

INFORMATION FILE

**FILE FOR SELECTING PROSPECTIVE
TENDERER UNDERTAKINGS FOR THE
DELIVERY OF AN ELECTRONIC PAYMENT
SYSTEM IN RESPECT OF THE 1996
STRASBOURG CONVENTION**

**(Convention on the collection, deposit and receipt of waste
produced during navigation on the Rhine and on inland
waterways)**

Procedure implemented by
the Secretariat of the Central Commission for Navigation on the Rhine
2 Place de la République - Palais du Rhin
F-67082 Strasbourg Cedex
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INTRODUCTION

This file contains the relevant information for the selection procedure in connection with the call for tenders that the Secretariat of the Central Commission has put out in respect of the 1996 Strasbourg Convention (Convention on the collection, deposit and receipt of waste produced during navigation on the Rhine and on inland waterways) at the request of the Executive Committee, set up for this purpose by the States signatory to the said Convention, namely Germany, Belgium, France, the Grand Duchy of Luxembourg, the Netherlands and Switzerland.

This procedure for calling for tenders shall be carried out on the basis of the law of the Central Commission and its articles of association as described in the following rules of procedure. For whatever purpose it may serve, attention is drawn to the fact that Community law on the tendering procedure of public-law bodies is not applicable, although its principles have been followed in the procedure.

For information, the procedure is in two stages:

- the selection of a limited number of undertakings as prospective tenderers;
- the assessment of the bids made and the selection of the most economically advantageous of these.

The present file concerns the first stage only.

Any interested party may request explanations on the application requirements or on interpretation of the selection criteria. Such requests should be sent, solely and exceptionally, to the following e-mail address: excom@ccr-zkr.org. The replies sent in return shall be published on the Internet site at www.ccr-zkr.org.

However, no additional information can be given concerning the envisaged electronic payment system.

All communications and requests, and the bids, should be sent to:

The Secretary General
Central Commission for Navigation on the Rhine
Palais du Rhin
2 Place de la République
F-67082 Strasbourg Cedex

PART I

General description of the electronic payment system

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Abbreviation/Term	Description
Account Holder	The (legal) entity that is responsible for an ECO-account.
AS	Administrative System. Part of the EPS responsible for the administration of the required entities including accounts and balances.
Card Holder	The holder of an ECO-card.
CCNR	Central Commission for Navigation on the Rhine
CI	Controlling Instance
contributors	Contributors (pre)pay the removal contribution to the NI.
EPS	Electronic Payment System
ECO-account	An account dedicated to the payment of the SWT.
ECO-card	Credit card format card used within the EPS for payment transactions
GOS	Gas oil supplier
MT	Mobile Terminal
NI	National Institute
RFP	Request For Proposal
SLA	Service Level Agreement
SWT	Ship Waste Treaty
TS	Transaction System. Part of the EPS responsible for the processing of ECO payment Transactions.

1 Preface

The "Treaty concerning the gathering, handover and collection of waste from inland shipping", in short the Ship Waste Treaty (SWT), is a treaty which was signed in 1996 by Switzerland, Germany, France, Belgium, Luxemburg and the Netherlands. The SWT has been ratified by all aforementioned countries and will come into force when the final documents are deposited with the "Central Commission for Navigation on the Rhine" (CCNR).

This tender specifically addresses part A of the SWT, in which the gathering, handover and collection of oil and lubricant related waste, and the control on this process, is covered.

The SWT demands payment of a removal contribution when buying goods ultimately generating oil and lubricant waste. This removal contribution is used for realizing and maintaining an infrastructure where this waste can be handed over free of charge.

2. Purpose of this tender

The purpose of this tender is to have an Electronic Payment System (EPS) designed, developed, tested, implemented and maintained which will support the administrative organization and various user functions needed to comply with the obligations of the SWT.

3. General description of the SWT process and the EPS

The EPS will be the basis for the payment (including administration and registration) of the removal contribution as described in the SWT.

In general, skippers will buy gas oil and other goods at gas oil suppliers during a process generally referred to as "bunkering". These products will ultimately during navigation lead to oil and lubricant related waste for which a removal contribution must be paid according to the SWT regulations. The payment of this contribution is based on the principle of a volume of waste in function of the fuel consumed.

In order to complete the bunkering process, the removal contribution should be paid separately from the costs related to the gas oil and other goods. For the purpose of paying this removal contribution, the EPS includes a Card, a Mobile Terminal and an Administrative System. The Administrative System is mainly used by the National Institutes of the SWT countries (see below) to manage the Accounts used to pay the contributions. Each Card is associated with an ECO-account. ECO-accounts are associated with an Account Holder which is typically the owner of the ship.

Account Holders must make payments to bank accounts of their designated National Institutes using normal payment systems. The National Institute will adjust the ECO-account balance accordingly. This means that an ECO-account is not a normal bank account. Direct transfer of money to and from an ECO-account is not possible.

Usually the skipper is the Card Holder and the Gas Oil Supplier holds the Mobile Terminal. When using the Card with the mobile terminal, and after quantifying the removal contribution (which is currently related to the quantity of gas oil bunkered), a remote and wireless connection is set up with the administrative system to validate and register the payment of the removal contribution. This results in the associated Account to be debited by the amount due.

Each of the SWT countries has a Controlling Instance which has to have access to ECO payment transactions in order to check whether parties comply with the SWT removal contribution regulations.

4. EPS assumptions

Estimation of the number of cards needed is 34.000 based on the number of ships covered by the treaty, i.e. 17,000; each ship may have more than one skipper and one or more cards. Two cards per ship is considered a likely average.

These 17,000 ships have an estimated 12,000 owners.

The number of gas oil supplier units (bunker stations and smaller boats operated by these bunker stations) within the area covered by the SWT is estimated at 450.

The expected number of transactions per ship is 12 per year for an estimated gross total of 204.000 transactions per year.

5. Legal basis

The SWT has been signed and ratified by the following parties:

- Germany
- Belgium
- France

- the Netherlands
- Switzerland
- Luxemburg

Provisions from the SWT have been laid down in national legislation in each of these states.

6. Geographical coverage of the EPS

The EPS must be readily available the following geographic regions:

- Germany: all inland waterways open for public traffic.
- Belgium: all inland waterways open for public traffic.
- France: Rhine, canalized Mosel up until Metz.
- Luxemburg: Mosel.
- Switzerland: Rhine between Basel and Rheinfelden.
- The Netherlands: all inland waterways open for public traffic.

Standard techniques must be used for the EPS in order to assure that it can theoretically be made available for use in other EU countries.

