of publication of the contract notice in the Official Journal of the European Union. If the NBP average exchange rates (Table A) were not published on the day of publication of the contract notice in the Official Journal of the European Union, then the Contracting Authority will convert that value into PLN according to the average NBP exchange rate (Table A) for the currency published on the first day following the publication of the contract notice in the Official Journal of the European Union, in which the average exchange rates were published by the NBP (Table A).

Minimum level(s) of standards possibly required:

In order to confirm the fulfilment of the above condition, the Economic Operator shall submit a specification of deliveries or services carried out, and in the event of periodic or permanent performances, also those being provided, within the last 3 years prior to the lapse of the time limit set for submitting tenders or requests for participation, and if the period of trading is shorter, within that period, giving their value, object, dates of delivery and entities receiving the deliveries or services, enclosing evidence showing whether these deliveries or services have been or are being provided correctly. Such evidence shall be references or other documents issued by the recipient of the deliveries or services, and if for objective reasons the Economic Operator is unable to obtain these documents – a representation of the Economic Operator; in the case of periodic or on-going performances, the references or other documents confirming their correct performance shall be issued no earlier than 3 months prior to the lapse of the time limit set for submitting tenders or requests for participation;

III.1.5) **Information about reserved contracts**

III.2) **Conditions related to the contract**

III.2.1) **Information about a particular profession**

III.2.2) **Contract performance conditions:**

They are contained in the Contract template forming Attachment no. 2 to the ToR.

The Eo whose tender has been selected as the most advantageous shall be obligated to provide a good performance guarantee of 10% of the total gross price given in the tender. Provisions regarding the good performance guarantee are contained in Chapter IX of the ToR “Good performance guarantee requirements”.

III.2.3) **Information about staff responsible for the performance of the contract**

**Section IV: Procedure**

IV.1) **Description**

IV.1.1) **Type of procedure**

Open procedure

IV.1.3) **Information about a framework agreement or a dynamic purchasing system**

IV.1.4) **Information about reduction of the number of solutions or tenders during negotiation or dialogue**

IV.1.6) **Information about electronic auction**

IV.1.8) **Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

IV.2) **Administrative information**

IV.2.1) **Previous publication concerning this procedure**

IV.2.2) **Time limit for receipt of tenders or requests to participate**

Date: 25/09/2017

Local time: 12:00

IV.2.3) **Estimated date of dispatch of invitations to tender or to participate to selected candidates**

IV.2.4) **Languages in which tenders or requests to participate may be submitted:**

Polish, English

IV.2.6) **Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 2 (from the date stated for receipt of tender)

IV.2.7) **Conditions for opening of tenders**

Date: 25/09/2017

Local time: 12:30

Place:

Biblioteka Narodowa, al. Niepodległości 213, pok. 1201.

Information about authorised persons and opening procedure:

The tender shall be binding for a period of 60 days. The two months period indicated in clause IV.2.6 is due to the inability to include in the notice a period expressed in days.

**Section VI: Complementary information**

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about electronic workflows**

VI.3) **Additional information:**

#Detailed information and requirements of the Contracting Authority are contained in the procurement documents – ToR#

1. Pursuant to Article 22 section 1 of the PPL Act:

1.1 Economic Operator who in accordance with Article 22 section 1 clause 1 of the PPL Act are not barred from the procedure, may compete for the procurement, i.e. the Contracting Authority shall conclude that a given Economic Operator is not barred from the procedure, if none of the prerequisites indicated in Article 24 section 1 clause 12-23 of the PPL Act has occurred, subject to the dispositions contained in Article 24 section 7 – 10 and 12 of the PPL Act.

1.1.1. The Contracting Authority shall bar the Economic Operator from the procedure for reasons stated in Article 24 section 1 clause 12-23 of the PPL Act.

