



## Descriptive document public

CLASSIFICATION: RWS Confidential Company Information (until publication  
Tendered)

Rijkswaterstaat Centrale Informatievoorziening

Name project:	InSAR based deformation service for the Dutch built environment
Case number:	31133408
Date:	22-October-2018
Version:	1
Status:	final

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# 1 Introduction

## 1.1 General

Rijkswaterstaat Centrale Informatie Voorziening (RWS CIV) in Delft is organising a European Tender according to the public procedure.

The tender covers the contract:

InSAR based deformation service for the Dutch built environment with case number 31133408

On determining the tendering procedure, RWS CIV considered the scope and complexity of the contract, the number of prospective contractors, the transaction costs and the market situation.

A market consultation was held on 19 May 2017. Its results are laid down in the document "Memorandum of Information related to Market consultation" and both documents can be downloaded from Tenders (reference: [141306](#)).

The results were used to prepare the tender and the documents.

This document provides additional information on the further stages of the tendering procedure, the requirements that the bid and its contents must meet, the qualification criteria and the award criteria.

This document comes with the following tendering documents as listed in the table below.

Normative documents contain requirements in the framework of the present tender. Normative documents are an inseparable part of the contract. Informative documents contain recommendations and/or context information for a better understanding and/or they serve as an indication.

Normative documents
Announcement
Descriptive document (this document) with appendixes
Project description Limburg VHR 2018 Lot 2
Arvodi/contracts
ARVODI_2018 engels
Lot 1 public service contract InSAR
Lot 2 framework agreement InSAR, incl. Appendixes and call-off contract InSAR
Requirements
Requirement Specification Technical (RST) (Lot1 and 2)
Requirement Specification Process (RSP) (Lot 1 and 2)
Forms
Questionnaire Lot 1 Quality
Questionnaire Form Lot 1 Quality
Questionnaire Lot 2 Quality
Questionnaire Form Lot 2 Quality

Uea 141306 20180501144121.pdf
Uea 141306 20180501144121.xml
Digital Shapefiles
Shapefile AOI_lot1_nationwide.zip
Shapefile InSAR2018_PoC.zip
Shapefile AOI_lot2_LimburgVHR.zip
Informative (General) documents
TenderNed_Six_steps_to_bidding_for_public_procurement_contracts_online
Policy Separation of Interests
FAQ Digital Signing
Toelichting_ARVODI_2018 Engels

## 1.2 Description of the contract

The scope of this project concerns the processing of the freely available or very high-resolution commercial satellite radar data available within the Netherlands for Rijkswaterstaat into various deformation products ranging from a national product (Lot 1), a regional product (Lot 2) and the possibility of further analyses of (potentially) interesting areas, or local products (specials) (Lot 2).

The contract to be tendered for, as specified in the enclosed tender documents, covers the following.

### Lot 1 National deformation map

The national deformation map for the geographical area of the Netherlands in Europe will be compiled from recent open data of the European Space Agency (ESA). All available data from different satellite tracks must be processed and combined into a national deformation file. We ask for both a traditional dot map and full-scale maps at object and ground level. An update will be delivered every six months.

The main element of the contract includes:  
periodic processing of existing InSAR data into a national deformation map.

### Lot 2 Other InSAR contracts

#### *Other InSAR contracts*

In this work package, RWS wants to offer the parties of the framework agreement the possibility to issue contracts, not being the national deformation map, which may include zooming in on specific objects and areas. If required, with very high-resolution commercial data. If necessary, specials may also be requested for the islands of Bonaire, Sint Eustatius and Sint Maarten (BES islands). Due to the novel nature of these products, though the need obviously exists, it is not yet predictable to what extent it will lead to new orders.

The main element of the contract includes:  
the processing of InSAR data into deformation maps based on the needs of RWS or the Ministry of Economic Affairs and Climate Policy (EZK).

### *Limburg VHR*

Limburg VHR is the first other InSAR contract that will be assigned. In this work package, the InSAR processing of the NSO radar data (RADARSAT-2) on the province of Limburg will be requested for the Limburg regional knowledge and expertise centre. The aim is to place this data next to both the data from the national deformation map and EZK's own purchased very high-resolution commercial data.

### **Anticipated Scope**

Lot 1 has a fixed scope and consists of the semi-annual delivery of a National deformation map of the entire Netherlands.