7. Outline of the EPS architecture

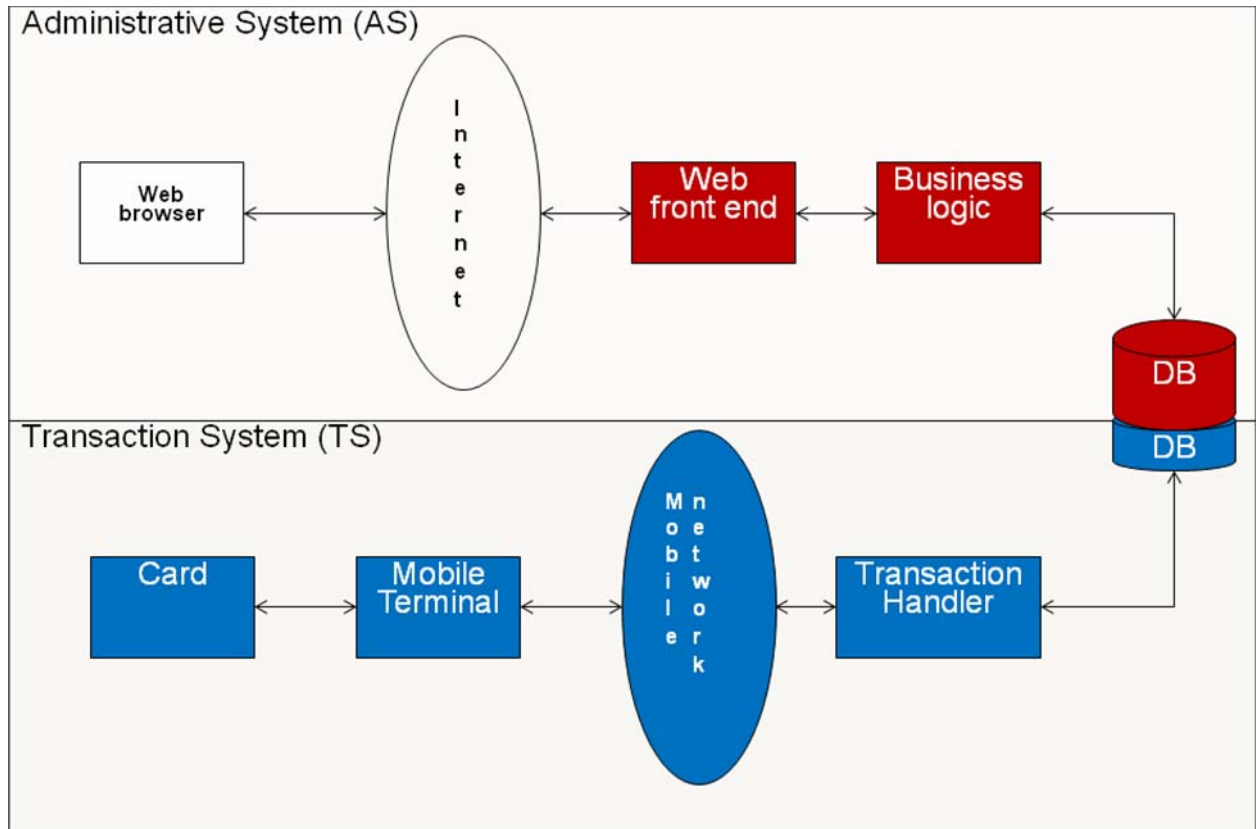
The EPS is best modeled as two separate but related systems: the Administrative System (AS) and the Transaction System (TS).

The Administrative System contains all functionality related to the management of administrative data (Account Holder, Gas Oil Station, Mobile Terminal, ECO-cards, Ships) and the management of the ECO-accounts (account balance). The Administrative System is therefore basically a database application.

The Transaction System is responsible for the actual payment process including the ECO-cards, Mobile Terminals, the (wireless) network and the transaction processing. The Transaction System is essentially a real time transaction processing system.

Some data must be available to both the Administrative System and the Transaction System. As a minimum this data includes the account balance and transaction data.

The following figure illustrates this breakdown of the EPS system.



Note: non colored items are outside the scope of this procurement.

The Administrative System has a web front-end that is accessible with a standard web browser. The most important user of the Administrative System is the National Institute. Other users may include the Account Holders and Controlling Instances which will only be able to view limited data. The business logic of the Administrative System delivers the required functionality and enforces the relevant business rules. The database stores data of at least the following entities:

- National Institutes
- Account Holders
- ECO-accounts
- Money Transfer (Credit/Debit) Transactions (origin is AS)
- SWT contribution transactions (origin is TS)
- ECO-cards
- Gas Oil Stations
- Mobile Terminals
- Ships
- User Accounts

The primary users of the Transaction System are the Card Holder and the Gas Oil Stations. The Transaction System interfaces with the users using a Mobile Terminal with a simple display, keyboard and printer. The Card is used to identify an ECO-account to the system. The Mobile terminal sends transactions to the Transaction Handler of the Transaction System. The Transaction Handler is an application that processes transactions and communicates the result with the Administrative System. Both the Administrative System and the Transaction System applications are centralized applications. So there will be only one Administrative System and one Transaction System (excluding redundancy requirements).

Whether the Administrative System and Transaction System use the same database or have separate databases is at the distinction of Supplier. However it is clear that some data must be available to both systems. The realization of the interface between the Administrative System and the Transaction System is considered part of the Transaction System. It must however be possible to replace either the Administrative System or the Transaction System without impact on the other system.

8. Actors and their interaction with the EPS system

An actor is someone (or something) outside the system that uses the system. Actors represent the different roles that a person has in its relationship with the system whose functional requirements are being specified. An individual in the real world can be represented by several actors if they have several different roles and goals in regards to a system.

The actors of the EPS have been grouped into four distinct groups:

System administration

This group represents the system administrators of the system who's main responsibility is to keep the EPS running and to create user accounts on the EPS.

System users

This group represents the normal users of the system that use the system on a daily basis. The main actor in this group is the NI user who's main responsibility it is to keep the data in the EPS up to date. The other actors in this group can retrieve information from the EPS but have no or very limited capabilities to change data within the EPS.

Supplier

This group represents users that act on behalf of the supplier. These users can modify specific information in the EPS related to the infrastructure.

Other

This group represents persons that have no user account and are not registered within the EPS.

