



Rijkswaterstaat  
*Ministerie van Infrastructuur en Milieu*

# Descriptive Document

Name project: Maritime IV Servicepoint (MIVSP) supply of sensors RWS

Case number: 31122403

Rijkswaterstaat – Central information provision

Date: 18/05/2017

Status: Final





## Contents

### **1 Introduction—6**

- 1.1 General—6
- 1.2 Description of the assignment—7
- 1.3 TenneT—8
- 1.4 Plot-layout—9
  - 1.4.1 Lot 1: Nautical radar (NR)—9
  - 1.4.2 Lot 2: Bird detection system (BD)—9
  - 1.4.3 Lot 3: LiDAR—9
  - 1.4.4 Collaboration sensor suppliers with the Site integrator—9
- 1.5 Result of the tender/duration and effective date agreement—9
- 1.6 Market consultation—10
- 1.7 Security—10

### **2 Rijkswaterstaat—12**

- 2.1 Mission Rijkswaterstaat—12
- 2.2 Organisation—12
- 2.3 Rijkswaterstaat Central Information Provision—12

### **3 Tender procedure—13**

- 3.1 General—13
- 3.2 Address details RWS-CIV—13
- 3.3 Planning—13
- 3.4 Publication—14
- 3.5 Information—14
  - 3.5.1 General intelligence—14
  - 3.5.2 General information meeting—14
  - 3.5.3 Individual information—15
- 3.6 Tender—15
  - 3.6.1 Submitting tender—15
  - 3.6.2 Opening tenders—15
- 3.7 Assessment process—15
  - 3.7.1 Step 1: Tender criteria and conditions—16
  - 3.7.2 Step 2: Grounds for exclusion—16
  - 3.7.3 Step 3: Suitability requirements—16
  - 3.7.4 Step 4: Awarding criteria—17
- 3.8 Awarding decision—17
- 3.9 Lot 2 Bird detection system (BDS): Proof of Concept and awarding decision—17
  - 3.9.1 Proof of Concept (PoC)—17
  - 3.9.2 **Award decision**—18
- 3.10 Project Start Up—19
- 3.11 Complaints with regard to the tender procedure—19

### **4 Tender criteria and conditions—20**

- 4.1 General—20
- 4.2 Documents to be issued—20
  - 4.2.1 Documents to be issued while tendering—20
  - 4.2.2 Criteria for documents to be issued upon tendering—21
  - 4.2.3 European Single Procurement Document (ESPD)—21



- 4.2.4 Rely on third party/parties—21
- 4.2.5 Supporting documents to be issued on request, shortly before awarding decision—21
- 4.2.6 Declaration of conduct for tenderers—22
- 4.3 Conditions—22
- 4.3.1 Interim termination of tender procedure—22
- 4.3.2 Acceptance term—22
- 4.3.3 General conditions—22
- 4.3.4 Contradictions, imperfections and/or objections—22
- 4.3.5 Dutch and English language—23
- 4.3.6 No compensation concerning procurement costs—23
- 4.3.7 Group relationship—23
- 4.3.8 Combination—23
- 4.3.9 Lots—23
- 4.3.10 Additional assignments—23
- 4.4 Social Conditions—23

## **5 Grounds for exclusion and suitability requirements—25**

- 5.1 General—25
- 5.2 Grounds for exclusion—25
- 5.3 European Single Procurement Document (ESPD)—25
- 5.3.1 Insider information and Conflict of interests—25
- 5.4 Suitability requirements—25
- 5.4.1 Financial and economic standing—25
- 5.4.2 Professional qualification—25
- 5.4.3 Technical competence or professional aptitude—25
- 5.4.3.1. Core competences Lot 1: Nautical Radar—26
- 5.4.3.2. Core competences Lot 2: Bird detection—26
- 5.4.3.3. Core competences Lot 3: LiDAR—27
- 5.4.3.4. Requirements on references to be submitted:—28
- 5.4.3.5. Quality management—28
- 5.4.3.6. Sustainable development—29

## **6 Awarding—31**

- 6.1 General—31
- 6.2 Requirements with regard to the services to be provided or products to be delivered—31
- 6.3 Awarding criteria—31
- 6.3.1 Awarding criterion 1: Price—32
- 6.3.2 Awarding criterion 2: Quality—32
- 6.3.3 Awarding criterion lot 1: Nautical radar—32
- 6.3.4 Awarding criterion lot 2: Bird detection system—32
- 6.3.5 Awarding criterion lot 3: LiDAR—32
- 6.4 Assessment awarding criteria—32
- 6.4.1 Assessment of the awarding criterion 1: Price—32
- 6.4.2 Assessment of the awarding criterion 2: Quality—33
- 6.4.3 Minimum score—33



# 1 Introduction

## 1.1 General

Rijkswaterstaat Central information provision (RWS-CIV) at Delft is carrying out an open European tender procedure.

The tender concerns the following assignment:

To supply sensors for RWS as part of Maritime Information Provision Service Point (MIVSP) and VTS stations with case number 31122403 in three lots.

While determining the tender procedure, RWS-CIV has observed the size and the complexity of the assignment, the number of potential tenderers, the transaction costs and the market character.

This document provides additional information about the progress of the tender procedure, the requirements the (content of the) tender must adhere to, the suitability requirements and the awarding criteria.

With this document the following tender documents are issued as listed in the table below.

Normative documents contain requirements that are set as part of the current tender. Normative documents are an integral part of the assignment.

Informative documents contain recommendations and/or context information for a better understanding and/or are indicative only.

Appendix	Normative documents	Format
	Announcement	
	Descriptive document	PDF
1	European Single Procurement Document (ESPD)	PDF
2	Quality management system	Word
3	Sustainable development	Word
4	Social conditions	PDF
5	Core competences (Reference project)	Word
6	Required specification General (VSA) Nautical Radar	PDF
7	Required specification Criteria (VSE) Nautical Radar	PDF
8	Required specification General (VSA) Bird detection system	PDF
9	Required specification Requirements (VSE) Bird detection system	PDF
10	Required specification General (VSA) LiDAR	PDF
11	Required specification Requirements (VSE) LiDAR	PDF
12	Awarding criteria plot 1: Nautical Radar	Word
13	Awarding criteria plot 2: Bird detection system	Word
14	Awarding criteria plot 3: LiDAR	Word
15	Financial offer plot 1	Excel
16	Financial offer plot 2	Excel
17	Financial offer plot 3	Excel
18	Concept framework agreement plot 1	PDF
19	Concept further agreement plot 1	PDF



20	Concept agreement plot 2	PDF
21	Concept agreement plot 3	PDF
22	Concept Proof of Concept agreement (PoC)	PDF
23	ARVODI-2016 conditions	PDF
24	Separation of Interests policy document	PDF
25	DNV GL Rules and standards, <a href="https://www.dnvgl.com/">https://www.dnvgl.com/</a>	PDF
26	Employer's Requirements TenneT, Borssele Alpha and Beta Platforms, ONL-TTB-03871	Word
27	Training and Medical Requirements, GI 08-01-10, DONG Energy Wind Power.	PDF
28	Training Matrix overview	PDF

Informative documents/info
Electronic signature tips and tricks v1.0 date 15-4-2016 (pdf)
<i>Six steps to bidding for public procurement contracts online</i>
<a href="https://www.tenderned.nl/tenderned-english-online">https://www.tenderned.nl/tenderned-english-online</a>

In the abovementioned tables, a distinction is made between normative and informative documents. Normative documents contain requirements that are set as part of the current tender. Normative documents are an integral part of the assignment. Informative documents contain recommendations and/or context information for a better understanding and/or are indicative only.