Lot 2 takes the form of a framework agreement with a maximum of 4 parties and is basically not limited. If fewer than 2 suitable parties submit a tender, the client reserves the right not to award. Expectations are that the need for such contracts will increase strongly as soon as there is a market for it (this framework agreement) and the usefulness of InSAR data becomes clear. This is just an prognosis, no rights can be derived from it.

## **1.3 Result of the tender/Duration and effective date framework agreement**

Purpose of this tender for lot 1 is to arrive at an agreement with one contractor and for lot 2 a framework agreement with a maximum of four contractors.

Lot 1 agreement will be concluded for a period of three years with optional continuations of not more than 2×1 year.

Lot 2 framework agreement will be concluded for a period of three years with optional continuations of not more than 1×2 year.

In the 3<sup>rd</sup> year (lot 1 and 2) and in the 4<sup>th</sup> year (lot 1) (in each case before 1 November of that year) it will be decided whether or not an optional year(s) will be requested.

In addition to the agreement for Lot 1 and the framework agreement for Lot 2, purpose of this tender is also to award a first further agreement for Limburg VHR as part of this tendering procedure.

## **1.4 Security**

Client and Contractor each have their own responsibility where security is involved. Contractor is expected to adopt a cooperative, proactive and innovative approach in order to set up and maintain security in accordance with BIR.

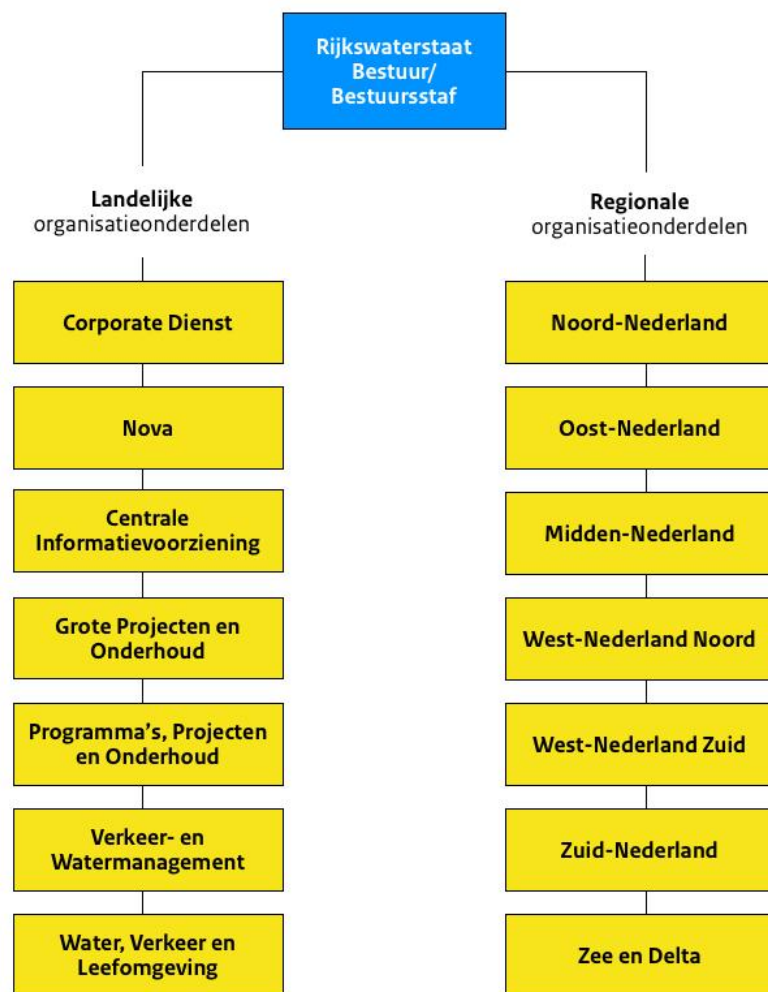
## 2 Rijkswaterstaat

### 2.1 Mission Rijkswaterstaat

Rijkswaterstaat is the executive agency of the Ministry for Infrastructure and Water Management and it strives every day after making the Netherlands safe, accessible and a pleasant place to live.

### 2.2 Organisation

The RWS organisation chart looks like this:



At [www.rijkswaterstaat.nl/zakelijk](http://www.rijkswaterstaat.nl/zakelijk) you will find more information about doing business with Rijkswaterstaat.

