

Tender specification

Case no.: A1900630

Open tender without negotiations
acc. to the public procurements part I and III
above EEA threshold values for delivery of

ICP-MS

to the Norwegian Defence Research Establishment (FFI)

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ARTICLE 1: GENERAL DESCRIPTION

1.1 Client

The Norwegian Defence Research Establishment (FFI) is a civil research institution directly under the Ministry of Defence. The undertaking has more than 700 employees, of whom approximately 500 are researchers and engineers who develop technology and knowledge to enable Norway to have a modern and efficient defence. The Establishment is interdisciplinary and covers subjects like mathematics, physics, information technology, chemistry, biology, medicine, psychology, political science and economy. The Establishment is situated in Kjeller near Lillestrøm, and has a small work department in Horten. For more information, see our web site on www.ffi.no

1.2 The procurement's purpose, scope and contractual value

English Description:

FFI seeks tenders for an Inductively Coupled Plasma Mass Spectrometer (ICP-MS) for elemental analysis. The ICP-MS will be used to analyze elements in a range of different matrices, such as (but not limited to) soil, water, biological materials, alloys, carbon fibers and sea water. Primary elements to be analyzed are Pb, Cu, Sb, Zn, Fe, Ti, Bi, As, Hg, Ag, Ni, Fe, Mn, Cd, Mo and Cr. Secondary elements are Cs, Ca, Na, Al, Mg, Sn, U, Ba, Sr, Li, K, Zr, V, Co, P, S, Sc, Y, W, Au, In, Si and Se (other elements could also be of interest). The number of samples to be analyzed annually is in the range of 1000-5000, with up to 300 samples per week.

The instrument must be equipped with a mass selective detector system based on quadrupole mass spectrometer technology and collision cell and/or reaction cell technology for reducing interferences. The instrument should also have an effective method of eliminating interferences and tolerate a wide spectre of matrices, such as an ICP-MS triple quadrupole (MS-MS) or similar. In addition, the instrument should have an water cooling system, which does not rely on an external water source, such as tap water. The offer must include a suggestion on a system for handling samples with high matrix load (e.g. seawater, water samples with high TOC load), if not standard. The instrument should be prepared for handling samples containing hydrofluoric acid and other aggressive reagents or a system for this should be suggested as an addition. One set of consumables for necessary everyday maintenance should also come with the instrument (cones, torch, nebulizer, tubings etc.). The instrument must also be equipped with a computer (Windows 10) where proper software for controlling the instrument, running methods, quantification and data analysis is installed. Software licenses for both on-line and off-line as well as network communication must be included. Other technical specifications are given in Annex 3).

Norwegian Description:

FFI søker tilbud på en «Inductively Coupled Plasma Mass Spectrometer (ICP-MS)» til grunnstoffanalyse. ICP-MS'en vil bli brukt til å analysere grunnstoffer i en rekke forskjellige matrikser, slik som (men ikke begrenset til): jord, vann biologisk materiale, legeringer, karbon fiber og sjøvann. Grunnstoffene som primært skal analyseres er: Pb, Cu, Sb, Zn, Fe, Ti, Bi, As, Hg, Ag, Ni, Fe, Mn, Cd, Mo og Cr. Sekundære grunnstoffer er: Cs, Ca, Na, Al, Mg, Sn, U, Ba, Sr, Li, K, Zr, V, Co, P, S, Sc, Y, W, Au, In, Si and Se (andre grunnstoffer kan også være av interesse). Antallet prøver som skal analyseres er i størrelsesordenen 1000-5000 i året, med opp til 300 prøver i uka. Instrumentet må være utstyrt med et massespektrometer basert på quadropol masseanalysator teknologi, og en kollisjons/reaksjonscelle for reduksjon av interferens. Instrumentet skal ha en effektiv

metode for å eliminere interferenser og tolerere et bredt spekter av matrikser, slik som ICP-MS triple quadrupole (MS-MS) eller liknende. I tillegg skal systemet ha et vannkjølingssystem som ikke krever en ekstern vannkilde. Anbudet skal inkludere et forslag til system som kan takle prøver med høy matriks belastning (f.eks. sjøvann eller prøver med høy TOC), hvis dette ikke er standard. Systemet bør være tilpasset for bruk med HF eller andre aggressive reagenser, eller et system for å håndtere dette må være foreslått og priset. Et sett med forbruksvarer for daglig (ukentlig, månedlig) vedlikehold skal være inkludert (koner, torch, nebulizer, tubings etc.). Det skal følge med en PC hvor Software for å kontrollere instrumentet, metoder, kvantifikasjonsdata og dataanalyse er installert. Softwarelisens for arbeid offline og online må medfølge. Videre tekniske spesifikasjoner ses i Annex 3.