## 1.2 Description of the assignment

The assignment to be contracted, as specified in the accompanying tender documents, concerns the supply of three (3) types of sensors as part of "offshore data collection and transport service" and RWS VTS systems:

1. Nautical radar
2. Bird detection system
3. LiDAR

For the service "offshore data collection and transport service" RWS-CIV was requested by the Ministry of Economic Affairs, due to their expertise in the field of information provision, to set up this service.

With the (SER) Energy agreement, the Dutch government wants, inter alia, to substantially increase the share of wind energy in the Dutch energy mix. For that reason, the Dutch government has three (3) wind regions developed/in development (phased) near the Dutch coast.

1.	<b>Borssele</b>
2.	Dutch coast (south)
3.	Dutch coast (north)

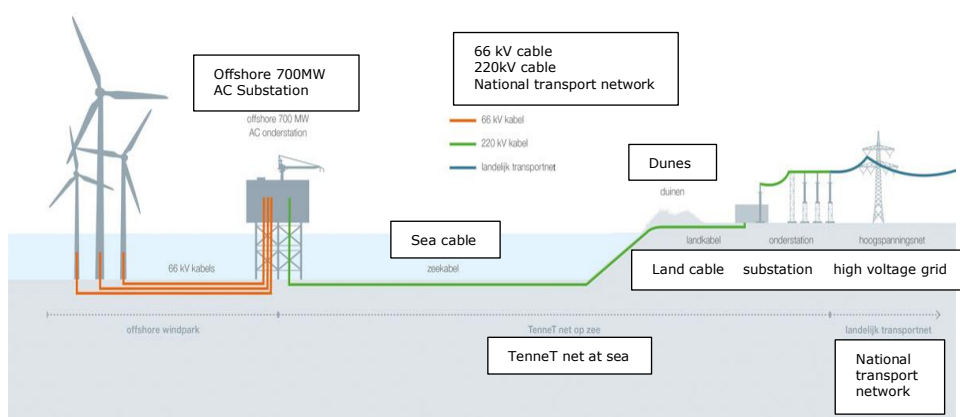
See also [https://www.noordzeeloket.nl/en/functions-and-use/Maritime\\_wind\\_energy/](https://www.noordzeeloket.nl/en/functions-and-use/Maritime_wind_energy/)

RWS-CIV will see to the IV service provision for the mentioned wind regions.

These three (3) new wind regions will be connected to the national high voltage grid, via the Net at Sea program.



In accordance with the Electricity Act 1998, TenneT was appointed network operator at sea. TenneT has to use wind energy at sea on the basis of the development framework (<https://www.rvo.nl/sites/default/files/2016/10/Outwikkelkader%20windenergie%20op%20zee.pdf>) until 2023 with five (5) Platforms (in the aforementioned 3 wind energy areas), as well as the electricity cables by sea and land and a transformer station on land with the connection to the national high-voltage grid.



(Source: TenneT)

During the exploitation phase TenneT and wind park owners are depending on different sensors and communication systems on the platforms and wind turbines. Additionally, several sensors are compulsory from the licence requirements and (international) legislation. Furthermore other (government) organisations have expressed that they are interested in having an installation point for sensors in the North Sea, and/or to be able to dispose of data gathered at these locations. The platforms of TenneT and the IV infrastructure present there, offer appropriate opportunities and significant (cost) benefits, i.e. construction costs.

The information requirements of TenneT, the wind park owners and (government) organisations are largely overlapping. It is desirable to organise this in a centralised way to gain synergy benefits and contribute to the cost reduction objective of 40% on wind energy, established in the Energy Agreement.

Since the core business of TenneT is taking care of the high voltage grid in The Netherlands, the supply of different IV services is not.

RWS-CIV is regarded by TenneT and the Ministry of Economic Affairs as the most suitable IV service provider for the (semi-)government in the nautical field. RWS-CIV has experience with infrastructures on the North Sea and considers the role of 'data broker' as one of its core competences. Both matters provide a basis for the organisation of the MIVSP project to be able to satisfy the abovementioned data needs.

Besides MIVSP, RWS wishes to purchase nautical radars in the next 5 years with Plot 1 of this tender for VTS locations (new and existing) in her role as nautical VTS operator and/or data broker.

### 1.3

#### TenneT

Between now and 2023, TenneT will build the five (5) standardised platforms in:

	Area		Operational
1.	Borssele	Alpha	2019



	Area		Operational
2.	Borssele	Beta	2020
3.	Dutch coast (south)	Alpha	2021
4.	Dutch coast (south)	Beta	2022
5.	Dutch coast (north)	Alpha	2023

(No rights can be derived from the abovementioned planning)

Options in this tender:

This tender concerns the areas:

1. Borssele Alpha
2. Borssele Beta

The other wind regions are optional.

#### 1.4 Plot-layout

The tender will be divided into three (3) plots. While determining the assignment, the relevant market and access to the assignment for enough small and medium-sized enterprises (SME) were taken into account.

Regarding the RWS-CIV service "offshore data collection and transport service" the below mentioned lot layout was chosen:

Lot 1: Nautical radar;

Lot 2: Bird detection system;

Lot 3: LiDAR.

##### 1.4.1 Lot 1: Nautical radar (NR)

Lot 1 is an envisaged framework agreement for the supply of multiple sorts and types of radar systems for the benefit of Rijkswaterstaat. For more information see Appendix 6 (VSA) and Appendix 7 (VSE) of the nautical radar.

##### 1.4.2 Lot 2: Bird detection system (BD)

Lot 2 is an intended service and delivery agreement for the delivery of bird detection systems within the framework of the MIVSP project. For more information see Appendix 8 (VSA) and Appendix 9 (VSE) of the Bird Detection System.

##### 1.4.3 Lot 3: LiDAR

Lot 3 is an intended service and delivery agreement for delivering LiDAR in the context of the MIVSP project. For more information see Appendix 10 (VSA) and Appendix 11 (VSE) of the LiDAR system.

##### 1.4.4 Collaboration sensor suppliers with the Site integrator

The Site Integrator (SI) will integrate the different intended sensors, including the LiDAR, Nautical Radar and the Bird Detection system, on the installation locations. The SI is responsible for the positioning of sensors on the platform.

On the platform, TenneT is responsible for the plannable maintenance, whereas the SI is for the non-plannable maintenance. The SI is the first point of contact and is required to organise this maintenance.

Since the SI has a large role, the tasks and responsibilities of the SI, in the included VSA's, are described in relation with the contractors (sensors). The activities of the SI will be tendered via a separate tender.

#### 1.5 Result of the tender/duration and effective date agreement



The purpose of this tender is to achieve the following per lot:

Lot	Contract form	Detail	Suppliers
Lot 1: Nautical radar	Framework agreement	Further agreement	Max. 5
Lot 2: Bird detection system	Services and Delivery agreement	Basic delivery with options	1
Lot 3: LiDAR	Services and Delivery agreement	Basic delivery with options	1

All of the above (framework) agreements are concluded for deliveries for a period of five (5) years, this term is tuned to the TenneT building planning of the five (5) platforms, or so much longer to the last platform. Maintenance on the sensors can be terminated until ten (10) years after delivery of the sensors. Contracts are signed by RWS-CIV and the Contractor.

## 1.6 Market consultation

In November 2016, RWS-CIV performed a small market research with market parties to be able to determine the opportunities for a nautical radar system on and around platforms.

The key question of the market research was: *are any solutions possible, coming from the market, is it technically possible and what will be the price of such a solution?*

The outcome was that the delivery of a well-functioning system on/around a platform is possible.