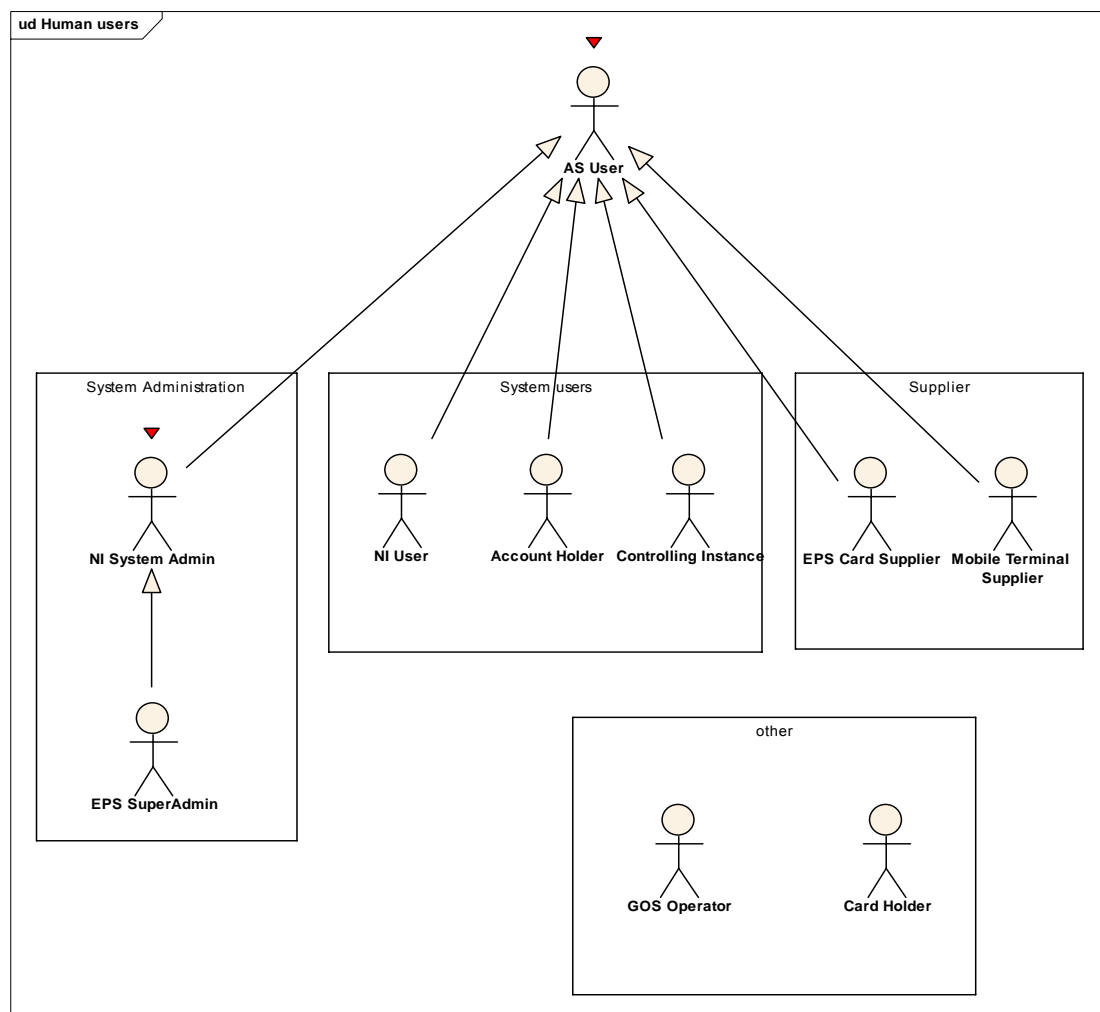


Figure 1 : Human users

AS User

The AS User is an actor that represents any user of the Administrative System. The AS User has an user account which allows the user to log in to the Administrative System and use some of its services.

EPS SuperAdmin

The EPS Super Admin is the 'super user' of the system and has special privileges which allow the EPS Super Admin to manage user account and to perform other system administration tasks. Key tasks are the administration of user rights and technical support for National Institutes.

NI System Admin

The NI System Admin is a user of the Administrative System with special privileges which allow the NI System Admin to manage user accounts and to perform system administration tasks within the domain of a National Institute.

Account Holder

The Account Holder is a user of the Administrative System that has access to an ECO-account on behalf of an account owner. The Account Owner being the legal entity that is responsible for an Account.

NI User

The NI User is the most important user of the Administrative System. The NI User has administrative tasks with respect to the creation and management of administrative data and the creation and management of user accounts.

Controlling Instance

The Controlling Instance is a user of the Administrative System which has to have access to ECO payment transactions in order to check whether parties comply with the SWT removal contribution regulations.

ECO-card Supplier

The ECO-card Supplier is a user of the Administrative System responsible for the initial registration of ECO-cards in the Administrative System and for the issuance of ECO-cards to National Institutes.

Mobile Terminal Supplier

The Mobile Terminal Supplier is a user of the Administrative System responsible for the initial registration of Mobile Terminals in the Administrative System and for the issuance of Mobile Terminals to National Institutes or to a Gas Oil Station.

The Mobile Terminal Supplier is also responsible for the maintenance of Mobile terminals and as such has to maintain status information about terminals within the Administrative System.

GOS Operator

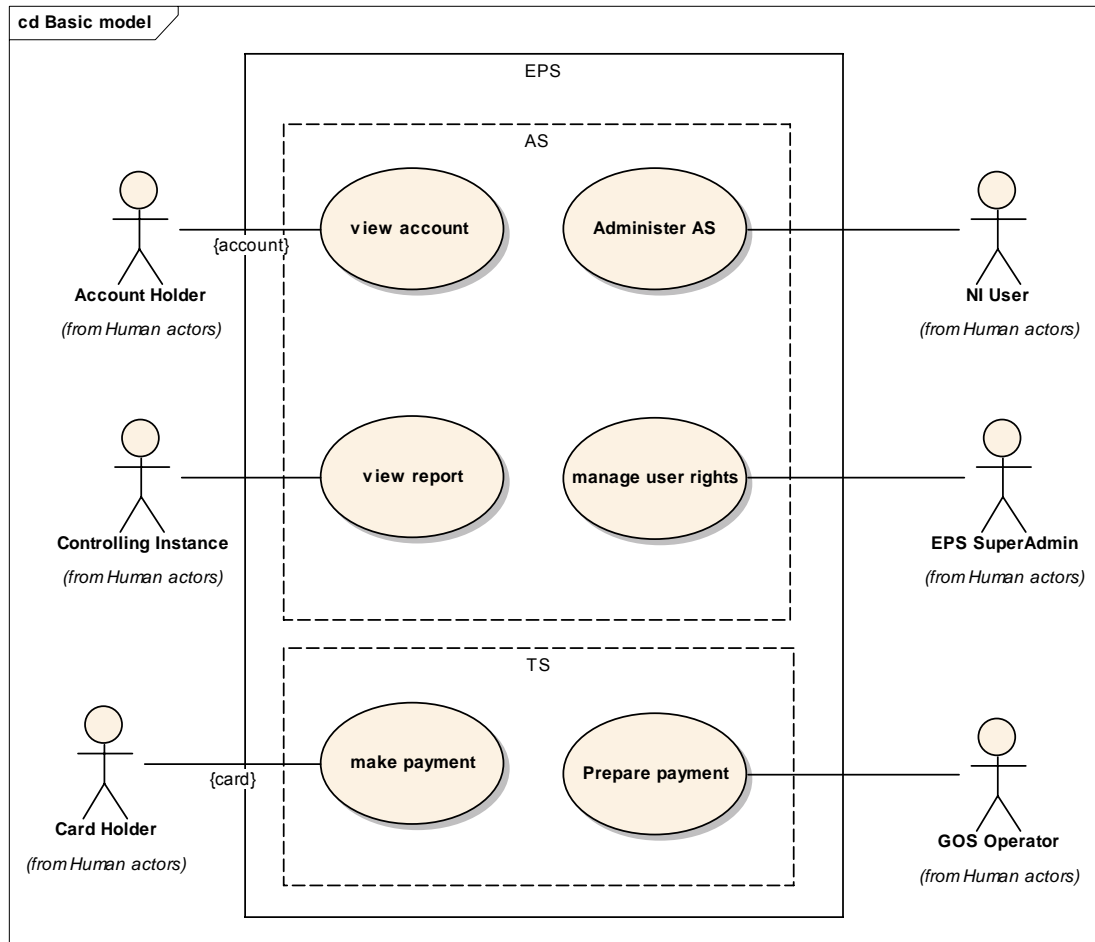
The Gas Oil Station is the operator that handles the interactions with the Mobile Terminal. The GOS operator has no user account and is not registered within the EPS.