### 2.3 Rijkswaterstaat Centrale Informatievoorziening (RWS CIV) [Central Information Services]

Rijkswaterstaat Central Information Services arranges the development and availability of information within Rijkswaterstaat. RWS CIV arranges industrial automation for bridges, tunnels, national roads and other objects. In addition, RWS CIV arranges Rijkswaterstaat's office automation.



## 3 Tendering procedure

### 3.1 General

The tendering procedure is based on the amended procurement act "Aanbestedingswet 2012" for works, deliveries and services. Consequently, the definitions of the Procurement Act apply. The public procedure has been chosen for this tender.

The open procedure is a procedure whereby all contractors (WTO signatories) can tender.

The tendering procedure is arranged electronically through TenderNed:  
[www.tenderned.nl](http://www.tenderned.nl).

In order to participate in the tendering procedure, a contractor must be registered at TenderNed.

The "Terms of Use TenderNed" apply.

A contractor is expected to possess all required knowledge to be able to complete a tendering procedure in the correct manner in TenderNed.

Use of TenderNed is for the account and the risk of the contractor, except for the provisions of section 3.7.1 last paragraph.

### 3.2 Address information RWS CIV

Rijkswaterstaat CIV  
t.a.v. InkoopCentrum IV  
Derde Werelddreef 1  
2622 HA Delft

Procurement advisor:  
name: J.M. van der Horst  
RWS CIV – afdeling InkoopCentrum IV

Communication with regard to this tender shall only take place through TenderNed.

In the event of a malfunction at TenderNed on the day of tendering, please contact us via the email address [inkoopcentrum-iv@rws.nl](mailto:inkoopcentrum-iv@rws.nl).

### 3.3 Schedule

With regard to the tendering procedure, the following schedule applies.

Activity	Date (and, if applicable, time)
Publication announcement	23 October 2018
Final date for submitting questions	10 December 2018
Final date for replies to the questions (information notice)	17 December 2018
<b>Final date and time for submitting tenders</b>	<b>14 January 2019 16:00 hours</b>
Mailing notification of the award decision	20 February 2019
Final day standstill period	12 March 2019

RWS CIV reserves the right to change the schedule. The schedule included in TenderNed is leading.

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

### 3.4 Publication

The tender documents will be published through TenderNed ([www.tenderned.nl](http://www.tenderned.nl)). They can be downloaded by any interested party.

### 3.5 Information

The tender documents have been compiled with due care. RWS CIV expects contractors to do their own investigation into other relevant circumstances and information with regard to the contract and the framework agreement.

A contractor may request information about this tender in the manner as described below.

Questions must be worded clearly and unambiguously with a reference to the part of the tender documents to which the question refers. Questions will be answered by the tendering department through TenderNed, 'Vragen en Antwoorden'.

The questions asked through TenderNed and the answers given to those will be laid down in an information notice by the tendering department after the lapse of the information term. This notice will be published on TenderNed.

Communication exclusively takes place through TenderNed.

It is not permitted for a contractor in the framework of this tendering procedure to keep in touch or ask questions otherwise than through TenderNed. Violation of these communication rules may lead to exclusion from the tender.

#### 3.5.1 General information

The anonymised questions from contractors and their answers will be published on TenderNed. The published general information notices will be part of the tender documents. In the event of conflict, the general information notice will prevail over previously published tender documents.

### 3.5.2 *Individual information*

A contractor may send a motivated request (Question) to RWS CIV not to include certain information in the general information notice if disclosure of this information would damage the justified economic interests of the enterprise. RWS CIV considers whether inclusion in the general information notice may indeed damage justified economic interests of the enterprise. If so, RWS CIV will provide the individual information in question to the contractor.

If RWS CIV does not consider the information to be of a justified economic interest, the contractor must indicate whether in that case it wants the question to be answered through a general information notice or that it withdraws the question.

Individual information notices are subordinate to the general information notices.

### 3.5.3 *Submitting Questions*

Questions (General and Individual) regarding this tender may be submitted until the final date as stated in section 3.3 through TenderNed, 'Vragen en Antwoorden'. [Questions and Answers]

## 3.6 **Additional information made available/presented for perusal**

N.a.

## 3.7 **Tender**

### 3.7.1 *Submitting the tender*

The tender must have been submitted no later than before 14 January 2019 16.00 hours, while the TenderNed clock will be decisive. At that moment the tendering term ends and the digital vault of TenderNed closes. Said time and date will be the deadline for receipt of tenders.