A market consultation took place in March 2017 for the entire tender, with the aim of:

- Assess the intended purchase and tender strategy;
- Gain insight in the feasibility of the project;
- Gain insight in the feasibility of the current planning;
- Gain insight in underexposed aspects;
- Gain insight in focus areas.

As a result of the outcomes of the market consultation, + it was decided to divide the tender into two (2) separate tenders:

1. MIVSP supply of sensors RWS
2. MIVSP site integrator (Q2 2017)

All outcomes of the market consultation are further developed in these tender documents.

## 1.7 Security

Security is an integral part of the Information provision of RWS and is designed to assure the availability, integrity, confidentiality and verifiability of the Information provision.

Information provision is defined as the full range of instruments, data collection and organisational establishments, that serves the provision of information.

The Baseline Information security Rijksdienst (BIR) prescribes the basic level for information security at the Central Government. The BIR has one set of standards for the security of the Information provision (IV) of the Government.

See for more information (Dutch):

[http://www.earonline.nl/index.php/Overzicht\\_Baseline\\_Informatiebeveiliging\\_Rijksdienst\\_\(BIR\\_2012\)](http://www.earonline.nl/index.php/Overzicht_Baseline_Informatiebeveiliging_Rijksdienst_(BIR_2012))



In case of outsourcing of parts of the Information provision, security must be acknowledged and assured in the agreed service provision and/or the recognized instruments, creating guarantees for the parties involved, in terms of:

1. Availability of the service provision and/or the instruments (operating period taking account of downtime, malfunctions, incident response, repair times and continuity).
2. Integrity of the data/information (correctness, punctuality and completeness).
3. Confidentiality (only authorised people will have access to the system and information).

Both Customer and Contractor have their responsibility where security is concerned. The Contractor is expected to be cooperative, pro-active and innovative in order to organise and maintain security conform BIR.

Contractor is required to take organisational, (management) procedural and technical security measures that fulfil the BIR requirements and other required security measures.

Enforcement of the organised security level and measures conform the BIR has high priority. To that end, the Customer security can allow audits to be carried out by an independent third party.

Customer will always provide the most recent version of the measures, deriving from its Security policy, frameworks and the BIR to Contractor, enabling Contractor to develop and implement a security plan.



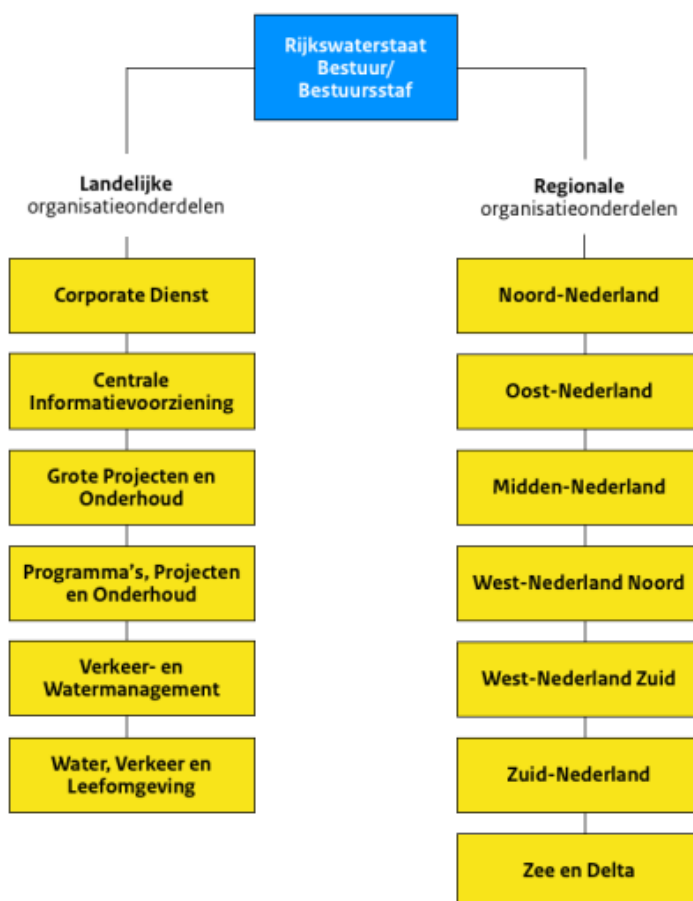
## 2 Rijkswaterstaat

### 2.1 Mission Rijkswaterstaat

Rijkswaterstaat is the implementing organisation of the Ministry of Infrastructure and Environment and works towards making The Netherlands safe, habitable and reachable, on a daily basis.

### 2.2 Organisation

The organisation chart of RWS is as follows:



You can find more information on <https://www.rijkswaterstaat.nl/english/index.aspx> about doing business with Rijkswaterstaat

### 2.3 Rijkswaterstaat Central Information Provision

Rijkswaterstaat Central information provision ensures the development and availability of information within Rijkswaterstaat. RWS-CIV ensures industrial automation at bridges, tunnels, national roads and other objects. In addition, RWS-CIV realises the office automation of Rijkswaterstaat.



## 3 Tender procedure

### 3.1 General

The tender procedure takes place on the basis of the changed Procurement Law 2012, in which the European directive 2014/24/EU for labour, supply and services was implemented. The definitions of the Procurement Law therefore are applicable. The tender takes place in accordance with the open procedure.

The open procedure is a procedure allowing all entrepreneurs to tender. The tender procedure is carried out electronically by means of TenderNed: [www.tenderned.nl](http://www.tenderned.nl).

In order to participate in the tender procedure, an entrepreneur must be registered in TenderNed. The "Usage Conditions TenderNed" are applicable.

An entrepreneur is expected to have all knowledge required to be able to correctly follow the tendering procedure in TenderNed.

Use of TenderNed is for the account and risk of the entrepreneur, except as stipulated in the last part of paragraph 3.7.1.

The documents to be signed by the entrepreneur must have a qualified electronic signature with security level IV (PKI government certificate or EU Qualified certificate).

### 3.2 Address details RWS-CIV

RWS-CIV  
Attn. InkoopCentrum IV  
Derde Werelddreef 1  
2622 HA Delft

Purchasing advisor:  
Name: Renée van Ophem  
RWS-CIV – Department InkoopCentrum IV

Communication with regard to this tender is done exclusively via TenderNed.

### 3.3 Planning

With regard to the tender procedure the following planning applies:

Activity	Date
Publishing announcement	18 May 2017
Deadline registration and submitting questions for the Information meeting	29 May 2017
Information meeting: Nieuwegein Business Centrum (NBC)	31 May 2017 11.00am - 1.00pm
Deadline for the submitting of questions	9 June 2017
Deadline answering the questions (information notice)	13 June 2017
<b>Deadline for the tendering</b>	<b>23 June 2017, 2.00pm</b>
Submitting notification of the awarding decision	17 July 2017



Proof of Concept (PoC): Lot 3 Bird detection system	TBA
Last day standstill period	7 August 2017

RWS-CIV reserves the right to change the planning. The planning included in TenderNed prevails.

As soon as possible after the standstill period, the agreement will be signed.

### 3.4 Publication

The tender documents are published via TenderNed ([www.Tenderned.nl](http://www.Tenderned.nl)). They can be downloaded by anyone who is interested.

### 3.5 Information

The tender documents, including the English translations, have been compiled with the utmost care. RWS-CIV expects entrepreneurs to make enquiries themselves about remaining relevant conditions and information regarding the assignment.

Any entrepreneur can enquire about this tender in the way as described below.