Card Holder

The Card Holder is an actor that uses the ECO-card to make an ECO payment. The Card Holder has no user account is not registered within the EPS.

Actors and the EPS

The following figure shows the users and the main functionality of the EPS they will use. Please note that this over simplified figure is only included for the introduction.



The Account Holder can only use the system to view their own account data (including balance, transaction history and associated ECO-cards). Payments to an ECO-account are made outside the Administrative System to a National Institute bank account using conventional money transfer systems and then registered in the Administrative System by that National Institute.

The National Institute will use the Administrative System primarily to register information on all relevant entities including payments to and from ECO-accounts made outside the EPS as described above.

The Controlling Instance will be able to view predefined reports generated by the system as well as export data for further analyzes outside the system.

The EPS SuperAdmin will create and administer user rights and user accounts.

The Card Holder will use the Transaction System for waste removal payments using the ECO-card and a Mobile Terminal of a Gas Oil Station.

The GOS operator will use the Transaction System to prepare payments on the Mobile Terminal.

9. Environment and interfaces

Although the realization of these interfaces is not within the scope of the EPS, the EPS must allow for custom interfaces with the following external systems:

- **NI administrative systems**; most National Institutes already have automated administrative systems for the registration of ships, owners and Gas Oil Stations. The EPS/Administrative System must allow for the export of at least basic information in a generic way (e.g. using XML and/or CVS export functionality or ODBC)
- **NI bookkeeping systems**; most National Institutes already have automated bookkeeping (financial) systems. The EPS/Administrative System must allow for the export of at least basic information in a generic way (e.g. using XML and/or CVS export functionality or ODBC)
- **CI query tools**; Controlling Instances may require more sophisticated analyses in the course of an investigation. It must be possible to export 'raw' data for such analyses (e.g. using XML and/or CVS export functionality or ODBC).

- **External Electronic payment systems;** in some countries electronic payment systems exist that allow for automation of debit transactions. An example is the Dutch iDeal system. The Administrative System must provide an interface for these systems.

There is also a need for an initial import of data from National Institutes during the transition phase (before the EPS goes into production).

10. Scope of work and deliverables

The tender consists of two automated systems (the Administrative System and the Transaction System), supporting services and a project.

The scope of work and scope of deliverables for the Transaction System has the same outline as that of the Administrative System. The extent of each item may however be quite different for both systems.

The Administrative System is seen as a business application. In fact it can be seen as an Application Service Provider solution for which the CCR is both the owner and the service Supplier and the National Institutes are the customers. In the future the Administrative System will develop in line with the developing demands of the CCR and the National institutes (the Business).

The Transaction System on the other hand is not seen as a business application but purely as a transaction processing infrastructure that may be replaced by another essentially without impact on the business application and processes. The scope of work for the Transaction System includes the provisioning of supplies like Mobile Terminals and ECO-cards. For Mobile terminals all operational aspects (ordering, roll out, maintenance, replacement, etc) are to be provided.

i. Scope of work and deliverables Administrative System

1. Design of the Administrative System

The design of an Administrative System in compliance with the requirements and wishes put down in the RFP document. This includes the delivery of a consistent functional design, delivery of technical design documentation and supporting operator and user manuals.

2. Development and testing of the Administrative System

The development and testing of an Administrative System in compliance with the requirements and wishes put down in the RFP document and the documentation from the Design stage. Testing includes all tests necessary for the system to be accepted by CCR (unit, system, integration and end user acceptance testing).

3. Support to National Institutes

Offering on demand support (including training) to National Institutes during the introduction and use of the Administrative System.

4. Provisioning, hosting and management of the ICT infrastructure required for the Administrative system

This includes the provisioning (including acquisition) and hosting of any application-, database- or other server as required by the Administrative System as well as network components, connectivity to the Administrative System and any other ICT infrastructure component that is required for the Administrative System to deliver the services within the agreed Service levels.

5. Operational support for the Administrative System

All necessary Operational support during the full contract period on the Administrative System in such a way that the Administrative System is fully operational within the agreed Service levels.

ii. Scope of work and deliverables Transaction System

1. Design of the Transaction System

The design of a Transaction System, compliant with the requirements and wishes put down in the RFP document. This includes the delivery of a consistent functional design, delivery of technical design documentation and supporting operator and user manuals.

2. Realization and testing of the Transaction System
The realization and testing of a Transaction System, compliant with the requirements and wishes put down in the RFP document and the documentation from the Design stage. Testing includes all tests necessary for the system to be accepted by CCR (unit, system, integration and end user acceptance testing).
3. Support to National Institutes
Offering on demand support to National Institutes during the introduction and use of the Transaction System.
4. Provisioning, hosting and management of the ICT infrastructure required for the Transaction System
This includes the provisioning (including acquisition) and hosting of any application-, database- or other server as required by the Transaction System as well as network connectivity and data communication facilities required by the Transaction System and any other ICT infrastructure component that is required for the Transaction System to deliver the services within the agreed Service levels.
5. Operational support for the Transaction System
All necessary Operational support during the full contract period on the Transaction System in such a way that the Transaction System is fully operational within the agreed Service levels.
6. The provisioning and support of Mobile Terminals and supplies
Supplier has to deliver, install and test Mobile Terminals securely to Gas Oil Stations within the full area covered by the SWT Treaty and offer full support for the Mobile Terminals in use including the provisioning of supplies.
7. The provisioning and support of ECO-cards
Supplier has to provide a secure ordering and delivery system for batches of ECO-cards for assigned Card Issuers (mainly National Institutes) in the full area covered by the SWT Treaty.

iii. Scope of work and deliverables support services

1. Ordering of ECO-cards and Mobile Terminals
Supplier has to provide an ordering and delivery service for ECO-cards and Mobile Terminals.
2. The provisioning of maintenance services
Supplier has to provide a helpdesk and (on site) maintenance services for Mobile Terminals deployed at Gas oil Stations.
3. The provisioning of supplies
Supplier has to provide an ordering and delivery service for supplies (e.g. print paper) for Mobile Terminals deployed at Gas oil Stations.

iv. Scope of work and deliverables project

Supplier has to initiate a dedicated project organization in order to design, implement and introduce the EPS within time and budget.

PART II

**Rules of Procedure for the selection of undertakings
wishing to be considered for tendering for the awarding
and concluding of a contract for developing the system for
paying the charge for waste disposal**

Rules of Procedure for the selection of undertakings wishing to be considered for tendering for the awarding and concluding of a contract for developing the system for paying the charge for waste disposal

Section 1: Legal and institutional context

Article 1

These Rules of Procedure govern calling for applications, selecting applicants, calling for tenders, and concluding the contract for the supply of an electronic system for paying the charge for the disposal of the waste produced in inland navigation.

Article 2

The authority awarding this contract is the Central Commission for Navigation on the Rhine, referred to hereinafter as “the CCNR”, an international organisation which has its headquarters in Strasbourg.

Under the headquarters agreement concluded with the French Republic, the organisation is a legal entity and is permitted to enter into contracts and to acquire real-estate property and moveable property.

