

#mps | Third party data protection compliance management

February 25th, 2025



Disclaimer

- All information provided is subject to the Instructions to Tenderers (the “ITT”)
- No information provided is intended to supplement the ITT
- The ITT takes precedence and prevails in case of conflict or ambiguity
- All questions and answers will be noted and distributed in writing after the meeting
- The meeting is closed but will be recorded and made public



Agenda

1. Purpose of meeting
2. Involved parties
3. Background for this procurement
4. Scope of the procurement
5. Purpose of the procurement
6. Procurement process
7. Time schedule
8. Pre-qualification
9. Qualification requirements
10. Selection criteria
11. Joint request
12. Subcontractors
13. Relying on capacity of other legal entities
14. ESPD
15. Documentation to be submitted
16. N.B.
17. Q&A



Purpose of meeting

Purpose

- Help you win!
- Clarify and make you aware of details and points of interest in the ITT

Scope

- Limited to the ITT
- Will not venture into the evaluation areas of the tender
 - Subject to the following negotiation phase



Involved parties

Contracting Authority

- Norwegian public sector marketplace (MPS)
 - The Norwegian agency for public and financial management

Customer

- 205 Public sector entities (civil sector)
- An option
 - 109 municipalities and regional authorities (kommune og fylkeskommune)
- Responsible for their own call-off



The background for this procurement – Pilot project

Pilot project	<ul style="list-style-type: none">• Conducted in 2024
Goal	<ul style="list-style-type: none">• To evaluate the need for a service that would improve governance and management of data protection compliance within the supply chain.
Participants	<ul style="list-style-type: none">• 9 public sector entities
Conclusion	<ul style="list-style-type: none">• Recommendations to establish framework agreement with multiple providers. The goal is to help public entities strengthen privacy compliance across their supply chains, reduce risks, and enhance adherence to GDPR and related regulations.



The background for this procurement – RFI

Request for information	<ul style="list-style-type: none">• Conducted in 2024
Purpose	<ul style="list-style-type: none">• To gather information that could form the basis for the preparation and planning of potential procurement
Response	<ul style="list-style-type: none">• 15 suppliers responded to the RFI• 4 follow-up meetings
Key takeaways	<ul style="list-style-type: none">• Defined the scope• Determined that a negotiated procedure is required



Scope of the procurement



The scope of the procurement is to establish a solution for Norwegian public entities that will help the entities to reduce data protection risks and manage privacy concerns in third-party vendors. We seek to establish a contract for a service that might rely on automation **as a SaaS, or as a semi-automated services** involving human services/quality control.

Purpose and practicalities of the procurement



Goal

The purpose of this Framework Agreement is to enable the Norwegian government and public sector entities to reduce risks related to governance and management of data protection in their supply chains and through third parties. The solution shall make public entities able to reduce the privacy risks and workload including documentation collection, vendor dialogue and reporting for governing privacy in third-party vendors supply chain.

Type of contract

- Framework agreement (non-exclusive and voluntary)