Questions about this tender can be submitted until the deadline, such as stated in paragraph 3.3, through TenderNed, 'Questions and Answers'. The contracting entity will answer the questions as soon as possible, via TenderNed.

Questions must be clearly and unambiguously formulated with a reference to the part of the tender documents that the question refers to. Questions will be answered by the contracting entity, by use of TenderNed, 'Questions and Answers'.

The questions asked via TenderNed and the answers given, will be recorded by the contracting entity, after closing of the term for intelligence, in an information notice. This notice will be published on TenderNed.

Communication takes place exclusively via TenderNed.

The entrepreneur is not permitted, as part of this tender procedure, to maintain contact or ask questions in any other way than through TenderNed. Breaching of these communication rules may lead to exclusion of the tender.

#### 3.5.1 General intelligence

The depersonalised questions of entrepreneurs and the response to them are published on TenderNed. The published general information notice is part of the tender documents. In the event of inconsistency, the general information notice will supersede previously published tender documents.

#### 3.5.2 General information meeting

During the general information meeting on

**Wednesday 31 May 2017 from 11.00 am until 1.00pm,**

RWS-CIV will give an explanation concerning the tender and the assignment. If possible, RWS-CIV will give a provisional answer on the questions submitted.

Entrepreneurs cannot derive any rights from these provisional oral answers. The questions will receive a final answer on TenderNed.



**Location:**  
**Nieuwegein Business Centrum**  
**Blokhoeve 1**  
**3438LC Nieuwegein**

Registering for the general information meeting can be done until **Monday 29 May 2017** (See paragraph **3.3**), through TenderNed, 'Messages'.

#### 3.5.3 *Individual information*

An entrepreneur can send a reasoned request to RWS-CIV to not include certain information in the general information notice if publication of this information could damage the justified economic interests of the enterprise. RWS-CIV will consider whether inclusion in the general information notice would indeed harm the justified economic interests of the entrepreneur. In that case, RWS-CIV will provide the entrepreneur with the relevant individual information.

Individual questions concerning this tender can be submitted until the deadline, as mentioned in paragraph 3.3, by use of TenderNed, 'Questions and answers'.

In case RWS-CIV considers the information not to be of justified economic interest, the entrepreneur is required to indicate whether he wants the question answered by means of a general information notice or prefers to withdraw the question.

Individual information notices are subordinate to the general information notices.

### 3.6 **Tender**

#### 3.6.1 *Submitting tender*

The tender must be registered **per lot on Friday 23 June 2017 at 2.00pm** at the latest, where the TenderNed clock is determining. At that time the tender term ends whereupon the digital vault in TenderNed will be closed. The mentioned time and date are the deadline time and date for reception of the tenders.

All documents to be issued upon tender must be submitted in pdf-format by use of TenderNed. In paragraph 4.2.1, a table is included that provides an overview of all documents to be issued upon tender, and which must be electronically signed, some of them with a qualified electronic signature with security level IV (PKI government certificate of EU Qualified certificate).

In case TenderNed is not accessible at the time of the deadline for reception of the tender, as a result of a failure during e-recognition, in TenderNed or in the high voltage grid, then force majeure is applicable.

In such cases the latest time for reception of the tenders, depending on the situation and the consequences, may be delayed by the contracting entity. A changed deadline for reception of the tenders will be published via TenderNed, 'Rectification'.

#### 3.6.2 *Opening tenders*

Opening of the digital vault is not public.

### 3.7 **Assessment process**



Prior to the tender-opening session, the assessment methodology is drawn up. This assessment methodology is defined in an assessment instruction, which is an RWS-CIV internal document that is not made available to tenderers. Please find below the information about the assessment methodology that is relevant for entrepreneurs.

RWS-CIV uses assessments on the basis of expert opinion. This means that an assessment team of experts forms a professional judgment, based on the own knowledge and expertise. In order to assure objectivity, the assessment team is assembled in such a way that all relevant disciplines are represented. The criterion is that for each part of the assessment there are at least two persons with the necessary expertise in the team.

Each assessor first assesses the tenders individually conform the instructions included in the assessment instruction. Afterwards all assessors join the assessment meeting. The tenders are discussed by the entire team to reach a careful assessment.

The results of this assessment process lead to an awarding advice to the customer within RWS, for this tender.

RWS-CIV retains the right to ask tenderers to clarify details and to verify the information provided by the tenderer at any time.

The assessment process includes a number of steps:

- 3.7.1 Tender criteria and conditions*
- 3.7.2 Grounds for exclusion*
- 3.7.3 Suitability requirements*
- 3.7.4 Awarding criteria*

The assignment will be awarded to the tenderer with the most economically advantageous tender with the best price-performance ratio (MEAT-BPPR).

Applicable for all lots: should multiple tenderers for a lot score the same number of points, making it impossible to determine the highest ranking, then the order of precedence of the tenderers with the same number of points shall be determined by drawing lots.

#### *3.7.1 Step 1: Tender criteria and conditions*

Based on the documents issued upon tendering, it is assessed whether the tender meets the tender criteria and conditions. A tenderer who does not comply, may be excluded from the further procedure.

The tender criteria and conditions are further described in chapter 4.

#### *3.7.2 Step 2: Grounds for exclusion*

Tenderers to whom one or more grounds for exclusion are applicable, will be excluded from the further procedure, unless in the Uniform European Tender document (see appendix 1) "self-cleaning" measures were included on the basis of which RWS-CIV decides after all to allow access to the tender procedure.

The grounds for exclusion are further discussed in chapter 5.

#### *3.7.3 Step 3: Suitability requirements*

Tenderers who do not meet one or more suitability requirements are excluded from further procedure.

The suitability requirements are described in chapter 5.



#### 3.7.4

##### *Step 4: Awarding criteria*

Tenderers who have successfully proceeded through steps 1-3, must meet the requirements with regard to the awarding and subsequently assessment takes place on the basis of the awarding criteria.

The awarding criteria are described in chapter 6.

### 3.8

#### **Awarding decision**

After the assessment procedure is fully completed and ranking has taken place, RWS-CIV will simultaneously inform each tenderer about the awarding decision, stating relevant reasons.

RWS-CIV will not communicate certain details concerning the awarding decision if in their opinion the publication of those details:

- Would impede law enforcement;
- Would be contrary to the public interest;
- Could possibly harm the justified economic interests of entrepreneurs; or
- Would impair the fair competition.

If a tenderer has objections to the awarding decision of RWS-CIV, he is required, by notification of a summons, to have instituted preliminary relief proceedings within the standstill period.

In case within the standstill period, by notification of a summons, a preliminary relief proceedings was instituted, RWS-CIV will not proceed to conclusion of the agreement until in preliminary relief proceedings a judgement is rendered.

The standstill period is an expiry period. If within the standstill period no preliminary relief proceedings was instituted, the tenderers can make no more objections against the awarding decision and their relevant rights have expired. In that case RWS-CIV is free to proceed its awarding decision.

In case RWS-CIV should decide not to award the assignment, they shall notify tenderers as quickly as possible, stating the reasons.

If not within 7 days after forwarding of this decision a preliminary relief proceedings was instituted, the tenderers can make no more objections against the awarding decision and their relevant rights have expired.

### 3.9

#### **Lot 2 Bird detection system (BDS): Proof of Concept and awarding decision**

#### 3.9.1

##### *Proof of Concept (PoC)*

After the assessment procedure is completed and a ranking has taken place, RWS-CIV will invite only the particular tenderer, who submitted the "Most Economically Advantageous Tender" to perform a Proof of Concept (PoC), at the price offered in the quote.