Under this agreement, the CCNR enjoys immunity of jurisdiction and immunity of performance. Any dispute concerning the interpretation and performance of contracts to which the CCNR is party shall, at the request of the other party concerned, be submitted to arbitration, as stated in Article 28 hereinafter.

The acts of the CCNR are subject to its own law. For the purposes of the present call for tenders and conclusion of the corresponding contract, the CCNR shall be guided by those principles that form the foundation for the Community regulation, namely the principles of transparency and of appeal to competition. The procedure for calling for tenders, selecting the contracting party and concluding the contract shall be governed exclusively by the present Rules of Procedure.

Any dispute concerning the procedure for calling for tenders, selecting applicants and choosing the contracting party may only be brought before the examination commission referred to in Article 5, and that within a period of fifteen days starting from the date of notification of the contested decision.

The CCNR shall not bear the costs incurred by interested undertakings in connection with participation in the procedure. It shall not pay any other compensation to interested undertakings or to undertakings wishing to be considered for tendering under the present call for tenders. The CCNR shall not enter into any commitment until it signs the contract and this shall concern the contracting party alone.

Article 3

For reasons it feels are justified, the CCNR may at any time decide to discontinue the call for tenders, the examination of the tenders, the selection of a tenderer and the awarding of the contract. It shall make known the reasons for such discontinuation in writing in the same way as for making the information file public. Prospective tenderers or tendering undertakings shall be informed in writing immediately.

No compensation shall be due in such a case, even to those undertakings that have submitted a tender.

Article 4

In the lesser alternative, the final contract may refer to the material law of the State in which the CCNR has its headquarters, i.e. to French law. This designation of a subsidiary material law excludes any competence on the part of jurisdictions of the State whose material law serves as reference. Any disputes shall be governed in accordance with the provisions of Article 28 of the present Rules of Procedure.

Article 5

For the selection of prospective tenderers and the examination of the tenders and of any disputes arising prior to signature of the contract, an examination committee shall be constituted.

The composition of this examination committee shall be determined by the Executive Committee¹, which shall also determine the conditions for the commission's operation and the obligations incumbent on its members.

Section 2: Method of consultation

Article 6

The procedure to be applied shall comprise the following stages:

- 1) Selection stage, involving the following:
 - a) information to the industrial sector concerned by the project being carried out by the CCNR and invitation to interested undertakings to submit an application for inclusion in the selection procedure – an information file shall be made public for this purpose;
 - b) receipt of applications from interested undertakings;
 - c) selection of the undertakings to be invited to submit a tender;
 - d) adoption of the decision on selection and communication of the same to the undertakings concerned;
- 2) Stage of awarding the contract, involving the following:
 - a) call on the undertakings selected to submit their tender;
 - b) examination of the tenders submitted, assessment of the tenders admitted, and selection of the most economically advantageous tender;
 - c) adoption of the decision to award the contract and communication of the decision to the tenderers;
 - d) conclusion of the contract.

The examination and selection operations will take place in accordance with the schedule set out in Appendix A. The examination committee may make changes to this schedule if necessary, in which case the parties concerned or the tenderers would be informed accordingly.

¹ The Executive Committee was created by a Joint Declaration of the States signatory to the Convention on the collection, deposit and receipt of waste produced during navigation on the Rhine and on inland waterways of 9 September 1996, which made provision for the mechanism of a charge for disposal, the payment system for which is the subject of the call for tenders.

Section 3: Selection of prospective tenderers

Article 7

An information file directed at those undertakings likely to be interested in the work to be carried out, inviting them to submit their application, shall be compiled by the CCNR Secretariat.

This information file shall comprise:

- Part I: a general description of the electronic payment system;
- Part II: the present Rules of Procedure;
- Part III: qualification requirements and selection criteria.

Appendices:

- Appendix A Time schedule of deadlines in the procedure for calling for tenders
- Appendix B Attestations by the official representative(s) of applicant undertakings and supporting documents
- Appendix C Model attestations concerning the selection criteria
- Appendix D Model attestations concerning the financial criteria
- Appendix E Criteria for appreciating the tender and awarding the contract.
(void)

The CCNR shall carry out the necessary circulation of this information file in such a way as to guarantee that competition is brought into play and that the procedure is transparent. More particularly, it shall circulate the information on the Internet (on the European Community site at ted.europa.eu and the CCNR Internet site at www.ccr-zkr.org), may make use of its Member States' information resources, and may send the information file directly to those undertakings of which it has been informed.

Any undertaking interested may request the aforementioned file from the Secretary General and take part in the selection procedure.

Article 8

In order to take part in the selection procedure, applicant undertakings must send in a file before the deadline indicated in the schedule shown in Appendix A of the information file, containing the following documents:

- 1) The attestations and supporting documents mentioned in Appendix B of the information file, duly completed;
- 2) The models, duly complete, given in Appendices C and D of the information file.

Article 9

The file concerning participation in the selection procedure shall be sent to the Secretary General of the CCNR by registered mail.

The Secretary General of the CCNR shall draw up a list of the undertakings interested, indicating the date of receipt of the application, and shall send them acknowledgement of receipt.

Article 10

Applications may be made in English, French, German or Dutch.

The documents submitted by applicants must be dated and duly signed by a representative designated by the undertaking. The corresponding supporting documents must be appended to the file to be submitted.

Article 11

Any applicant undertaking may request in writing further explanations no later than on the tenth day preceding the date referred to in the following Article. Such requests shall be submitted to the examination committee. Each request shall be answered. The reply shall be communicated to the undertaking concerned and made public on the Internet site at www.ccr-zkr.org.

Applicant undertakings must point out any errors, insufficiencies or inadequacies affecting the indications given in these documents as soon as possible.

All communications must be made in such a way as to ensure the confidentiality of the prospective tenderers and to preserve the non-discriminatory nature of the procedure.

Article 12

Applications submitted after the deadline indicated in Appendix A of the information file shall not be admissible for selection and shall not be taken into consideration.

If the attestations and supporting documents referred to in Appendix B of the information file are submitted in an incomplete form, the application documents shall not be taken into consideration.

The examination committee shall check whether the files of those undertakings that have submitted an application meet the requirements for qualification referred to in Part III of the information file. If these requirements for qualification are not met, the prospective tenderer shall not be taken into consideration.

The examination committee shall appreciate the suitability of those applicant undertakings whose files have not been rejected on the basis of the criteria listed in Part III of the information file.

The examination committee, taking this appreciation into account and in the order of the number of points awarded on the basis of Part III of the information file, shall draw up the list of those undertakings likely to submit a tender. A maximum of five undertakings shall be invited to tender.

All those undertakings which submitted an application shall be informed of the decisions of the examination committee by the Secretary General of the CCNR.

Section 4: Awarding of the contract

Article 13

The selected undertakings (tenderers) shall be invited to tender in compliance with the tender file to be sent to them.

The tender file shall comprise:

- Part I: technical specifications, giving details of the expected functions and prices;
- Part II: the present Rules of Procedure;
- Part III: legal specifications and the draft bid;
- Part IV: the criteria for appreciating the tenders.
- Appendices:
 - A Time schedule
 - B *(void)*
 - C *(void)*
 - D *(void)*
 - E Models for the tenders.