All documents to be submitted with the tender must be submitted in pdf format through TenderNed. Section 4.2.1 includes a table with an overview of all documents that must be submitted with the tender and that have to be provided with a qualified electronic signature.

In the event that at the final moment for receipt of the tender, TenderNed is not accessible as a result of a malfunction at eHerkenning, in TenderNed or the power grid, it is considered a force majeure situation.

In such an event the final moment for receipt of the tenders, dependent on the situation and the consequences, can be postponed by the tendering department. The changed deadline for receipt of these tenders will be announced through TenderNed, 'Rectificatie' [rectification].

### 3.7.2 *Opening tenders*

The opening of the digital vault is not public.

## 3.8 **Assessment process**

Before proceeding to opening the tenders, the assessment method has been established. This assessment method is laid down in an assessment instruction. This

instruction is an internal document of RWS CIV and will not be made available to the contractors. Relevant information for the contractors on the assessment method is provided below.

Rijkswaterstaat CIV bases its assessment on expert opinion. This means that an assessment team of experts reaches a professional judgement on the basis of their own knowledge and expertise. In order to warrant objectivity, the assessment team is composed to ensure that all relevant disciplines are represented. Criterion is that for every aspect of the assessment at least two persons with the required expertise are members of the team.

First every assessor individually assesses the tenders in accordance with the instructions of the assessment guideline. Subsequently, all assessors take part in the assessment meeting. The team then jointly assesses the tenders to arrive at a careful judgement.

The results of this assessment process are the basis for an award advice to the client within RWS for this tender.

At all times, RWS CIV has the right to ask contractors to clarify the data and to verify the information submitted by Contractor.

The assessment process includes a number of steps:

- 3.8.1 Tendering requirements and conditions*
- 3.8.2 Grounds for exclusion*
- 3.8.3 Suitability requirements*
- 3.8.4 Award criteria*

The contract Lot 1 will be awarded to the contractor that has submitted the economically most advantageous tender with the best price-quality ratio (BPKV).

The Framework Agreement Lot 2 will be awarded to the first 4 contractors in the order of the economically most advantageous tender with the best price quality ratio (BPKV).

If in Lot 2 the final score for two or more candidates is the same, and where this influences the decision which candidates have the highest final score, the drawing of lots procedure in accordance with appendix 7 will be observed for the candidates with the same score.

*3.8.1 Step 1: Tendering requirements and conditions*

It will be assessed on the basis of the documents submitted on tendering whether the tender meets the tendering requirements and conditions. A contractor that does not meet these requirements and conditions can be excluded from the further procedure.

The tendering requirements and conditions are described further in chapter 4.

*3.8.2 Step 2: Grounds for exclusion*

Contractors for which one or more grounds for exclusion apply are excluded from the further procedure, unless self-cleaning measures have been entered in the European Tender Document (see appendix 1) and on that basis RWS CIV decides to

admit the company to the tendering procedure. The grounds for exclusion are described further in chapter 5.

**3.8.3** *Step 3: Suitability requirements*

Contractors that do not meet one or more suitability requirements will be excluded from the further procedure. The suitability requirements are described further in chapter 5.

**3.8.4** *Step 4: Award criteria*

Contractors that have successfully completed step 1, 2 and 3, must meet the award requirements and, subsequently, assessment on the basis of the award criteria will take place. The award criteria are described further in chapter 6.

**3.9** **Award decision**

After the assessment procedure has fully been completed and ranking has taken place, RWS CIV will inform each contractor simultaneously of the award decision, stating relevant reasons.

Rijkswaterstaat CIV will not share certain data with regard to the award decision if in its opinion sharing those data:

- would hinder the application of the law;
- would be contrary to the public interest;
- could harm the justified economic interests of contractors, or
- could harm fair competition between them.

If a contractor objects to the award decision by RWS CIV, contractor must have instituted preliminary relief proceedings within the standstill period by means of service of summons.

If preliminary relief proceedings have been instituted within the standstill period by means of service of the summons, RWS CIV will not proceed to concluding the agreement and the framework agreement before judgement has been passed in the preliminary relief proceedings.

The standstill period is an expiry date. If the preliminary proceedings have not been instituted within the standstill period, contractors can no longer raise objections against the award decision and will have forfeited their rights in this respect. In that case RWS CIV is free to act in accordance with its award decision.

