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Enclosure A Memorandum of Information No. 2 dd March 8, 2017

The Defence Materiel Organisation (DMO) of the Netherlands Ministry of Defence (NL MoD) has published a Tender for the delivery of Sports Utility Vehicles (SUV's) 4x4 Aftermarket Ballistic and Blast protected including parts supply, maintenance, repairs and technical support.

The publication is published on the TenderNed website with number 2017/S 040-073841 on February 23<sup>rd</sup>, 2017. This publication is also published on February 25<sup>th</sup>, 2017 on the TED EU website with number 73841-2017.

Enclosed you will find the Memorandum of Information No. 2

**Note:** The request to participate must be sent by using the following email address: [Offertes.DMO@mindef.nl](mailto:Offertes.DMO@mindef.nl).

Yours sincerely,

  
Mariëlla van der Steen  
Project Procurement Officer

Memorandum of Information II dd March 8, 2017  
 Delivery of Sports Utility Vehicles (SUV's) 4x4 Aftermarket Ballistic and Blast protected including parts supply, maintenance, repairs and technical support.

Question/ Remark No.	Document	Page	Paragraph Number	Question/ Remark	Answer
1	Selection Guide	10	2.9	<p>You state that Industrial Participation (IP) will be applicable. IP usually is used in procurement of large specifically military equipment. This type of armored SUV's normally are not specifically military as they are also used by police-forces, other authorities as foreign representations (Ministry of Foreign Affairs) and private companies and persons. As we produce only armored vehicles, IP could only exist in the purchase of (minor) parts of the ordered vehicles. Could that be the scope of IP, or would you reconsider applying IP at all?</p>	<p>Armoured SUV's are considered to be dual-use objects (military and civilian usage) and as such Industrial Participation (IP) is applicable. Selected candidates will be approached by employees of the Dutch Ministry of Economic Affairs to explain and negotiate about the functional implementation of the IP-contract. This does not necessarily have to be sourcing parts of the armored SUV, but can be filled in by others means as well. All options will be looked at during the bilateral negotiations.</p>
2	Selection Guide	11	3.1	<p>You state that GCC or EU specification depends on the final destiny of the vehicles. Are these destinations for the complete lifetime of the SUV, or will the vehicles be used in several parts of the world or moved around? Specifically, for Euro5 or Euro6 vehicles, the fuel quality is very important, these vehicles can principally only be used in Europe (Europe grade fuels). Military grade fuel is not suitable for these types of engines.</p>	<p>The contracting authority is aware of the fact that poor fuel quality can affect the reliability of Euro 5 and Euro 6 engines. Therefore the vehicles shall stay at their final destinies for the entire lifetime, e.g. GCC spec vehicles shall stay outside Europe and EU spec vehicles shall stay within.</p>

3	Selection Guide	11	3.1	<p>You state that vehicles must have a Life of Type of 5 years. Most aftermarket armoring companies have good relations to the OEM's of the base vehicles, but will not be informed on such a long notice on vehicle type/model changes. To what extent do you determine LoT? Is a face-lift still within LoT? Is a model-change (different body, different/updated/upgraded engine) or a generation change a new LoT? What if the OEM suddenly, during the execution of the contract, introduces a new generation to launch within 6 months? It is likely that a couple of typical base-vehicles for armored SUV's (rumours to that effect go around) are to be succeeded with new generation vehicles within 5 years from now.</p>	<p>The contracting authority considers a face-lift within the LoT, a model or generation change not. The framework agreement has a relative short duration of four (4) years. As model or generation changes would oblige armoring companies to redesign and recertify their vehicles, which is a time-consuming event, no major problems are expected during the execution of the framework agreement. Besides that, stock base vehicles usually stay available a couple of years after the termination of production.</p>
4	Selection Guide	11	3.1	<p>Can you indicate what types of maintenance you think of, that will be incorporated in the maintenance contract for the different parts of the world? Maintenance on the base-vehicle, maintenance on the aftermarket additions (armoring, electronics etc), damage repair and so forth?</p>	<p>Specific information about maintenance will be supplied to the selected candidates in the award stage. In general each LoT will be combined with a maintenance agreement comprising of a total maintenance solution.</p>
5	Selection Guide	12	3.2	<p>Lot 2 has a mix-specification whereas the VR9 vehicles are Lot 1 GCC and Lot 4 EU. Are these vehicles intended to be moved around and put into service in different parts of the world if demand so dictates? See also question 2.</p>	<p>What is looked-after concerning this specific subject matter is the flexibility to order either GCC or EU spec vehicles from this LoT 2 without creating a separate fifth LoT.</p>

