

Ljubljana, 13.09.2016  
ACER/2016/AP/mv/409

**INFORMATIKA d.d.**  
Vetrinjska ulica 2  
2000 Maribor  
Slovenia

**For the attention of: Mr Ciril KAFOL**

**E-mail: andrej.stajic@informatika.si**

**BY E-MAIL AND REGISTERED MAIL**

**Subject: Procurement procedure No. ACER/OP/MMD/04/2016 for the provision of IT hosting services for the Agency for the Cooperation of Energy Regulators**

**Reference: Your offer dated 28.06.2016**

Dear Mr Kafol,

We are pleased to inform you that your tender has successfully passed the evaluation for the above framework contract. This is all the details that we can provide on the grounds for our decision:

In particular:

- The final score of your offer is 77.90 points (sum of 42.90 weighted points for technical quality criteria and 35.00 weighted points for price).
- The scores that were awarded to your offer for technical quality for each criterion (prior to applying the weighting of 65%) are as follows:
  - *Criterion 1.1: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
Each of the proposed components guarantees availability and resilience/redundancy. The proposed infrastructure is based on a solid and new, less mature solution. Scalability meets the Agency's expectations.
  - *Criterion 1.2: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
The solution offered is very flexible and allows several degrees of freedom. The variety is sufficient but it requires some efforts to find a proper balance between costs and performances. The technologies offered are standard and supported by almost all other vendors.

- *Criterion 1.3: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
Reliability of the performance is in line with the current standards. The efficiency of the solution is appropriate to the range of machines. Performances offered are adequate to the needs expressed in the Tender Specifications. Description of the offered performance is comprehensive but lacks certain details.
- *Criterion 1.4: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
The proposed solution is capable to assure the availability, integrity and confidentiality of information. The offered security model is based on what is foreseen by ISO 27000 standards, which cover physical, technical and organisational security measures.
- *Criterion 1.5: marks awarded: 7.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
Variety, flexibility, compatibility and maturity of the software offered meets the expectations. It shows that the actual model is based on hands-on knowledge of the proposed software. Nevertheless, especially on the variety, a wider range of proposals would have helped in the selection of a more cost effective tool.
- *Criterion 1.6: marks awarded: 6.00 points / maximum marks available: 10.00 points / threshold: 6.00 points.*  
Service support is complete and its availability is in line with the minimum needs of the Agency as well as relevant to the tasks to be performed.
- *Criterion 1.7: marks awarded: 6.00 points / maximum marks available: 8.00 points / threshold: 4.80 points.*  
Project management is based on Prince 2 Standard Methodology and all documents provided for quality control are well structured but too concise.
- *Criterion 1.8: marks awarded: 6.00 points / maximum marks available: 8.00 points / threshold: 4.80 points.*  
Business continuity and disaster recovery services are comprehensive, consistent and the plan meets the requirements and the needed achievements. It includes only partially some details on the possible final implementation.
- *Criterion 2: marks awarded: 11.00 points / maximum marks available: 18.00 points / threshold: 10.80 points.*  
The plan presented for the case study is concise, comprehensive and consistent in terms of the solution offered as well as feasible. It lacks some details which would have helped in better understanding of how, on a lower level, the operations would be planned.
- *Criterion 3: marks awarded: 4.00 points / maximum marks available: 6.00 points / threshold: 3.60 points.*  
Products offered are relevant only to a limited extent. Their variety is sufficient to fulfil the Agency's needs. The usability and flexibility of equipment and hosting services is difficult to assess but nevertheless meets the minimum requirements.

This letter informing you of the award of the framework contract does not constitute a commitment on the part of the contracting authority. Until signature of the contract, the contracting authority may cancel the procurement procedure without this entitling you to any compensation.

Letters have also been sent today to the unsuccessful tenderers, informing them that they may obtain your name and the characteristics and relative advantages of your tender.

The contract can be signed only after a period of ten (10) calendar days starting from the day following the date you received the notification of the outcome of the procedure by electronic means, i.e. 13.09.2016. During this period you may submit any observations concerning the award procedure to the contracting authority. If requests or comments made by the unsuccessful tenderers or any other relevant information justify it, we reserve the right to suspend signing the contract to allow further examination. In this case, you will be informed within three (3) working days.

You will find enclosed two copies of the contract where you should check that your personal details (bank account details, in particular) are correct. Please then initial every page of each copy, sign page 8 and return both copies before 21.09.2016 to the following address: Agency for the Cooperation of Energy Regulators, Trg republike 3/XII., 1000 Ljubljana, Slovenia (to the attention of Ms Mateja VAVTAR).

In addition, please provide before 21.09.2016:

- the valid documentary evidence demonstrating that you are not in one of the situations of exclusion referred to in the declaration on honour provided with your tender (see 'Evidence' in point 16.2 (pages 18 and 19) in Annex I Tender specifications for Informatika d.d. and for all the subcontractors).

We would like to draw your attention to the fact that:

- if the valid documentary evidence confirming the declaration on your honour is not sent to the above address by the above-mentioned deadline; or
- if the contract is not returned to the above address, duly dated and signed by the authorised person indicated on page 1 of the contract before this same deadline; or
- if you make any change to the wording of the contract or its annexes;

we may refuse to sign the contract and, if appropriate, award it to another tenderer or cancel the procedure.

A copy of the contract will be sent back to you once it has been signed and dated by the contracting authority.

Implementation of the contract may not start before the contract is signed by both parties.

Sincerely Yours,

  
Alberto POTOTSCHNIG  
Director

**Enclosures:** two copies of the framework contract