The complete technical requirements of the procurement are specified in a separate enclosure (Annex 3).

The estimated value of this procurement lies over the threshold for EEA announcements; hence the decision to follow the regulations in Part III of the "Regulations on Public Procurement".

The scope will depend on the client's budget situation, activities and other framework factors and may be cancelled if the same should be changed in the procurement period or if the offered price exceeds the budgeted amount. It is further made clear that the indicated scope is not binding, but can only be seen as a recommended estimate for the contractual period, and the client is not obliged to purchase any specific amount of services and material.

1.3 Partial tender

It is not allowed to make a tender for parts of the contract because it is not possible to split the procurement.

1.4 Construction of the tender specification

The tender specification consists of this document including Annex as shown below (included attachments). The following annexes/attachments must be completed and/or signed by the supplier as a part of the offer:

Annex	Attachment	Complete	Attach	Sign
1.	General terms and conditions on procurements, Bl 5002	NO	NO	NO
2.	References	YES	YES	NO
3.	Technical specifications and requirements	YES	YES	NO
4.	Ethical statement	NO	YES	YES

Use the attached templates on submission.

If there is no submission of required attachments, the tender may be rejected.

1.5 Announcement

The competitive tendering is announced in Doffin and TED, see www.doffin.no.

1.6 Tender inspection / Tender conference

See paragraph 4.7.

1.7 Additional information

If the supplier finds that the tender specification does not give sufficient guidance or that there are errors in the tender specification, he may, in writing, ask for additional information from the client through the Merccell competitive procurement tool (KGV).

If errors are found in the tender specification, it is requested that this is communicated in writing to the clients contact person. Written applications for additional information are marked with the number and case name of the tender specification.

1.8 Corrections, supplements or amendments to the tender specification

Before the time limit of the tender expires, the client is entitled to make corrections, supplements and amendments to the tender specifications which are not of a material character.

Corrections, supplements or amendments to the tender specification shall immediately be sent to all who have received the tender specification. Information about corrections, supplements and amendments are announced electronically on DOFFIN and through the Merccell competitive procurement tool (KGV) and in TED.

1.9 Progress plan

The client has considered the following time frames for the process:

Activity	Time
Announcement in DOFFIN/ TED	6/3/2019
Time limit for asking questions relating to the tender	6/17/2019 12:00 AM
Time limit for submitting the tender	6/24/2019 12:00 AM
Opening of tenders	6/24/2019
Evaluation	Week 26- 30
Choice of supplier and notification to suppliers	Week 30
Expiry of qualifying period	10 days after award of contract
Formation of contract/place order	Week 32
Period during which the tender remains binding	90 days

Note that the times after the opening of tenders are recommendations only.

Reservations are made with regard to any changes to the progress plan, and that a possible extension of the period during which the tender remains binding can only take place with the supplier's consent.

ARTICLE 2: RULES OF THE COMPETITIVE TENDERING

2.1 Procurement procedure

The procurement is performed according to:

Rules of procurement for the Norwegian Armed Forces (ARF)	<input checked="" type="checkbox"/>
Act relating to public procurements of 17 June 2016 (LOA)	<input checked="" type="checkbox"/>
Regulation relating to public procurements (FOA) FOR-2016-08-12-974.	<input checked="" type="checkbox"/> part I og III

The contract will be awarded according to the procedure open tender without negotiations.

An open tender gives all interested suppliers the opportunity to submit tenders. There is no prequalification, and the supplier must supply the required documentation that they are qualified at the same time as they submit their tenders.

In this type of tender it is not possible to negotiate. It is consequently not possible to change the tenders or try to change the tenders by means of negotiations, i.e. changing prices, delivery times or other factors of importance for the competitive conditions. The supplier must therefore give his best tender before the closing date for the submission of tenders.

2.2 Direct application to several suppliers.

Invitation to tender will be sent to a certain number of suppliers through the competitive procurement tool Mercell.

2.3 Mercell competitive procurement tool (KGV)

The competitive tendering is undertaken by means of the Mercell competitive procurement tool (KGV).