Article 14

Any applicant undertaking selected (tenderer) may request additional information in writing no later than fifteen days preceding the date referred to in Article 18 below. These requests shall be submitted to the examination committee. All requests shall receive a reply. Replies shall be communicated in writing simultaneously to all the tenderers.

A tenderer must point out any errors, insufficiencies or inadequacies affecting the indications given in these documents as soon as possible.

All communications must be made in such a way as to ensure the confidentiality of the tenders and to preserve the non-discriminatory nature of the procedure.

Article 15

The tender must be made in English. It may include translations into the other languages referred to in Article 10.

The tender file must comprise:

- a) the list of technical specifications and the list of legal specifications, accepted, dated and signed by a person holding the necessary powers;
- b) a full tender of services complying with the technical requirements;
- c) the other information provided for in the present Rules of Procedure or in the list of legal specifications.

The tenderer must state specifically that the tender shall be valid for at least three months from the date indicated in Appendix A of the tender file as the date by which the tender must have been submitted.

Article 16

The tenderer shall submit its offer, duly signed, in a sealed envelope, with a second sealed envelope containing the tender documents, all inside a third envelope addressed to the Secretary General of the CCNR.

All the documents constituting the tender must also be supplied in an electronic version, on a CD-Rom. In the event of any discrepancy between the paper and electronic versions, the signed paper version shall prevail.

The Secretary General shall leave unopened the inside envelopes containing the tenders. He shall draw up a list of the tenders received, indicating the date of receipt, and send an acknowledgement of receipt of the tender to each tendering undertaking.

He shall pass the tenders on to the examination committee on the date of the start of the selection operations.

Section 5: Reading and examining the tenders

Article 17

The procedure for examining the tenders, the deliberations, and the assessment process shall remain confidential; they shall be noted in writing.

Article 18

To be admissible, a tender, duly signed, must have been submitted before the deadline stated in the schedule set out in Appendix A of the tender file, include the information listed in the previous Articles, and all the details listed in the tender file, and cover all the supplies and services included in the call for tenders.

Article 19

The examination committee shall proceed with examination of the tenders. It shall first check their admissibility, and reject those tenders that do not meet the conditions of the request. It shall state its reasons for rejecting tenders, and the tenderers shall be informed thereof in writing. The examination committee may accept the correction of manifest errors affecting a tender.

Article 20

The examination committee shall draw up a report of those tenders declared admissible, noting their essential features. It shall then assess the tenders. To this end, it may call on consultant experts of its choosing.

Article 21

Each of the tenderers whose tender is declared admissible may be interviewed. These additional interviews shall enable the examination committee to obtain details of various aspects of a tender and to correct any manifest errors.

Article 22

The contract shall be awarded to the tenderer whose tender will be the most economically advantageous, and on the basis of the criteria referred to in Part IV of the tender file.

Article 23

On completion of its assessment, the examination committee shall draw up an assessment report of the tenders, indicating its reasons for judging one tender to be the best, and shall submit its proposal to the executive committee.

Article 24

The executive committee shall proceed with the final selection of a tender and make its decision to award the contract. The Secretary General shall inform all the tenderers of this decision.

Article 25

The Secretary General of the CCNR shall make the necessary arrangements with the undertaking selected for signing the contract.

Section 6: Provisions in connection with the contract

Article 26

In addition to the present Rules of Procedure, the contract shall comprise the elements mentioned in the list of legal clauses, and more particularly:

- the tender submitted in accordance with Article 15 and stated in accordance with Article 21, which the tenderer has undertaken to carry out,
- the bid.

Article 27

For all necessary purposes, the place of performance of the contract is designated as being the place of the CCNR headquarters.

Section 7: Disputes in respect of performance of the contract

Article 28

Any dispute in respect of performance of the contract, in the absence of a friendly agreement between the parties, shall be submitted to an arbitration committee for a decision.

Notwithstanding, the CCNR may make a formal decision specifically renouncing its immunity of jurisdiction. In this case, the competent jurisdiction would be the regional court Tribunal de Grande Instance of Strasbourg and not the arbitration committee.

No provision in the present Rules of Procedure or in the other documents comprising the contract apart from the formal decision on the part of the CCNR referred to above may be interpreted as a renunciation of this immunity.

Article 29

The arbitration committee shall comprise two arbitrators, selected respectively by each of the two parties, and an additional arbitrator designated by the first two arbitrators. Should the first two arbitrators fail to reach an agreement on this designation within a period of four months, the Presiding Judge of the regional court Tribunal de Grande Instance of Strasbourg would designate the third arbitrator.

The parties may explicitly agree to define another arbitration body.

Article 30

The arbitration committee shall sit in Strasbourg. It shall determine the procedure to be followed. The language of the procedure shall be agreed by the arbitration committee.

Article 31

In addition to the contractual provisions, the arbitration committee or other arbitration body shall, if necessary, apply additionally and in the lesser alternative the general principles of law and general commercial practice. In the much lesser alternative, the provisions of national material law referred to in the contract may be applied.

Article 32

The arbitration decision shall be binding on the parties and no claim may be made against it.

The cost of the arbitration procedure shall be borne in accordance with the rules defined by the arbitration committee or body.

If necessary, advances shall be granted to the arbitrators. These advances shall be borne equally by the parties.

PART III

Qualification requirements and selection of criteria

SUMMARY

Introduction

Section 1 - Experience and performance

1. Qualification requirements (MR)
2. Criteria for experience and past performance on similar contracts
3. Criteria for customer satisfaction
4. Criteria for quality assurance (QA)
5. Format for the references and the declarations to provide

Section 2 - Financial criteria

1. Qualification requirements for turnover (MR)
2. Criteria concerning the financial and economical situation
3. Format for the declarations to provide

Section 3 – Score system

Introduction

Within the selection process the following requirements are used:

- Qualification requirements:
Tenderer must provide a minimum set of references addressing essential capabilities. Compliance with these requirements is required to ensure that his bid is accepted as part of the evaluation.
- Criteria:
Points are assigned for each criterion that is met. Three categories of criteria are used:
 1. Criteria for experience and past performance on similar projects - Tenderer may provide relevant references considering specific capabilities.
 2. Criteria for customer satisfaction – Tenderer may provide a declaration of customer satisfaction, in which customer will vouch that Tenderer has shown qualities in practice.
 3. Criteria for quality assurance – Tenderer may elaborate on the quality assurance policy being deployed within the organization.
 4. Criteria concerning the financial solidity of the undertaking - Tenderer may provide relevant information considering the financial situation of its undertaking.

Section 1 – Experience and performance

1. Qualification requirements

The requirements MR.1 through MR.5 of this section are minimum requirements. Tenderer must comply with each single requirement. Failure to comply with one or more requirements in this section will directly lead to disqualification of Tenderer.

- MR.1 Provide 1 reference, concerning the design, implementation and maintenance of a comparable transaction processing system (e.g. electronic payment system or loyalty card system with mobile terminals and cards) in a European country;
- MR.2 Provide 1 reference, concerning the implementation and maintenance of an ICT infrastructure which is or has been used in at least three European countries;
- MR.3 Provide 1 reference, concerning hosting and maintenance of a database application with a front-end that is built on web technology;
- MR.4 Provide 1 reference, concerning specifying, developing and maintaining a tailor-made application built on web technology;
- MR.5 Provide 1 reference concerning implementing and providing logistical services comparable with personalization, issuance and secure delivery of smartcards and mobile terminals.