Parallel agreements

- Up to three suppliers

Value

- Estimated: 63.000.000 NOK
- Max: 95.000.000 NOK

Durance

- 2 years
or
- until maximum value is reached

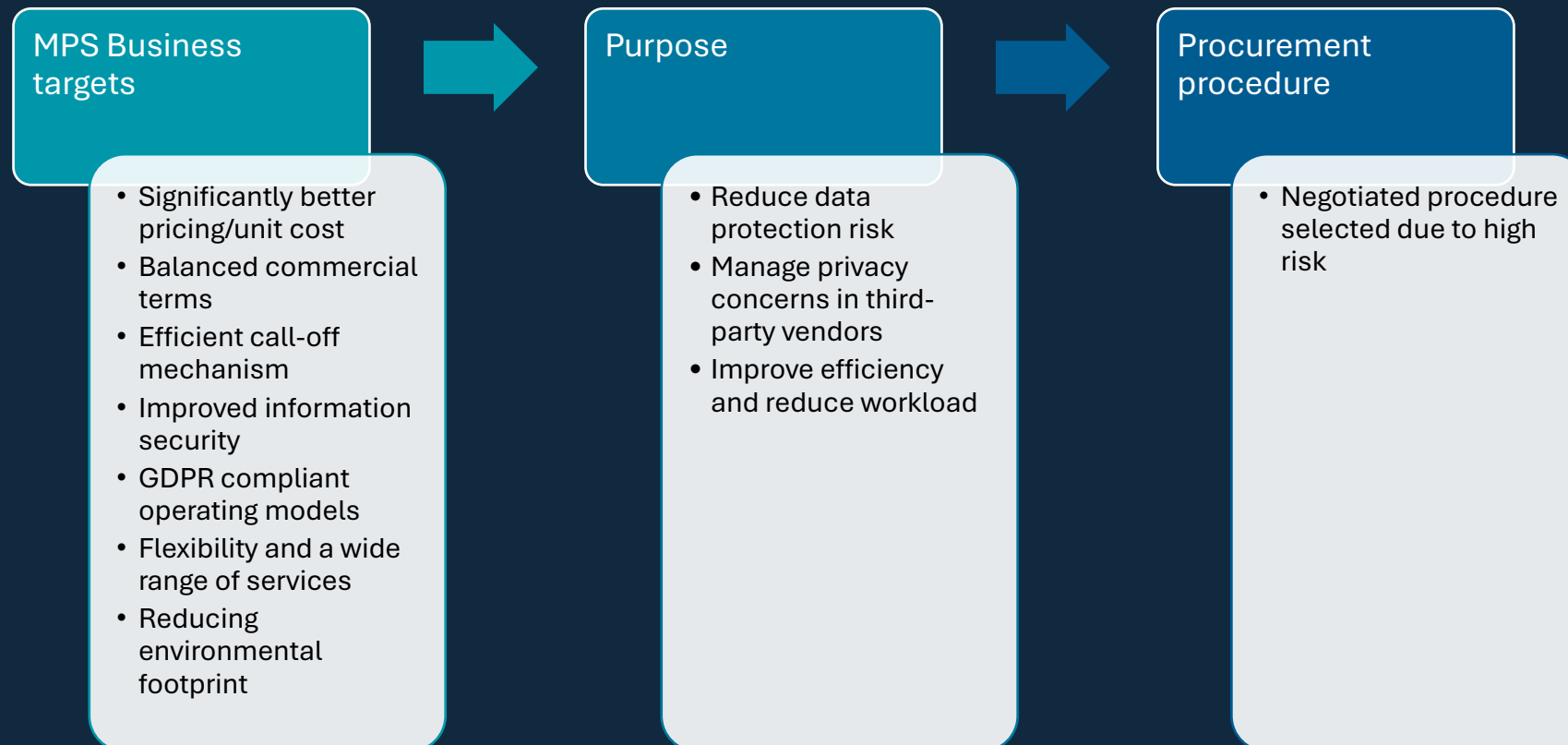
Options

1. Prolongation for 1 (one) year twice
2. Municipalities and regional authorities



Targets

Delivery of cost-efficient, secure, flexible, modern and state of the art cloud services to the Norwegian public sector





Procurement schedule (All dates are tentative)

- Dispatch of Contract Notice
- Tender phase
- Negotiation phase
- Contract signing



Procurement schedule

Dispatch of Contract Notice

- 03.03.25 Deadline for submission of questions in the pre-qualification phase
- 10.03.25 Deadline for submission of requests to participate
- March Pre-qualification and, if needed, selection of tenderers
- March Notification of pre-qualification result to rejected/non-selected tenderers

Tender phase



Time schedule

- Dispatch of Contract Notice
- Tender phase
- Negotiation phase
- Contract signing



Time schedule

— Tender phase

- March Invitation to tender is sent to pre-qualified tenderers
- 07.04.25 Deadline for submission of questions in the tender phase
- 14.04 25 Deadline for submission of tenders
- April Evaluation of tenders, clarifications and specifications

— Negotiation phase



Time schedule

- Dispatch of Contract Notice
- Tender phase
- Negotiation phase
- Contract signing



Time schedule

— Negotiation phase

→ April/May/June

Negotiations rounds

→ May/June

Notification of contract award

— Contract signing

Pre-qualification

Qualified 3-5 candidates



Qualification requirements

##	Qualification Requirement	Section
QR1	The supplier shall be a legally established company, registered in a professional, trade or business register in its state of origin or establishment.	4.4.1 ITT
QR2	The supplier shall have the necessary economic and financial standing to perform the contract.	4.4.2 ITT
QR3	The supplier shall have relevant experience Relevant experience shall be understood as delivery of similar services	4.4.3 ITT