The most important substantive goals of the PoC are:

- 1) Showing that the BDS can deal with sea clutter & other reflections (turbines).
- 2) Showing that the BDS complies with the provided coverage diagrams with bird detection.
- 3) Showing that the BDS can deal with turbine blades during flux measurements in vertical direction beneath the turbine.
- 4) Functionality of the software package (as part of the implementation of the measure).



Assessment whether the BDS complies with the delivered descriptions of quality aspects will also take place.

The PoC will be carried out at a coastal location in The Netherlands (exact location to be determined).

- This location will provide a clear view at sea and (inter alia) dealing with sea clutter will be verified;
- At this location (or elsewhere nearby) wind turbines will be present, so that it can be demonstrated how the BDS deals with reflections of structures;
- At this location (or elsewhere nearby) wind turbines will be present, so that it can be demonstrated how the BDS deals with disruptions in the vertical plane, as a result of the rotating turbine blades;
- During the PoC, bird specialists will attend to validate the detected targets in the field. Targets will be, for instance, birds that are flying in the vicinity, within the specified distance range.

The supplier is required to make the necessary equipment available and also to demonstrate it. In addition the supplier is responsible for the transport to and from the location.

During the PoC the below mentioned facilities will be made available by customer:

- Facility for execution at representative height of approx. 18 metres (e.g. dike);
- Necessary licenses & permissions of managers
- An assessment team including future data users and bird specialists

The PoC will be carried out over a two days' period, under representative weather conditions. The PoC should take place within two (2) months after provisional awarding.

The outcome of the PoC could be:

1. all requested aspects were well applied in practice, or;
2. the findings show that the requested aspects were not properly applied in practice.

In the first case RWS-CIV will proceed with submitting the notification of the awarding decision to all tenderers.

In the second case the tenderer will, just once, during a maximum of five (5) working days, have the opportunity to implement all shortcomings, recommendations and improvements from the audit, and submit them for ratification to RWS-CIV once again.

If the approval cannot be granted, RWS-CIV will terminate this PoC and proceed with a similar procedure with the tenderer, who ended in 2<sup>nd</sup> place in the assessment. Also this tenderer will need to follow the same procedure. This process will continue up to the moment that a tender fully complies with the stipulated conditions.

RWS-CIV has the right to terminate the process at any time. In such a case the further trajectory of the tender will be communicated, obviously appropriately within the applicable regulations for European tenders.

### 3.9.2

#### **Award decision**

After the PoC was successfully performed, RWS-CIV will notify each tenderer simultaneously of the awarding decision, stating relevant reasons.



RWS-CIV will not communicate certain details concerning the awarding decision if, in their opinion, publication of those details:

- Would impede law enforcement;
- Would be contrary to the public interest;
- Could harm the justified economic interests of entrepreneurs; or
- Would impair the fair competition

If a tenderer has objections to the awarding decision of RWS-CIV, he is required, by notification of a summons, to have instituted preliminary relief proceedings within the standstill period.

In case within the standstill period, by notification of a summons, a preliminary relief proceedings was instituted, RWS-CIV will not proceed to conclusion of the agreement until in preliminary relief proceedings a judgement is rendered.

The standstill period is an expiry period. If within the standstill period no preliminary relief proceedings was instituted, the tenderers can make no more objections against the awarding decision and their relevant rights have expired. In that case RWS-CIV is free to proceed its awarding decision.

### **3.10 Project Start Up**

As soon as possible after signing the agreement, a Project Start Up (PSU) will take place with contractor, initiated by RWS-CIV. During the PSU, before commencement of the project, RWS-CIV and contractor discuss their mutual expectations concerning the project objectives, the communication lines, the work methods including the functioning of the quality assurance, and agreements will be made about how to escalate things.

### **3.11 Complaints with regard to the tender procedure**

In response to the advice 'Complaints handling in tendering' Rijkswaterstaat has organised a complaints desk.

Complaints with regard to the tender procedure can be filed at the Central Complaints desk Tender Rijkswaterstaat, at the email address: [klachtenmeldpunt@rws.nl](mailto:klachtenmeldpunt@rws.nl).

Complaints may relate to non-compliance of statutory provisions or infringement of general procurement principles.

A complaint must be filed in writing and should clearly and substantively indicate which aspect of the tender procedure the complaint is referring to. A complaint will be handled by expert officials who are not or will not be involved with the current tender procedure. A complaint will be handled as soon as possible; the complainant will subsequently be informed.

Filing a complaint shall not have a suspensive effect and shall not affect the fact that a tenderer is required to timely initiate a formal objection against a procedure if and to the extent that this is applicable.

See for more information: [www.rws.nl/klachtenmeldpuntaanbesteden](http://www.rws.nl/klachtenmeldpuntaanbesteden) (dutch).



## 4 Tender criteria and conditions

### 4.1 General

By tendering each tenderer agrees with all conditions, criteria and requirements for this entire tender procedure, such as incorporated in the tender documents.

### 4.2 Documents to be issued

For the documents to be issued, a distinction is made between documents, compulsory for tendering and documents to be issued, on request of RWS-CIV, shortly before the awarding decision.

#### 4.2.1 Documents to be issued while tendering

Below mentioned table shows a summary of all documents that must be issued upon tendering

No.	Documents to be issued upon tendering	Prescribed format	Explanation in paragraph	Digital signed
0	Tendering letter		4.2.2	Yes
1	European Single Procurement Document (ESPD)	Appendix 1	4.2.3 and 5.3	Yes
2	Quality management system	Appendix 2	5.4.3.5	
3	Sustainable development	Appendix 3	5.4.3.6	
4	Social conditions	Appendix 4	4.4	
4	Core competences: Lot 1 Nautical Radar	Appendix 5.1	5.4.3.1	
	Core competences: Lot 2 Bird detection system	Appendix 5.2	5.4.3.2	
	Core competences: Lot 3 LiDAR	Appendix 5.3	5.4.3.3	
5	Approval VSE: Lot 1 Nautical Radar	Appendix 6.1		
	Approval VSE: Lot 2 Bird detection system	Appendix 6.2		
	Approval VSE: Lot 3 LiDAR	Appendix 6.3		
6	Approval VSA: Lot 1 Nautical Radar	Appendix 7.1		
	Approval VSA: Lot 2 Bird detection system	Appendix 7.1		
	Approval VSA: Lot 3 LiDAR	Appendix 6.1		
7	Awarding criterion: Lot 1 Nautical Radar	Appendix 8.1		
	Awarding criterion: Lot 2 Bird detection system	Appendix 8.2		
	Awarding criterion: Lot 3 LiDAR	Appendix 8.3		
8	Financial offer: Lot 1 Nautical Radar	Appendix 9.1	6.4.1	
	Financial offer: Lot 2 Bird detection system	Appendix 9.1	6.4.1	
	Financial offer: Lot 3 LiDAR	Appendix 9.1	6.4.1	



#### 4.2.2 *Criteria for documents to be issued upon tendering*

The tender must comply with below mentioned form requirements:

- The documents to be issued upon tendering must be submitted in the format prescribed in paragraph 4.2.1.
- The tender must be provided with an electronically signed offer letter, used for the tendering. The offer letter must contain a list of the submitted documents, as well as a statement that all documents are truthfully completed.
- In case of registering as a combination, one offer letter will suffice, to be submitted by the coordinator.
- The tender must be drawn up either in Dutch language or English language.

The documents to be signed should be signed by a legal representative of the tenderer, by means of a qualified electronic signature with security level IV (PKI Dutch government certificate of EU Qualified certificate).