Tenders shall be submitted in the form described in this tool.

All applications in connection with the request shall take place through the communication module in Mercell. The reason is that these shall be documented and logged. Oral answers and explanations will not be considered unless they are documented in writing.

If you need help to do this, you may contact Mercell support on telephone no. (47) 21 01 88 60 or send an email to support@mercell.com.

2.4 Qualification requirements

The documentation of the qualification requirements is stored under the Qualification requirements sheet in Mercell and answered as described in chapter 3 "Qualification requirements" in the tender specification.

In order to be qualified as a supplier, all these requirements must be answered with "Yes" accompanied by valid documentation.

2.5 Duty of confidentiality and Public access

According to § 23 of the Act relating to access to documents in public undertakings (the Freedom of Information Act) of 19 May 2006 no. 16, information relating to tenders and procurement protocols in matters of procurement may be exempt from public access until the choice of supplier has been made. After then, the information in tenders will be publicly accessible unless other circumstances should indicate otherwise. This can be the duty of confidentiality in business relations or circumstances relating to the security of the realm.

Suppliers are requested to submit an edition of their tenders where information considered to be trade secrets is hidden. On application for access, the client shall, independent of this, assess whether the information is of such a kind that the client has a duty to exempt it from public access and, if necessary, contact the supplier to have their views of what can be seen as trade secrets.

The client and his employees have a duty to prevent others from gaining access to or knowledge of information about technical devices and procedures or operating and business conditions which, for competitive reasons, it would be important to keep secret, cf. FOA § 7-4, cf. the Public Administration Act § 13.

2.6 Use of the FFI for advertising purposes

Suppliers need the consent of the FFI if they want to use information connected to this contract/agreement for advertising purposes. This applies to ads in writing, speech or as photos. It includes advertising both for internal and external distribution.

2.7 Tenders

Tender letters with electronic signature (see chapter 2.10) and documents are stored under the Documents sheet in Mercell. Only qualified suppliers will have their tenders assessed.

The following files shall be attached

- Tender letter with a short presentation of the supplier.
- All annexes as indicated in chapter 1.4 and documentation as mentioned in chapters 3 and 4.
- The supplier's address, phone/fax numbers and business enterprise number.
- The supplier's contact person with phone number and email address.
- Acceptance of all requirements and conditions included in the tender specification. Any reservations shall be clear from the tender letter, indicating where in the tender there is a reservation/are reservations (with page number and item number).
- The tender shall cover all areas which are specified in chapter 4.
- Prices shall be given in Euro (EUR) currency, and as specified in chapter 4.3 "Cost of procurement"

The tender letter shall be dated and signed by a person/persons who is/are authorised to commit the supplier.

The FFI will not refund the tenderor's costs in connection with the preparation, delivery and following up of the tender, nor when it comes to demonstrations etc.

The submitted tenders and attachments are considered to belong to the FFI and will not be returned.

2.8 Hiding tenders

Suppliers are requested to submit an edition of the tender where information considered to be trade secrets is hidden. On application for access, the client shall, independent of this, assess to what extent the information is of such a kind that the client has a duty to exempt it from public access and if necessary contact the supplier to have his views of what can be seen as trade secrets.

2.9 Electronic signature

In this connection, an electronic signature will be requested to confirm that it is the relevant tenderor who has submitted the tender. Electronic signatures can be obtained from www.commfides.com or www.buypass.no or www.bankid.no. It is important to understand that it can take up to a few weeks for an electronic signature to be delivered. Suppliers who upload their tenders after the closing date for submission of tenders will be rejected. Merzell Customer Service, tel. 21 01 88 60, will help suppliers needing technical support in relation to the tool or electronic signature.

2.10 Reservations and discrepancies

If the supplier makes reservations against parts of the tender specification, this shall be clear from the tender. The reservations shall be specified with what consequences this will have for performance, price or other conditions.

The same goes for discrepancies. Reservations and discrepancies shall be precise and unambiguous. Reservations and discrepancies shall be referenced to relevant items in the tender specification and be included in the tender (see chapter 2.7).

Material reservations and discrepancies which can lead to doubt as to how the tender should be assessed in relation to the other tenders will result in a rejection of the tender, cf. FOA § 24-8 (1).

The supplier's reference to standardised terms of delivery or similar will be regarded as reservations if they deviate from the existing competitive tendering or contract provisions.