Selection criteria

##	Selection criteria	Reference
S1	The Supplier's quality, relevance and scope of the submitted references.	QR3 sec. 4.4.3



Joint request

- Groups of economic operators are allowed to participate
- A group of economic operators may rely on the capacity of other entities to fulfil the qualification requirements
- A group submits a joint tender
- The economic operators of the group shall be jointly and severally liable for the execution of the framework agreement, and the contract shall be signed by all partners of the group
- Note:
 - Attachment 1: Completed letter of request to participate
 - Attachment 2: Form for groups of economic operators submitting a joint request to participate
 - Each participant to provide: (i) ESPD, (ii) Attachment 3: Declaration of commitment from entities on which the candidate relies to fulfil qualification requirements
 - May require contract between the operators prior to final tender



Subcontractors

- The use of subcontractors is allowed
- Responsible as if the supplier itself is performing
- The supplier shall be the sole contracting party
- If the supplier is not a SaaS vendor, the supplier shall guarantee the SaaS vendors' full attendance, cooperation and participation in the dialogue
- The Contracting Authority strongly urge the SaaS vendor to participate as prime contractor and take part directly in the procurement process
- Note:
 - Attachment 3: Declaration of commitment from entities on which the candidate relies to fulfil qualification requirements



Relying on capacity of other legal entities

- Relying on another legal entity includes:
 - Independent legal entity
 - Affiliate
 - Other legal entity within your company (intercompany agreement), e.g. a part of the company registered in another country



ESPD

- Suppliers shall submit the European Single Procurement Document (ESPD)
 - The ESPD form is a preliminary documentation that the Supplier meet the qualification requirements
- The Contracting Authority may at any stage of the procurement process request the suppliers to submit some or all of the necessary documentation to document their compliance with the qualification requirements
- In any case, the Supplier awarded the contract must provide such documentation



Documentation to be submitted

No.	Document name	Reference
1	Completed letter of request to participate	Attachment 1 (template)
2	If relevant, completed form for groups of economic operators submitting a joint request to participate.	Attachment 2 (template), cf. section 3.9
3	If relevant, declaration of commitment	Attachment 3 (template), cf. section 4.3
4	Filled out ESPD-form (if relevant, forms if the supplier is a group of economic entities or rely on the capacities of other)	Cf. section 4.2 (3.9 and 4.3)



Documentation to be submitted by joint request

No.	Document name	Reference
1	Completed letter of request to participate	Attachment 1 (template)
2	If relevant, completed form for groups of economic operators submitting a joint request to participate.	Attachment 2 (template), cf. section 3.9
3	If relevant, declaration of commitment	Attachment 3 (template), cf. section 4.3
4	Filled out ESPD-form (if relevant, forms if the supplier is a group of economic entities or rely on the capacities of other)	Cf. section 4.2 (3.9 and 4.3)



Documentation to be submitted w/supporting entity

No.	Document name	Reference
1	Completed letter of request to participate	Attachment 1 (template)
2	If relevant, completed form for groups of economic operators submitting a joint request to participate.	Attachment 2 (template), cf. section 3.9
3	If relevant, declaration of commitment	Attachment 3 (template), cf. section 4.3
4	Filled out ESPD-form (if relevant, forms if the supplier is a group of economic entities or rely on the capacities of other)	Cf. section 4.2 (3.9 and 4.3)



Additional documentation cf. 4.7 – Upon request

##	Qualification Requirement	References
QR1	The supplier shall be a legally established company, registered in a professional, trade or business register in its state of origin or establishment.	ITT cf. Section 4.4.1
QR2	The supplier shall have the necessary economic and financial standing to perform the contract.	ITT cf. Section 4.4.2
QR3	The supplier shall have relevant experience Relevant experience shall be understood as delivery of similar services (Cloud based third-party data protection compliance management services).	ITT cf. Section 4.4.3
	Declaration of taxes	ITT cf. Section 4.8



N.B.

- Please ask questions during the participation process
- Remember ESPD
- Remember the declaration of commitment
- Please do not plan to finish and send the request the last day!
- Technical assistance – contact Mercell

ASK FOR ASSISTANCE: WE WANT YOU TO WIN!



Questions





#mps | Thank you!

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