#### 4.2.3 *European Single Procurement Document (ESPD)*

Using the European Single Procurement Document (ESPD), see appendix 1, the entrepreneur declares that the mandatory and the conditional grounds for exclusion, such as incorporated in Part III of the ESPD do not apply to him. In addition, the entrepreneur declares, by means of Part IV of the ESPD, that he complies with the imposed suitability requirements.

**Note:** In Part IV of the ESPD the term selection criteria is used; that term refers to the suitability requirements such as mentioned in the Procurement Law.

In case of a combination, each individual member will submit a European Single Procurement Document (ESPD) separately.

#### 4.2.4 *Rely on third party/parties*

If the entrepreneur relies on the financial strength of other entities in order to comply with the suitability requirements, the entrepreneur will indicate, in Part II.C of the UEA, for which suitability requirements he relies on the financial strength of other entities.

In case of relying on the financial strength of other entities, for each entity involved a separate UEA must be issued.

#### 4.2.5 *Supporting documents to be issued on request, shortly before awarding decision*

For the verification of the UEA, submitted with his tender, at the request to this effect from RWS-CIV, the tenderer is required to produce the supporting documents, such as incorporated in below mentioned table, through TenderNed 'Messages', as soon as possible, yet within two (2) working days after the request of RWS-CIV at the latest.

No.	Supporting documents to be issued on request, shortly before submitting notification of the awarding decision	Prescribed Format
1	(copy) Declaration of conduct for tenderers	4.2.6
2	(copy) Trade Register extract	
3	(copy) Declaration Tax authority	
4	copy of a Certificate Quality management system (if applicable)	5.4.3.5
5	copy of a Certificate Sustainable development (if applicable)	5.4.3.6

If RWS-CIV has not received the requested supporting documents within the set period of two (2) working days, or if the content does not correspond with what was set in the statements, the entrepreneur could be excluded from further participation in the tender process.



ture. For the validity period of the supporting documents we refer to art. 2.89 Procurement Law 2012.

PLEASE NOTE: Take into account the application period of the declaration of conduct for tenderers and the Declaration of the Tax Authority. It is the entrepreneur's responsibility to ensure that the Declaration of conduct Tender or Declaration Tax Authority is requested in time to be able to meet the submission deadline.

#### 4.2.6 *Declaration of conduct for tenderers*

On request of RWS-CIV, a declaration of conduct for tenderers must be produced, shortly before submitting of the notification of the awarding decision.

If in the country where he is established, no similar form exists, instead of a Declaration of conduct for tenderers, a foreign entrepreneur may use a declaration on oath or a solemn declaration made by the person concerned before a competent judicial or administrative authority or, where appropriate, a notary or a competent professional or trade body in the Member State of origin, and submit this to the contracting entity.

### 4.3 **Conditions**

#### 4.3.1 *Interim termination of tender procedure*

RWS-CIV reserves the right, in the following exceptional instances, to terminate the tender procedure partly or entirely, temporarily or permanently, if:

- There is no actual competition;
- No suitable financial, legal and/or substantive solution can be realised for RWS-CIV;
- There are other political or policy reasons.

In case of (interim) termination of the procedure, the entrepreneurs involved will be simultaneously notified, stating the reasons.

If within 7 days after submitting this decision no preliminary relief proceedings was instituted, the tenderers can make no more objections in response to this decision and their relevant rights will have expired.

The entrepreneurs involved are not entitled to any compensation.

#### 4.3.2 *Acceptance term*

The tender must be kept for 120 days after the latest date for submitting the tender.

In case a preliminary relief proceedings is instituted, concerning the awarding decision, the tenderer will live up to his tender at least until 8 calendar days after the day on which in preliminary relief proceedings a judgement is rendered.

#### 4.3.3 *General conditions*

RWS-CIV declares the General State conditions for IT-agreements (ARBIT 2016) to be applicable to this assignment.

The supply, payment and other (general) conditions of tenderer are expressly rejected.

#### 4.3.4 *Contradictions, imperfections and/or objections*

The tender documents, with accompanying appendices, were composed with care. Should the entrepreneur nevertheless encounter contradictions and/or imperfections, then the entrepreneur is required to express this to RWS-CIV as soon as possible, but in any case before the deadline of submitting questions, stating correction proposals and possibly a substantia-



tion. Also in case of any objections against (parts of) the tender documents, the entrepreneur is required to express this to RWS-CIV as soon as possible, but in any case before the deadline of submitting questions.

If afterwards it appears that the tender documents include imperfections, contradictions and/or shortcomings which were not reported by the entrepreneur, RWS-CIV cannot be imputed.

The entrepreneur is expected to demonstrate a proactive attitude. This means that the entrepreneur has no right to legal appeal on imperfections or contradictions which were not raised by him within the term mentioned, whereas this had been reasonably possible. With respect to these imperfections or contradictions, in this situation the entrepreneur's rights have expired.

**4.3.5** *Dutch and English language*

The entrepreneur's staff, responsible for the communication, must have sufficient spoken and written command of the Dutch or English language, insofar relevant at the time of this tender and for the implementation of the assignment.

**4.3.6** *No compensation concerning procurement costs*

RWS-CIV will not reimburse any costs related to the tender.

**4.3.7** *Group relationship*

When enterprises who form a relationship, tender independently, in combination or as a subcontractor, they will be excluded by RWS-CIV, unless their parent company declares, at each of their tenders, that they expressly intended to tender and that during the establishment of the tender they did not (and will not) share any of its content.

**4.3.8** *Combination*

Entrepreneurs who tender in combination are required to appoint a coordinator. The coordinator is entitled to bind the combination and act on behalf of combination. The coordinator is the organisation, on behalf of the combination, which Customer corresponds with during the term of the agreement, about the progress of the implementation. He is also the person who receives payments from the Customer. In the UEA it must indicated who the coordinator is.

Entrepreneurs who tender in combination are severally liable for the follow-up of all obligations resulting from the agreement.

**4.3.9** *Lots*

A tenderer can enroll on multiple lots.

**4.3.10** *Additional assignments*

The contractor may optionally choose to extend additional orders if there is a need for sensors other than those described in the scope of this tender. The contractor has the option to make this as an additional assignment under the terms of the Agreement (s).

**4.4** **Social Conditions**

The Central government has decided, as of 1 January 2013, to apply the "social conditions" as a sustainability criterion, in addition to environment, for all assignments above the European thresholds.



Entrepreneur is required to safeguard social conditions in his organisation. An appendix standard text Social Conditions will be added to the agreement, in which he declares that his company respects the imposed international standards and which indicates which regime and related measures are applicable, as part of the implementation of the assignment.

For the generic declaration please consult:

<https://www.pianoo.nl/public-procurement-in-the-netherlands/sustainable-public-procurement-spp>



## 5 Grounds for exclusion and suitability requirements

### 5.1 General

This chapter includes the grounds for exclusion and suitability requirements that RWS-CIV imposes upon the tenderer. In the following paragraphs RWS-CIV describes which information the tenderer is required to add to his tender in order to declare that grounds for exclusion do not apply to him and that he complies with the imposed suitability requirements.

### 5.2 Grounds for exclusion

In this paragraph RWS-CIV describes which grounds for exclusion apply to the entrepreneur.

RWS will exclude an entrepreneur from participation in the assignment in case a compulsory ground for exclusion and/or a facultative ground for exclusion is applicable to the entrepreneur, unless the entrepreneur has filled in self-cleaning measure in Part III of the UEA, on the basis of which RWS decides after all to allow the entrepreneur access to the tender procedure.

### 5.3 European Single Procurement Document (ESPD)

The ESPD includes the compulsory grounds for exclusion, as well as the facultative grounds for exclusion, declared applicable by RWS, see Appendix 1.