In the event that RWS CIV decides not to award the contract, it will inform all contractors simultaneously as soon as possible of the underlying reasons.

If no preliminary relief proceedings have been instituted within seven days after this decision was sent, contractors can no longer object with regard to this decision and they have forfeited their rights in this respect.

**3.10** **Award procedure further agreements Lot 2**

The 1<sup>st</sup> further agreement is provided on the basis of the detailed offer for the Limburg VHR contract which has been submitted as part of the award, to the contractor ranking first (ranking number 1) or if 2 parties in the ranking are equally best, through a drawing of lots procedure in accordance with Appendix 7.

Under the framework agreement for contracts with an estimated value greater than or equal to € 33,000 excluding VAT, a mini-competition is held among the Contractors. In the mini-competition, the award criterion best price-quality ratio is applied which is always included in the bid request based on the relevant contract. If the price is more than 15% above the m<sup>2</sup> price of the Limburg VHR Lot of the party in question, then the Client can withdraw the contract and procure it outside the framework agreement.

Contracts with an estimated value of less than € 33,000 will be requested on the basis of a rotation schedule in which the 1<sup>st</sup> (determined by the order of priority in the tender) is awarded to the number 1. The 2<sup>nd</sup> is requested from the 2<sup>nd</sup> in the ranking of the best contractor and so on. After completion of the ranking, again the 1<sup>st</sup> in the ranking is requested and so on. If the offered price is more than 15% above the m<sup>2</sup> price of the Limburg VHR tender price or otherwise does not meet the request, the client may set aside the offer and request the next one in the ranking.

### **3.11 Disputes and complaints regarding the tendering procedure**

All disputes within the framework of the present tender procedure must be submitted to the (preliminary relief judge of the) District Court of The Hague. A dispute is deemed to have been brought by issuing a summons.

Pursuant to the advice 'Complaint handling in tendering', Rijkswaterstaat has set up a Complaints Reporting Point.

Complaints with regard to the tendering procedure can be submitted to the central complaint office "Centrale Klachtenmeldpunt Aanbesteden Rijkswaterstaat", at the email address: [klachtenmeldpunt@rws.nl](mailto:klachtenmeldpunt@rws.nl).

Complaints may relate to non-compliance with legal provisions or infringement on general tendering principles.

A complaint must be submitted in writing and must state clearly and with motivation to what aspect of the tendering procedure the complaint relates. A complaint will be dealt with by expert officers who are not or will not be involved in the present tendering procedure. A complaint will be dealt with as soon as possible; the complainant will be informed about the result.

Submitting a complaint does not have a suspensive effect and does not alter the fact that a candidate must timely file a formal objection or start a procedure if and insofar as that is pertinent.

For more information, see: [www.rws.nl/klachtenmeldpuntaanbesteden](http://www.rws.nl/klachtenmeldpuntaanbesteden).

## 4 Tendering requirements and conditions

### 4.1 General

By tendering, contractor accepts all conditions, requirements and demands for this entire tendering procedure as included in the tender documents.

### 4.2 Documents to be submitted

The documents to be issued are distinguished between documents required for tendering and documents that must be provided at the request of RWS CIV shortly before the award decision.

#### 4.2.1 Documents to be submitted with the tender

The table below lists all documents to be submitted with the tender.

Serial no.	Documents to be submitted with Tender	Prescribed Format	Explanation in section	Qualified electronic signature
1	European Single Procurement Document (ESPD)	Appendix 1 *See process UEA	4.2.3 and 5.2.1	yes
2	Quality management system	Appendix 2	5.3.3.2	-
3	Corporate social responsibility	Appendix 3	5.3.3.3	-
4	Reference projects core competencies Lot 1 and/or 2 (1x of 2x)	Appendix 4	5.3.3	-
5	Explanation functionality for operational PSI and DSI data processing (1x)	Appendix 5	5.3.3	-
6a	Questionnaire Form Lot 1	Appendix 6a	6.3.3	yes
6b	Questionnaire Form Lot 2	Appendix 6b	6.3.4	yes
7a	Financial offer Lot 1	Appendix 7a	6.4.1	yes
7b	Financial offer Lot 2	Appendix 7b	6.4.1	yes
8	Confidentiality statement			yes

#### 4.2.2 Requirements for the documents to be submitted with the tender

The registration must meet the following form requirements:

- the documents to be submitted with the tender must be drawn up in pdf according to the format prescribed in section 4.2.1;
- The Tender must be worded in Dutch or in English.
- The documents to be signed **must have been signed** by an authorised representative of contractor through a **qualified electronic signature** (PKI-overheid certificate or EU Qualified certificate) .