Provide at least 1 but at most 7 different references to projects. One reference may be used for one or more minimum requirements.

2. Criteria for experience and past performance on similar contracts

The requirements C.1 through C.5 of this section are criteria. A score will be assigned to Tenderer for each criterion Tenderer complies with. The total score for this section is the sum of the scores for each individual criterion.

A score of zero (0) points for a criterion is assigned when Tenderer fails to comply with the criterion. A score of ten (10) points for a criterion is awarded when Tenderer complies with the criterion. Partial scores (1 to 9) are not awarded.

Total score for this section is the sum of all scores. Maximum score for this section is 50 points.

- C.1 Provide 1 reference, concerning visual and electronic personalization of electronic payment cards or similar cards.
- C.2 Provide 1 reference, concerning implementation and daily operations of a multilingual helpdesk (at least two languages);
- C.3 Provide 1 reference concerning training a (functional) management organization of a customer such that that (functional) management organization can provide first line support to users.
- C.4 Provide 1 reference concerning implementing and providing logistical services similar with issuance and secure cross border delivery of smartcards and mobile terminals.
- C.5 Provide 1 reference, concerning an IT project in the transport and logistics sector.

Provide at least 1 but at most 7 different references. One reference may be used for one or more criteria. Providing more than one satisfactory reference for a single criterion will not influence the score. References that are used for the minimum requirements may also be used for the criteria C.1 through C.5.

Provide only references, for work that is of similar scope and complexity with the electronic payment system.

3. Criteria for customer satisfaction

For each of the minimum requirements of paragraph 1 an additional 10 points will be awarded if the minimum requirement was met and a valid declaration of customer satisfaction is included for the reference.

For each of the criteria of paragraph 2 an additional 5 points will be awarded if the criterion was met and a valid declaration of customer satisfaction is included for the reference.

Partial scores are not awarded.

Total score for this section is the sum of all scores. The maximum score for this section is 75 points (50 points for declarations of customer satisfaction regarding minimum requirements of paragraph 1 and 25 point for declarations of customer satisfaction regarding criteria for experience and past performance on similar contracts of paragraph 2).

4. Criteria for quality assurance (QA)

The requirements on quality assurance QA.1 through QA.4 of this section are criteria. A score will be assigned for each criterion Tenderer complies with. The total score for this section is the sum of the scores for each individual criterion.

A score of zero (0) points for that criterion is awarded when Tenderer fails to comply with the criterion. A score of five (5) points for that criterion is awarded when Tenderer complies with the criterion. Partial scores (1 through 4) are not awarded.

If independent certification of the quality assurance system for a criterion is available and can be proven, an additional five (5) points for that criterion is awarded.

Total score for this section is the sum of all scores. The maximum score for this section is 40 points.

Tenderer must provide a short description (no more than 3 pages of A4 format) of its quality assurance policy or system with respect to the following subjects:

- | | |
|------|--|
| QA.1 | Quality assurance on information security within the hosting organization or computer center and system operations services. |
| QA.2 | Quality assurance on information security within the system development organization or system development process. |
| QA.3 | Quality assurance on the development and maintenance of tailor-made applications. |
| QA.4 | Quality assurance for IT project management |

5. Format for the references and the declarations to provide

Only valid references will be considered. A reference is valid only if:

1. format C.1 of Annex C is used for project references and all required items are provided and :
 - a) the project is completed or at least operational with major deliverables accepted by the customer;
 - b) the activities were performed within the last three years;
 - c) the reference is of similar scope and complexity as the corresponding component of the EPS;
 - d) the major part of the activities were executed by one of the organizations that takes part in this Tender.
2. A declaration of customer satisfaction is only valid if the format C.2 of Annex C is used and if the items 1 through 12 in the signed declaration of customer satisfaction (format C.2) correspond with the same points of the reference (format C.1).
3. A description of the quality assurance policy or system is only valid if the format C.3 of Annex C is used and all of the items 1 through 4 of the format C.3 are included.
4. As per evidence of the tenderers response, a copy of certification information or quality assurance policies needs to be provided, supporting the response as well as the scope of the policy or certification.

Proposals must include project references detailing name(s) and telephone number(s) of customer representative(s). These references might be contacted during the proposal evaluation phase to determine their satisfaction with the work carried out.

Section 2 – Financial criteria

1. Qualification requirement for turnover

The requirement MR.6 of this section is a minimum requirement. Tenderer must comply with this requirement. Failure to comply with the requirement in this section will directly lead to disqualification of Tenderer.

- MR 6 Tenderer must state that the turnover of its undertaking realized in the financial years 2005, 2006 and 2007 in the area of the design and delivery of IT-systems has reached at least the level of 500 000 € par annum and has to produce to this effect a declaration, signed by a chartered accountant.

2. Criteria concerning the financial and economical situation

Tenderer has to provide financial ratios concerning the three last financial years (2005-2006-2007):

Solvency: (capital and reserves / deposits and borrowed funds)

Liquid assets: (assets / short term debts).

- a) the solvency is calculated on the base of the following formula :
result = 100 x (1x (amount 2004) + 2 x (amount 2005) + 3 x (amount 2006))/ 6.

The score following this formula is determined by means of the schedule:

score	Points
$X > 30\%$	10
$25\% \leq X < 30\%$	5
$X < 25\%$	0

For the solvency criterion 10 points at the most are awarded.

- b) the liquid assets are calculated on the base of the following formula :
result = 100 x (1x (amount 2004) + 2 x (amount 2005) + 3 x (amount 2006))/ 6.

The score following this formula is determined by means of the schedule:

score	Points
$X > 100\%$	10
$80\% \leq X < 100\%$	5
$X < 80\%$	0

For the liquid assets criterion 10 points at the most are awarded.

3. Format for the declarations to provide

For the declarations on the turnover and on the financial ratios only the formats D.1 (turnover), D.2 (liquid assets) and D.3 (solvency) may be used. Each document to be produced must be duly signed by a chartered accountant.

Section 3 – Score system

Paragr. Nr.	Criterium	Max. score
Section 1		
2	Criteria for experience and past performance on similar contracts	50
3	Criteria for customer satisfaction	75
4	Criteria for quality assurance	40
Section 2		
2a	Solvency	10
2b	Liquid assets	10
	TOTAL	185

APPENDICES

Appendix A	Time schedule of deadlines in the procedure for calling for tenders
Appendix B	Attestations by the official representative(s) of applicant undertakings and supporting documents
Appendix C	Format attestations concerning the selection criteria format C.1 Project Reference format C.2 Declaration of customer satisfaction format C.3 Quality system description
Appendix D	Format attestations concerning the financial criteria format D.1 Turnover format D.2 Solvency criteria format D.3 Liquidity criteria
Appendix E	Criteria for appreciating the tender and awarding the contract (void)

Appendix A

Rules of Procedure for the selection of undertakings wishing to be considered for tendering for the awarding and concluding of a contract for developing the system for paying the charge for waste disposal

Time schedule of deadlines for the stages in the procedure for the call for tenders