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6.	Selection Guide	12	4	<p>For all declarations: they will be presented to the candidate in the official language of the country of origin of the candidate. Does that suffice, or do we need to provide a translation into either English or Dutch?</p>	<p>Requests to participate may only be submitted in the English language, see paragraph 2.3 of the Selection Guide. The declarations can be presented in the official language of the country of origin of the candidate, if they are provided with a translation into the English language. The translation is at sole risk for the candidate.</p>
7	Selection Guide	13	4.3.1	<p>You require a signed certified paper copy of the registration in the trade register (or equivalent). In 2.1 (page 8) you specify that the request to participate must be sent by e-mail. How can we, other than scanning into a pdf-document, provide you with a "certified paper copy" if we are only allowed to use e-mail?</p>	<p>Scanning into a PDF-document and sending it per email is allowed.</p>
8	Selection Guide	14	4.3.2.B	<p>We have to provide proof that we are able to perform series production. 4.3.3 dictates that to prove this requirement references need to be given. Only a limited number of customers provide us with consent to use their order as a reference. Do these references need to add up to 32 vehicles in the last 4 years, or can we prove this capability, along with some references also on the volume of turnover in our company on armored SUV's? Can a single order of minimum 32 vehicles be used as proof as well?</p>	<p>For showing this core competency a single order of 32 vehicles or a plurality of separate orders of different size with various levels of ballistic protection can be used as a reference. The Contracting Authority considers a proof of the volume of turnover not as a valid reference.</p>
9	Selection Guide	15	4.3.2.C	<p>We need to submit official items of evidence regarding our facilities. Other than the free format with maximum 4 pages as indicated in 4.3.3, what official items do you require?</p>	<p>There are no official items required on this subject matter.</p>

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10	Annex A	20	Part C	<p>The paragraph numbers on the first 3 bullets seem to miss. Do these need to be 4.3.2 (all sub's?), 4.3.1. and 4.3.2 A respectively?                  What did you intend to include as 4th bullet?                  Or can the latter be erased in the editable document?</p>	<p>The paragraph numbers on the first 3 bullets need to be 4.3.2 B and C, 4.3.1. and 4.3.2 A respectively. The 4th bullet can be erased.</p>
11	Annex A	20	Part C	<p>You require substantiating documents for all items mentioned in Annex A. What age may these documents have? If not at hand, we need to demand these on the moment of application as normally they require more than 10 days of processing at the competent authorities.</p>	<p>The Declaration of Conduct for Tenders must not be more than two years old. The extract from the professional or trade register or a corresponding register must not be more than 6 months old.</p>
12	Selection Guide	14	4.3.2.A	<p>AQAP 2110 is most often applicable for original equipment manufacturers (OEM). As the commercial base vehicles are a procurement item AQAP 2120 seems more appropriate. Can you please confirm whether AQAP 2110 or 2120 is applicable?</p>	<p>The contracting authority expects that compliance with the future Programmes of Requirement induces that engineering has to be done. Therefore the AQAP-2110: NATO Quality Assurance Requirements for Design, Development and Production is applicable.</p>
13	Selection Guide	12	4.1	<p>An applicant has to supply a Declaration of conduct upon request. A foreign company needs to supply a comparable document. Where can we obtain information on what this comparable document should be. Will the authority accept: 1. Good conduct certificate from the MD updated and not older than 6 months. 2. A certificate from the local internal revenue office (IRS) for good company conduct, will that be sufficient?</p>	<p>You will find information of comparable documentation on the following website: <a href="https://ec.europa.eu/growth/tools-databases/ecertis//web/evidence">https://ec.europa.eu/growth/tools-databases/ecertis//web/evidence</a></p>