

THE NATIONAL LIBRARY OF FINLAND  
FinELib

INVITATION FOR TENDER  
31.7.2009

## **Library PressDisplay or corresponding**

This procurement is mandated by the law of public procurement (348/2007).

FinELib invites your tender according to the criteria and specification set out in this document.

Tender must be submitted 10 September 2009 (10.9.2009) at 15.45 local time (GMT +2) at the latest.

### **1 Introductory information**

FinELib is a national e-only consortium, which negotiates online electronic resource license agreements on a centralised basis for its member organisations. FinELib consortium consists of over 100 organisations comprising all Finnish universities, universities of applied sciences/polytechnics and public libraries as well as several research institutes.

The consortium member organisations are listed at:

[http://www.nationallibrary.fi/libraries/finelib/finelibconsortium/consortium\\_members.html](http://www.nationallibrary.fi/libraries/finelib/finelibconsortium/consortium_members.html)

The number of potential users per organisation is listed at:

<http://www.nationallibrary.fi/libraries/finelib/finelibconsortium/users.html>

The columns "All users" or "Total" will be applied in section "1. Price" in Tender document 2.

The National Library of Finland represents the consortium member organisations in the procurement process and signs the license agreement on their behalf via a power of attorney. Each consortium member organisation is an independent contracting party and liable only for itself.

The National Library of Finland pays the fees related to the procurement subject on behalf of the consortium members. Only one invoice is needed with the subscriptions itemized per consortium member organisation.

### **2 Information on the procurement subject**

Procurement subject: Library PressDisplay or corresponding database license

PressDisplay or corresponding

**Description:** Global newspaper and magazine full text web portal

**Content:** Newspapers and magazines at least from 80 countries in several languages

**Number of newspapers and magazines:** 1000+

**Archive:** 14-90 days from release

List of newspaper and magazine titles that must be included in the database are listed in attachment; Title list 830\_23\_2009.pdf

Estimated subscribers: approximately 25-35 subscribers (FinELib consortium member organisations from the public library, university, university of applied sciences and research institute sector).

### **3 Term of agreement**

The term of the license agreement will be from 1 January 2010 to 31 December 2011.

### **4 Procurement procedure**

The procurement shall proceed as a public procurement process mandated by law.

The procurement shall be conducted as an open procedure. **Only tenders fulfilling the requirements presented in sections 5 (Conditions related to tender) and 6.1 (Absolute, non-negotiable requirements), will go through to the evaluation phase (6.2 Evaluation criteria)** . The contractual issues (6.3) will be negotiated with the selected tenderer. All tenderers shall be informed of the final decision.

The chosen tender will be presented to the consortium member organisations. Each consortium member organisation decides independently whether to subscribe to the database due to realization of funding. Materialization of the procurement requires that a minimum of four (4) consortium member organizations subscribe to the database. In any event the right not to accept any tender is reserved.

Any consortium member organisation wishing to join the agreement must have the right to do so annually on the contractual and pricing terms given in this tender.

### **5 Conditions related to tender**

The tender shall be submitted in English in written form. The tender consists of the attached tender documents 1-3 with the grids filled in according to the instructions. If the instructions are not followed, the tender may be excluded from the evaluation.

**No other documents than tender documents 1-3 shall be submitted, except those requested separately in tender documents 1-3. If tender document 1 includes any prohibited attachments, the tender shall be excluded from the evaluation. If tender document 2 includes any prohibited attachments regarding Section 3, User terms, the tender will receive zero points for the whole section 3.**

The tenderer is responsible for ensuring that his tender meets the requirements set out in this invitation for tender. **The tender is binding.** Alternative tenders and tenders in part are not accepted.

The tender shall be submitted to FinELib 10 September 2009 (10.9.2009) at 15.45 local time (GMT+2) at the latest. The tenderer is responsible for the arrival of the tender in time. **Tenders arriving late will be excluded from the procurement process.**

The tender must be submitted to the following e-mail address: [finelib@helsinki.fi](mailto:finelib@helsinki.fi)

Please use the reference "830/23/2009".

The tender must be valid until 28.2.2010.

The tenderer must state the name, address, e-mail, telephone number of contact person(s) in tender document 2.

Any questions regarding this invitation for tender can be directed to the following e-mail address by 7 September 2009 (7.9.2009) at the latest: [finelib@helsinki.fi](mailto:finelib@helsinki.fi)

## **6 Selection of the tender**

The selection of the best tender shall be based on overall economical efficiency.

### **6.1 ABSOLUTE (NON-NEGOTIABLE) REQUIREMENTS**

The tender must match with each absolute requirement (6.1):

1. Technical issues
2. Free trial
3. Usage statistics
4. Definitions
5. Permitted uses
6. Warranty and indemnity
7. Limited liability for end user behaviour
8. Disclaimer of liability for other consortium members' breaches
9. Mergers
10. Confirmation of the database content

*See specifications for the requirements and the required wording of clauses for the final contract in Tender document 1. Indicate in grid in Tender document 1 fulfilment of the absolute requirements and acceptance of the clauses.*

**The tender which fails to match with the absolute requirements or includes any additions, omissions, amendments or prohibited attachments to Tender document 1 will be excluded from the evaluation (6.2).**

### **6.2 EVALUATION CRITERIA**

Tenders matching the absolute requirements in section 6.1 will be evaluated according to the following four (4) criteria.

1. Price (40 % of the evaluation)
2. Compatibility with the national search interface (20 % of the evaluation)
3. User terms (20 % of the evaluation)
4. Usage statistics (20 % of the evaluation)

*See the criteria and related specifications introduced in more detail in Tender document 2. Indicate in grid in Tender document 2 fulfilment of the evaluation criteria and acceptance of the clauses.*

**Regarding the evaluation criterion 1. Price, the tender which fails to present each and every requested price information or to use the exact given pricing grid or pricing model shall be excluded from the evaluation.**

**Regarding the evaluation criteria 2. Compatibility with the national search interface, 3. User terms and 4. Usage statistics, each missing response is counted as zero in the evaluation.**

**Regarding the evaluation criterion 3. User terms, the tender which includes any additions, omissions or amendments to the text, shall receive zero points of that part of the evaluation.**

### **6.3 CONTRACTUAL ISSUES**

The contractual terms to be negotiated include for example the following:

1. Payment terms
2. User training by Licensor
3. Governing law and jurisdiction
4. Compensations
5. Limitation of liability
6. Breach of agreement and termination

**These terms shall be negotiated with the selected tenderer. Unless the negotiations are concluded 31.12.2009 at the latest FinELib has the right to cancel the procurement decision and start negotiations with the second best tenderer.**

*See the attached model agreement for proposed wording of the clauses and indicate in grid in Tender document 3 acceptance and possible comments.*

Attachments:

Tender document 1  
Tender document 2  
Tender document 3  
Pricing grid  
Title list  
Model agreement