Stages	Designation	Dates
1.	Date of publication of the selection file	11.10.08
2.	Deadline for requesting additional information	03.11.08
3.	Date by which the applications from interested undertakings must be received by the Secretary General of the Central Commission for Navigation on the Rhine at its headquarters in Strasbourg	19.11.08

4.	Communication to undertakings having submitted an application of the decision on selection (Article 12 of the Rules of Procedure)	[02.12.08]*)
5.	Invitation to the undertakings selected to submit a tender	[22.12.08]*)
6.	Deadline for requesting additional information	[09.02.09]*)
7.	Date by which the tender files of the tenderers must be received by the Secretary General of the Central Commission for Navigation on the Rhine at its headquarters in Strasbourg	[25.02.09]*)
8.	Any meetings with tenderers	[23-24 et 25.03.2009]*)
9.	Communication of selection to tenderers	[27.03.09]*)

	Intended date for starting up the payment system	[31.08.09] ^{*)}
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*) dates given for information purposes only

Appendix B

Rules of Procedure for the selection of undertakings wishing to be considered for tendering for the awarding and concluding of a contract for developing the system for paying the charge for waste disposal

Attestations by the official representative(s) of undertakings wishing to be considered for tendering, and supporting documents

Undertakings wishing to be considered for tendering must submit the attestations and supporting documents listed below concerning the undertaking and its position, its managers, and the undertakings with which a partnership in the form of either a sub-contracting relationship or a consortium is envisaged.

These attestations and supporting documents are compulsory. In accordance with Article 12 of the Rules of Procedure, any prospective tenderer not producing the required documents would be rejected.

List of attestations and supporting documents to be submitted:

1. Certified true copy of the undertaking's listing in the register of the country in which it is domiciled;
2. True copy of the powers of attorney of the persons designated to represent the undertaking;
3. Attestation of acceptance of the Rules of Procedure concerning prior consultation and the conclusion of a contract for developing the system for paying the charge for waste disposal;
4. Attestation that the undertaking's managers have never been convicted of corruption or fraud, or declared bankrupt, or convicted in respect of serious professional misconduct or of making false declarations, producing for this purpose a copy of their police record;
5. Attestation that the undertaking and if appropriate its sub-contractors are neither in a state of bankruptcy nor in receivership;
6. Attestation that the undertaking abides by all the legal obligations incumbent on it in respect of taxes and social security, and in respect of its employees;
7. Attestation on its honour concerning all the declarations and attestations listed above;
8. Attestation by the sub-contractor(s) envisaged by the main interested undertaking that they commit themselves in accordance with the application;
9. Declaration of confidentiality concerning every aspect of the call for tenders and the information communicated by the examination committee;

10. Attestation by which the prospective tenderer undertakes to use English for the entire call for tenders procedure and for its verbal and written contracts with the CCNR;
11. Attestation by which the prospective tenderer undertakes to use English for all the documents checked and/or approved by the CCNR to be used by the user in the course of performing the contract;
12. Declaration to the effect that the prospective tenderer has insurance cover for civil liability for the sum of at least 1 million euros and undertakes to submit a copy of the corresponding insurance policy if the contract is awarded to it;
13. Declaration to the effect that the prospective tenderer is prepared, if it is awarded the contract, to supply, in order to cover the risk of non-completion or partial completion of the contract, a guarantee in the form of insurance taken out with a recognised company or a bank guarantee for the amount of the initial cost covering the period up to final acceptance.

Appendix C**Formats of attestations concerning
the selection criteria**

Format C.1**Project Reference**

The use of this format is mandated for providing references for MR.1 through MR.5 and C.1 through C.5 of Part III section 1. paragraph 2. und 5.

Reference <NR>		
1	Complies with minimum requirements and/or criteria	<give al minimal requirements MR.1 through MR.5 and criteria C.1 through C.5 to which this reference complies>
2	Project name	
3	Start and end of the project:	
4	Customer name:	
5	Customer address:	
6	Customer contact: Name: Phone:	
7	Customer contact role:	
8	Short description of the project	<give a short description of the overall project>
9	Scope of work Tendering organisation	<clearly identify the activities that the organizations that take part in this tender have performed>
10	Relevance for this Tender and the requirement	<clearly identify the relevance of the activities for this Tender and the compliancy claimed in 1>
11	Personnel involved with classification	
12	Total budget for the contract	<the total of the budget for the work the organizations that take part in this tender have performed>

Format C.2**Declaration of customer satisfaction**

The use of this format is mandated for providing declarations of customer satisfaction in accordance with Part III, section 1. paragraph 3.

Reference <NR>		
1	Complies with minimum requirements and/or criteria	<give al minimal requirements MR.1 through MR.5 and criteria C.1 through C.5 to which this reference complies>
2	Project name	
3	Start and end of the project:	
4	Customer name:	
5	Customer address:	
6	Customer contact: Name: Phone:	
7	Customer contact role:	
8	Short description of the project	<give a short description of the overall project>
9	Scope of work Tendering organisation	<clearly identify the activities that the organizations that take part in this tender have performed>
10	Relevance for this Tender and the requirement	<clearly identify the relevance of the activities for this Tender and the compliancy claimed in 1>
11	Personnel involved with classification	
12	Total budget for the contract	<the total of the budget for the work the organizations that take part in this tender have performed>
Declaration of customer satisfaction		
13	Declaration	<Text may be adapted and translated as long as it clearly requires Signatory to declare that the project detailed in items 1 through 11 of this form: <ul style="list-style-type: none"> a. was completed within budget; b. was completed within an agreed timeframe; c. was completed with the agreed quality;>
14	Signature	<Name, role and valid signature of a representative of the customer organization for the reference>

Format C.3**Quality system description**

The use of this format is mandated for providing references for QA.1 through QA.4 of Part III section 1. paragraph 4.

Criterion QA.<N>		
1	Short description of the Quality Assurance System	
2	Reference to the (internal) document(s) that describe the quality assurance	
3	How the quality assurance system is implemented in the organization	
4	How the implementation of the quality assurance system is tested	
5	Certification of the quality system (only if applicable)	<i><include a copy of the certificate and a clear outline of the scope of certification></i>

Appendix D Formats of attestations concerning the financial criteria

Model D.1**Turnover**

The use of this format is mandated for providing the turnover requested in Part III, section 2, paragraph 1.

turnover		
2005	2006	2007
€...	€... %	€...
Signature of accountant or similar:		

Model D.2**Solvency criteria**

The use of this format is mandated for providing the solvency ratio's requested in Part III section 2, paragraph 2 a).

Solvency ratio's			
2005	2006	2007	weighted average
... %	... %	... %	... %
Signature of accountant or similar:			

Please make sure to use the right formula as stated in section 2 paragraph 2 a). Other definitions for the solvency ratios are not accepted.

Model D.3**Liquidity criteria**

The use of this format is mandated for providing the liquid asset ratio's requested in section 2, paragraph 2 b).

Liquid asset ratio's			
2005	2006	2007	weighted average
... %	... %	... %	... %
Signature of accountant or similar:			

Please make sure to use the right formula as stated in section 2 paragraph 2 b). Other definitions for the liquid asset ratios are not accepted.

Appendix E

Criteria for appreciation the tender and awarding the contract

(void)