2.11 Duty of disclosure

The client will give written notification with a short explanation if:

- The tender is rejected
- All the tenders are discarded or the competitive tendering is cancelled

The supplier may request a more detailed explanation:

- Why the tender was rejected or discarded

The client has a duty to answer this application within a reasonable time frame after the request has been received.

2.12 Withdrawing or amending the tender

Submitted tenders can be withdrawn or amended until the closing date for the submission of tenders. Tenders shall be withdrawn through the Merccell competitive procurement tool (KGV). If a tender is amended, it is to be regarded as a new tender.

2.13 Updating the tender specification

Any corrections, supplements or amendments to the tender specification, and questions and answers in an anonymised form, will be communicated to all suppliers who have registered their interest in the procurement.

ARTICLE 3: QUALIFICATION REQUIREMENTS (REQUIREMENTS FOR THE SUPPLIER)

3.1 General

In order for the supplier to have his tender assessed, the supplier must fill in the electronic personal statement form (ESPD) to say that the supplier satisfies all the qualification requirements which are listed below. The supplier(s) nominated for the formation of a contract must, prior to forming the contract, document compliance with the qualification requirements according to the indicated documentation requirements.

The various items listed under the qualification requirements in the suppliers' starting picture in Mercell are answered in the following way:

- Select "Yes" from the pull-down menu for the question: Are you qualified?
- Attach the necessary documentation for the qualification requirement.
- If necessary, comment on the individual requirements or answers in the writing field on the left.

3.2 The supplier's organizational and legal position

Requirement	Documentation requirement
The supplier shall be a legally established company	Certificate of registration
The supplier shall have his affairs in order with regard to paying VAT and taxes	Certificates not older than 6 months showing that VAT and tax have been paid. Information about tax certificates can be found on: www.skatteetaten.no The certificate is ordered and downloaded from Altinn on: www.altinn.no Foreign suppliers shall submit certificates from corresponding authorities as the Norwegian ones.
Ethical statement for suppliers. Attach confirmation that you, as suppliers, know and comply with the requirements in the statement	Annex 4

3.3 The supplier's economic and financial position

Requirement	Documentation requirement
The supplier shall have a sound economy and financial capacity to perform the job/contract	Credit assessment/rating, not older than 6 months, and which is based on the latest known accounts. A rating shall be performed by a publicly approved credit assessment institution. The rating shall be credit worthy or better.

If the supplier, for valid reasons, cannot submit the documentation the client has requested, he can prove his economic and financial position by means of any document the client can accept.

3.4 The supplier's technical and professional qualifications

Requirement	Documentation requirement
<p>The supplier shall have experience from similar contracts.</p> <p>Attach a list showing the suppliers 3 most relevant deliveries, including the latest delivery from for a corresponding job, for the 3 last years.</p> <p>The description shall include an indication of value of the job, period and receiver (name/tel. no./and reference person). Plus a short description of the work/job.</p> <p>References will be contacted if necessary.</p>	Annex 2

ARTICLE 4: REQUIREMENT FOR PERFORMANCE AND AWARD CRITERIA

4.1 General specifications

See Annex 3. Technical specifications and requirements.

4.2 General terms

The Norwegian Armed Forces' "General terms and conditions on procurement", BI 5002, are used as a basis in all procurements to the FFI (Annex 1: «General terms and conditions on procurements»).

4.3 Purchase Order

Upon expiry deadline for the qualification period, FFI will prepare a purchase order and send to the assigned supplier.

4.4 Cost of procurement

The price shall be completed, given in EUR, be without VAT and submitted with the tender.

The cost shall include:

- Price of the instrument
- Price of additions (such as, but not limited to, system for HF analysis and system for high matrix tolerance etc.)
- Lifetime cost (estimated price of service, spare parts and consumables etc.)
- Include also hourly rate of service engineers
- For further description of requirements and award criteria see Annex 3, paragraph 2.

Every price is to be specified.

4.5 Service, maintenance, delivery and training

Estimated delivery time of instrument shall be specified. Number of qualified service engineers in Norway>Scandinavia>Europe shall be specified, and will be emphasized (in that order). It is required that the tenderer gives a training course on the ICP-MS at FFI within short time of the installation, specify how this will be structured.