A. Representations and documents enclosed with the tender by the Economic Operator:

1.1. A representation current as at the date of tender submission in the form of the Single European Procurement Document, hereinafter the “SEPD”, drawn up in accordance with the standard form template set in Commission Implementing Regulation issued under Article 59(2) of Directive 2014/24/EU. The information contained in the representation in the SEPD form will constitute a preliminary confirmation that the Economic Operator is not subject to barring and meets the conditions of participation in a procedure entitled “Purchase and Implementation of an Integrated Library Resources Management System”.

1.2. Commitments of another entity referred to in Article 22a section 2 of the PPL Act, to put at the disposal of the Economic Operator the resources necessary for the delivery of the procurement, if the Economic Operator relies on the capabilities or situation of other entities to confirm the fulfilment of the participation conditions.

In such case, the Contracting Authority requires the submission with the tender the commitment of such third party or another document demonstrating that the potential of a third party will be put at the disposal of the Economic Operator to the extent specified in Article 22a section 1 of the PPL Act, constituting confirmation that the subjective potential has been made available to the Economic Operator for the purpose of demonstrating the fulfilment of the participation conditions.

2. The Contracting Authority requires submission of the appropriate power of attorney, if the tender and the enclosed representations and documents required by the Contracting Authority are signed by a person not listed as a person authorised to represent the Economic Operator in public registers pertaining to the Economic Operator (e.g. KRS, CEIDG). Detailed requirements regarding such power of attorney are set out in Chapter XI of the ToR.

B. A statement on belonging or not belonging to the same capital group within the meaning of the Competition and Consumer Protection Act of 16.2.2007 (Journal of Laws of 2016, item 184, 1618 and 1634) submitted within 3 days of the date of publication on the website of the information referred to in Article 86 section 5 of the PPL Act:

Within 3 days of the date of publication on the website of the information referred to in Article 86 section 5 of the PPL Act, the Economic Operator shall deliver to the Contracting Authority a statement on belonging or not belonging to the same capital group referred to in Article 24 section 1 clause 23 of the PPL Act, as the Economic Operators who have submitted separate tenders.

In the event of belonging to the same capital group, the Economic Operator may enclose with the statement documents or information confirming that the links to another Economic Operator do not result in competition distortion in the procedure.

The template of the aforesaid statement will be placed on the website by the Contracting Authority together with the information referred to in Article 86 section 5 of the PPL Act (information from the opening of the tenders).

C. Documents and representations submitted at the Contracting Authority’s request

Prior to granting the procurement, the Contracting Authority may ask the Economic Operator whose tender received the highest score, to submit within a stipulated time limit of at least 10 days, representations or documents current as at the date of their submission, confirming the circumstances referred to in Article 25 section 1 of the PPL Act.

VI.4) **Procedures for review**

VI.4.1) **Review body**

Krajowa Izba Odwoławcza
ul. Postępu 17A
Warszawa
02-676
Poland
Telephone: +48 224587801
E-mail: odwolania@uzp.gov.pl
Fax: +48 224587800/ +48 224587803

Internet address:[http://www.uzp.gov.pl](http://www.uzp.gov.pl/)

VI.4.2) **Body responsible for mediation procedures**

VI.4.3) **Review procedure**

Precise information on deadline(s) for review procedures:

1. Each Economic Operator, and another entity, if it has or had an interest in securing a given procurement and has suffered or may suffer damage as a result of the Contracting Authority breaching the provisions of the PPL Act, shall be entitled to legal remedies provided in Chapter VI of the PPL Act as for procedures below the amount defined in secondary regulations enacted under Article 11 section 8 of the PPL Act.

2. In accordance with Article 179 section 2 of the PPL Act, also organisations entered in the list referred to in Article 154 clause 5 of the PPL Act shall be entitled to legal remedies regarding the contract notice and the ToR.

VI.4.4) **Service from which information about the review procedure may be obtained**

Urząd Zamówień Publicznych
ul. Postępu 17A
Warszawa
02-676
Poland
Telephone: +48 224587801
Fax: +48 224587800/ +48 224587803

Internet address:[http://www.uzp.gov.pl](http://www.uzp.gov.pl/)

VI.5) **Date of dispatch of this notice:**

14/08/2017