#### 5.3.1 *Insider information and Conflict of interests*

1. The directives of Rijkswaterstaat to avoid insider information and conflict of interest, such as included in the note 'Separation of interests' (see appendix 27), policy against conflict of interests at the tender date 14 September 2007 apply in full to this tender.
2. In case of any involvement in the preparation of the assignment, insider information and/or conflict of interests is assumed.
3. RWS-CIV provides the entrepreneur with the opportunity to, subject to satisfaction of RWS-CIV, refute the presumption referred to in paragraph 2 and demonstrate that the fair competition is not distorted by the (previous) involvement. An entrepreneur could be excluded from participation in the assignment if the presumption referred to in paragraph 2 is not refuted.

### 5.4 Suitability requirements

In this paragraph RWS-CIV describes the suitability requirements imposed upon the entrepreneur. Suitability requirements are set as a requirement, which the entrepreneur should fully comply with. If not, then the tender may not be taken into consideration and the entrepreneur could be excluded from the further procedure.

#### 5.4.1 *Financial and economic standing*

The entrepreneur must be financially capable of implementing the assignment. RWS-CIV does not impose any further requirements in terms of financial and economic standing.

#### 5.4.2 *Professional qualification*

RWS-CIV does not impose any further requirements with regard to particular licenses or memberships of certain organisations.

#### 5.4.3 *Technical competence or professional aptitude*



Tenderer is to be technically and professionally competent to carry out the assignment. RWS-CIV has established core competences to test this, which are relevant for essential points of the assignment.

5.4.3.1. *Core competences Lot 1: Nautical Radar*

**Lot 1: Nautical radar**

**Core competence 1:**

By use of one reference you show that you have experience with the supply of a Nautical Radar at sea, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

The supplier must have substantive expert knowledge, expertise and skills in the field of nautical radars. In addition, the supplier is expected to have secured the established quality requirements within his organisation.

**Core competence 2:**

By use of one reference you show that you have experience with the supply of a Nautical Radar for the benefit of inland waterways, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

**Core competence 3:**

By use of one reference you show that you have experience with the design and development of a coverage plan for the benefit of inland waterways, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

**Core competence 4:**

By use of one reference you show that you have experience with the design and development of an offshore coverage plan, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

**Core competence 5:**

By use of one reference you show that you have experience with collaboration under the direction of external parties, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

*In order to demonstrate that tenderer has the abovementioned core competences, tenderer must fill in one form (**Appendix 4.1**) per reference project, up to 3 xA4 and add these to his tender.*

5.4.3.2. *Core competences Lot 2: Bird detection*



## **Lot 2: Bird detection**

### **Core competence 1:**

By use of one reference you show that you have experience with the supply and support of bird radar systems as part of the automated detection and tracking of birds, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

The supplier must have substantive expert knowledge, expertise and skills in the field of bird radar detection. In addition, the supplier is expected to have secured the established quality requirements within his organisation.

### **Core competence 2:**

By use of one reference you show that you have experience with the supply and support of advanced algorithms, developed within the own organisation, as part of bird radar systems, whereas this reference contains at least the following specifications:

- ☐ Professionalism
- ☐ Quality assurance

The supplier must have experience with automated detection and tracking of birds on the basis of radar data aided by advanced algorithms.

### **Core competence 3:**

By use of one reference you show that you have experience with the supply and support of bird radar equipment in an offshore environment, whereas this reference contains at least the following specifications:

- ☐ QHSE policy
- ☐ Experience with maritime work environment & - logistics

The ability of the supplier to respond to requests for supply of materials, equipment and software for detection of birds at sea, by clear agreements about service, quality and supply in collaboration with third parties. The supplier will proactively come up with suggestions for improvement of materials and equipment. Also the supplier can comprehend the conditions at sea and their consequences for protection of equipment and positioning and maintenance of equipment in an offshore location.

*In order to demonstrate that tenderer has the abovementioned core competences, tenderer must fill in one form (**Appendix 4.2**) per reference project, up to 3 xA4 and add these to his tender.*

#### 5.4.3.3. Core competences Lot 3: LiDAR

## **Lot 3: LiDAR**

### **Core competence 1:**

By use of one reference you show that you have experience with the leveraging of a LiDAR, for the measuring of the wind speed and wind direction, in an offshore location, whereas this reference contains at least the following specifications:

- ☐ Experience with maritime work environment & logistics



*In order to demonstrate that tenderer has the above mentioned core competences, tenderer must fill in one form (**Appendix 4.3**) per reference project, up to 3 xA4 and add these to his tender.*

**5.4.3.4. Requirements on references to be submitted:**

1. The entrepreneur must demonstrate to have skilfully and regularly carried out one or more reference project(s), which were completed appropriately, as well as in time, in the area of the required competences.
2. The reference project(s) must have been carried in the 3 year period prior to the date of this tender.
3. References of ongoing projects are valid, provided that relevant partial results were produced in an appropriate way.
4. Per core competence at least one reference project must be submitted. More references are permitted if these references complement each other in order to demonstrate the relevant core competence in its entirety.
5. Multiple references covering the same parts of the core competence, will not result in a more favourable valuation.
6. One and the same reference project may be submitted for multiple core competences.
7. Per reference project one form (see appendices 4.1, 4.2 and 4.3) must be filled in.
8. By reporting a reference project, the entrepreneur gives his consent to RWS-CIV to contact the contact person mentioned on the reference for verification purposes, without intervention of the entrepreneur.

Per reference project it must be **substantiated** why the reference(s) is/are **relevant** for the current assignment. This should include:

- Which core competences or parts of core competences are covered.
- Description of the work activities carried out by the entrepreneur and the achieved results.

**5.4.3.5. Quality management**

Rijkswaterstaat applies the principle that contractors are responsible themselves for the quality of the work that they perform. The tenderer must therefore work under quality assurance. With this aim in view the tenderer is required to assume a controlled way of working and associated assurance. The imposed requirements are further discussed in the tender documents.

The Customer wishes to keep at maximum distance from the process and product of the Contractor. Nevertheless the Customer has a social responsibility during the realisation of the performance. Therefore the Customer applies the methodology System-oriented Contract management (SCB).

If the entrepreneur implements a work method that meets the requirements, which he is to make visible for the Customer, this will initially make the Customer confident that the end result will comply with the imposed requirements. In order to substantiate this confidence the Customer will assess.

The assessments are planned, based on the risk register. Given the wish to keep distance, the Customer will particularly assess whether the Contractor works in accordance with his own quality management system and if the registrations of the Contractor are reliable. In order to reach this verdict, the Customer makes use of a mix of system, process and product assessments.



The entrepreneur is expected to work under quality assurance and adhere to the methodology of System-oriented Contract management, which is applied by the Customer.

#### **Quality management system**

Tenderer is required to apply a quality management system that meets the standard NEN-EN-ISO 9001 on the implementation of the assignment.

One of the suitability requirements is that the entrepreneur uses a quality management system that meets the standard NEN-EN-ISO 9001, with the subject of this tender as an application area.

Tenderer must demonstrate that he complies with this suitability requirement by means of:

1. A valid certificate issued by a competent authority, stating that the entrepreneur meets the NEN-EN-ISO 9001 standard with the subject of this tender as an application area, or
2. An equivalent valid certificate, or
3. Other evidence that he complies with this suitability requirement.

Ad 1 and 2) On a request to this effect by RWS-CIV, the tenderer must produce a copy of the certificate. The certificate must be valid until at least the date of tender.

Ad 2) If the entrepreneur wants to produce a copy of the certificate as referred to under 2., he must demonstrate upon tender that this is an equivalent certificate.