To be included:

- Delivery time of instrument
- Number of qualified service engineers in Norway, Scandinavia and Europe
- Structure/description of training course
- Instrument uptime/downtime, in warranty period and with service agreement 1 and 2 (calculations to be included)
- Response time in warranty period and with service agreement 1 and 2 (calculations to be included)
- Estimated delivery time of consumables and spare parts shall be specified.
- For further description of requirements and award criteria see Annex 3, paragraph 3.

4.6 Technical specifications and documentation

See Annex 3, paragraph 4 for technical specifications and documentation. The technical qualifications are divided into, “absolute requirement”, “Answer/description that will be evaluated”, “Informational value only” and “will be given special emphasis”.

4.7 Tender/instrument inspection

Visit to tenderers demo lab or other laboratories that holds the offered instrument will be relevant for the most relevant tenderers. Travel and accommodation at FFI's own expense. Weeks relevant for visits will be during the evaluation period (week 26-30), with the most relevant being week 27-29. The Tenderer must be able to analyze at least five samples for elements listed in chapter 1.2 in different matrices in order to test the performance of the instrument. The Tenderer has to contact FFI for delivery of samples, analysis results shall be sent to ida-vaa.johnsen@ffi.no by 07.16.19.

Evaluation :

- The analysis of FFI-samples performed by tenders.
- The visit to tenderers demo lab or other laboratories that holds the offered instrument
- For further description of requirements and award criteria see Annex 3, paragraph 5.

4.8 Award criteria

Awarding will be based on the tender who has the best ratio between cost and quality, based on the following criteria:

Criterion	Weight	Documentation requirements
Cost of procurement	25%	All prices should be specified separately, in a list. Separate consumables and spare part list with price. Include also hourly rate of service engineers. For further description of requirements and award criteria see Annex 3, paragraph 2.
Service, delivery and training	25%	-List of qualified service engineers in Norway, Scandinavia and Europe -Description of training course -Instrument uptime/downtime and response time for the warranty period and with service agreement 1 and 2 (with calculations) -Estimated delivery time of instrument, spare parts and consumables For further description of requirements and award criteria see Annex 3, paragraph 3.
Technical specifications and documentation	25%	Answer/describe according to Annex 3, paragraph 4
Tender/instrument inspection	25%	Include information on possible tender/instrument inspection and sample submission. For further description of requirements and award criteria see Annex 3, paragraph 5.

ARTICLE 5: CLIENT'S PROCESSING OF THE TENDERS

5.1 Registering tenders

Tenders are registered in the Merzell competitive procurement tool (KGV) as they come in. Written notification will be given to the relevant tenderor of submitted tenders which are discarded.

5.2 Opening of tenders

The opening of tenders will not be public.

5.3 Rejection due to circumstances relating to the supplier

The client has a duty to reject suppliers if there are circumstances in connection with FOA § 11 -10 1st subsection.

The client may reject suppliers if there are circumstances in connection with FOA § 11-10 2nd subsection, litra a-g.

5.4 Rejection due to circumstances relating to the tender

The client has a duty to reject tenders if there are circumstances connected with FOA § 11-11 1st subsection, litra a-f.

The client may reject tenders if there are circumstances in connection with FOA § 11-11 2nd subsection, litra a-d.

5.5 Clarification

It is not allowed to amend or try to amend the tenders through negotiations. However, the following clarifications are allowed with regard to the tenders:

- Clarify ambiguities, unless the ambiguities are of such a type that the tender should have been rejected.
- With regard to solutions, work methods or materials which the supplier himself proposes, the client may ask the supplier to make further elaborations and clarifications of how the requirements in the tender specification will be taken care of.
- If it is necessary for technical or functional reasons, minor changes may be made to solutions the supplier has put forward.

5.6 Correcting obvious errors

If the client becomes aware of obvious errors in the tender, these shall be corrected if there is no doubt as to how the error should be corrected.

ARTICLE 6: DECISION TO END THE COMPETITIVE TENDERING

6.1 Cancellation of the competitive tendering and total discarding

The client may cancel the competitive tendering or discard all submitted tenders if there are objective reasons for it.

6.2 Information and motivation for awarding the contract

The client's decision as to who should be awarded the contract will be announced in writing to all participants at the same time in a reasonable time before the contract is formed. By «contract is formed» the time is meant when both parties sign the contract.

6.3 Qualifying period

There is a qualifying period of 10 days after award of contract. When the qualifying period has expired, the client intends to form the contract/purchase order.