Ad 3) If the entrepreneur submits evidence as referred to under 3., he will do this by means of a recent (not older than 1 year) audit by an independent party who has established that the quality management system of tenderer fully complies with the standard.

In this evidence all subjects of the NEN-EN-ISO 9001 standards must show.

In addition, the entrepreneur fills in appendix 2 and adds it to his tender.

#### **5.4.3.6. Sustainable development**

Sustainable development – also called corporate social responsibility (MVO), is enterprising, with a balance between economic, social and environmental interests. Sustainable entrepreneurs do not only look at profit and loss figures, but also at the consequences of their business operations for humans and the environment. Consequences in the long-term as well as in the short-term are considered.

The government considers it its task to promote and facilitate the sustainable purchase policy and, in addition, to gather the data about progress, which is subsequently published.

Tenderer must safeguard sustainable development in his organisation. In order to demonstrate this, the tenderer must fill in appendix 3 and add it to his tender.

Example methods for this:

- ISO-14001-certification of EMAS-registration: the ISO-14001 certificate requires that the environment care system of an organisation complies with laws and regulations, and that the environmental policy provides a continuous improvement process. The EMAS-standards are largely comparable with the ISO-14001-requirements, but for



an EMAS-registration also a report about sustainability must be added to the annual report.

- The social and environmental paragraph in the annual report: in the annual report, an organisation can give attention to social and environmental aspects.
- Policy document sustainability: this document indicates what sustainability policy means and how often it is actualised.



## 6 Awarding

### 6.1 General

This chapter includes the requirements regarding the services to be provided or products to be delivered by the Contractor. Firstly it is assessed whether the tender complies with the requirements (paragraph 6.2). A tender that fails to comply with all requirements is invalid and will not be taken into consideration by RWS-CIV. Assessment on the awarding criteria will be performed on the tenders who do comply with all requirements (paragraph 6.3).

### 6.2 Requirements with regard to the services to be provided or products to be delivered

By means of registering a tender, the tenderer declares that he complies with the requirements with regard to the services to be provided or products to be delivered. These requirements are included in the normative documents.

Explanation: the requirements for the three (3) lots are mentioned in:

Lot 1 Nautical radar	
Appendix 6	Required specification General (VSA) Nautical Radar
Appendix 7	Required specification Criteria (VSE) Nautical Radar

Lot 2 Bird detection system	
Appendix 8	Required specification General (VSA) Bird detection system
Appendix 9	Required specification Criteria (VSE) Bird detection system

Lot 3 LiDAR	
Appendix 10	Required specification General (VSA) LiDAR
Appendix 11	Required specification Criteria (VSE) LiDAR

### 6.3 Awarding criteria

The criterion for the awarding of this tender is the 'Most Economically Advantageous Tender' (MEAT). The MEAT-criterion is divided into a number of awarding criteria which are classified by means of a percentage factor of importance.

RWS-CIV uses the awarding criteria and weighting factors mentioned in the table below:

Lot 1 Nautical radar			
No.	Awarding criteria	Weighting factor	Paragraph
1	Price	40 % (400 points)	6.3.1
2	Quality	60 % (600 points)	6.3.2

Lot 2 Bird detection system			
No.	Awarding criteria	Weighting factor	Paragraph
1	Price	40 % (400 points)	6.3.1
2	Quality	60 % (600 points)	6.3.2

Lot 3 LiDAR			
No.	Awarding criteria	Weighting factor	Paragraph



1	Price	40 % (400 points)	6.3.1
2	Quality	60 % (600 points)	6.3.2

#### 6.3.1

##### *Awarding criterion 1: Price*

On behalf of an objective assessment of the tenders it was decided to present tenderers a format per lot (see appendix 8.1 lot 1, 8.2 lot 2 and 8.3 lot 3). This format is compulsory and must be followed by the tenderer.

The implementation of the financial offer must comply with the following requirements.

- All prices and tariffs are in Euros, excluding VAT and fixed during the term of the agreement and the option terms.
- The prices and tariffs include all costs to be able to realise the assignment, including but not limited to costs for project management, packaging, product costs, transport costs, insurances, travel and subsistence costs and all administrative and office costs.
- All prices and tariffs are proportional in comparison with the effort and the costs to be incurred by tenderer to complete the services.
- Tenderer mentions the prices and tariffs of his financial offer only in the presented format and not in other documents.

#### 6.3.2

##### *Awarding criterion 2: Quality*

Awarding criterion quality is assessed on basis of the documents submitted by tenderer. As part of an objective assessment of the tenders, it was decided to present tenderers with formats of these documents. These formats are compulsory (see Appendices 7.1 lot 1, 7.2 lot 2 and 7.3 lot 3).

Tenderer is required to keep to the prescribed number of pages (font Verdana, font size 9), including any diagrams, etc.

RWS-CIV uses the sub awarding criteria and weighting factors mentioned in the table below, with regard to quality.

#### 6.3.3

##### *Awarding criterion lot 1: Nautical radar*

See Appendix 12, Awarding criterion lot 1: Nautical Radar.

#### 6.3.4

##### *Awarding criterion lot 2: Bird detection system*

See Appendix 13, Awarding criterion lot 2: Bird detection system.

#### 6.3.5

##### *Awarding criterion lot 3: LiDAR*

See Appendix 14, Awarding criterion lot 3: LiDAR.

### 6.4

#### **Assessment awarding criteria**

#### 6.4.1

##### *Assessment of the awarding criterion 1: Price*

Upon the assessment of the tenders on the awarding criterion 'price' the following applies:

- the tenderer with the lowest tender price will receive 400 points
- for the other tenderers the number of points is calculated as follows:  
 $400 \times (\text{lowest tender price}) / (\text{tender price of the tenderer})$

Plot 1 nautical radar: with (maximum) five (5) tenderers, with the lowest subscription price, a Framework Agreement (ROK) will be concluded.



Further Agreement (s) under the ROK:

Platform 1: Immediately after awarding the ROK, the Further Agreement (NOK) is awarded to the lowest price bidder;

Platform 2: Request mini-competition under the framework agreement parties.

#### 6.4.2 *Assessment of the awarding criterion 2: Quality*

It is important that the tenderer describes the relevant aspects detailed and clearly to enable RWS-CIV to assess whether the performance to be delivered by tenderer lives up to the intended use.

As a score model a 4 point-scale is used:

<i>Assessment</i>	<i>Score</i>
The elaboration is of moderate quality. Explanation: the elaboration is incomplete, partly unclear, sloppy. It is not clear whether the solution offered is suitable.	1
The elaboration is of good quality. Explanation: the elaboration meets the expectations, no more and no less. Tenderers have shown to have understood the tender and to offer a suitable solution.	2
The elaboration is of very good quality. Explanation: the elaboration meets the expectations and in addition it contains matters that show that the solution offered is more than suitable.	3
Not or barely elaborated, or the elaboration contains hardly any relevant text or none at all.	0

The assessment team awards a score per score-item.

- For each separate sub awarding criterion, a score is determined by calculating the weighted average of the scores that the assessment team has awarded to the relevant document.
- The score for the awarding criterion quality is determined by calculating the weighted average of the scores for the sub awarding criteria.
- The tenderer with the highest score for the awarding criterion quality will receive 600 points.
- For the other tenderers the number of points is calculated as follows:  
 $600 \times (\text{score quality of the tenderer}) / (\text{highest score quality})$

#### 6.4.3 *Minimum score*

For each of the sub-awarding criteria the tenderer must achieve a score of **at least 1** to become eligible for awarding. If this not the case, the tender will not be taken into consideration.