Rijkswaterstaat considers it of great importance that the documents and declarations have been signed by a person authorised to legally represent the entity. Rijkswaterstaat therefore requires a qualified electronic signature because that offers the most guarantees.

If a certain pdf form cannot directly be provided with said qualified electronic signature, a pdf print of the pdf form must first be made using the print function in Acrobat Reader and this must subsequently be provided with a qualified electronic signature.

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

With the European Single Procurement Document (ESPD), see appendix 1, the contractor declares that the mandatory and optional exclusion grounds, as included in Part III of the ESPD, do not apply to it.

The contractor also declares through Part IV of the ESPD that it meets the set suitability requirements.

**Note.** Part IV of the ESPD uses the term selection criteria; that term refers to the qualification criteria as referred to in the Procurement Act.

In addition, the contractor must enter in part II.A the Chamber of Commerce number and Branch number.

In the case of a consortium, each consortium member individually submits a Uniform European Tender Document (ESPD).

You must read in the presented document in XML format and fill it in using the [tool](https://ec.europa.eu/tools/espd/welcome) from the European Commission on <https://ec.europa.eu/tools/espd/welcome>

You must download the result in the English or Dutch language as a PDF and subsequently sign this PDF digitally in accordance with the set requirements.

#### 4.2.4 *Appeal to a third party / third parties*

If the contractor invokes the capacity of other entities to meet the suitability requirements, the contractor states under Part II.C of the ESPD for which suitability requirements he invokes the capacity of other entities.

When invoking the capacity of other entities, a separate ESPD must be provided for each of the entities involved.

#### 4.2.5 *Licences*

Specific software will be required for performing the services. In order to prevent unfair competition and to warrant the risk for the performance of the contract, the additional requirement applies that the contractor must declare to have the legal right to use the required software. In most cases the software will be licensed or have been developed in-house. Contractor is expected to declare to be able to use the specific software for the performance of this contract.

#### 4.2.6 *Documents to be provided on request shortly before award decision*

For verification of the ESPD submitted by contractor with the tender, on the relevant requests from RWS CIV, contractor must submit documentary evidence as included in the table below through TenderNed, 'Berichten' [messages], as soon as possible but no later than within **2** business days after the request from RWS CIV.



<b>Serial no</b>	<b>Documentary evidence to be submitted shortly before the award decisions will be mailed</b>	<b>Prescribed Format</b>
1	(Copy) Declaration of Conduct Procurement	4.2.6
2	(Copy) Trade Register Extract	No format
3	(Copy) Declaration tax authorities	No format
4	Copy Certificate Quality Management System (if applicable)	5.3.3
5	Copy Certificate Corporate social responsibility (if applicable)	5.3.4

If RWS CIV has not received the required documentary evidence within said **2** business days, or if the content does not correspond to the contents of the statements, the contractor may be excluded from further participation in the tendering procedure. For the validity term of the documentary evidence we refer to art. 2.89 Procurement Act 2012.

NOTE: please keep in mind the application time of the Declaration of Conduct Procurement and the declaration of the tax authorities. It is the contractor's responsibility to ensure that the Declaration of Conduct or the declaration of the tax authorities is applied for in time to be able to meet the submission deadline.

#### **4.2.7** *Declaration of Conduct Procurement*

At the request of RWS CIV, a the Declaration of Conduct Procurement (GVA) must be submitted shortly before notification of the award decision will be mailed.

NOTE: In connection with substantive amendments to the rules for the exclusion of contractors from participation in a tendering procedure, only GVAs will be accepted issued after 1 July 2016.

A foreign contractor can, if it does not have an equivalent form in the country in which he is established, make a declaration under oath or a solemn declaration before a competent judicial or administrative authority, a notary or a competent professional body of that country and submit this declaration to the tendering body.

### **4.3 Conditions**

#### **4.3.1** *Premature termination tendering procedure*

Until the moment when the anticipated agreement or framework agreement is signed, RWS CIV reserves the right to wholly or partly, provisionally or finally terminate the tendering procedure. The tendering body will use these rights reservedly. In such a situation, contractors involved have no right to compensation of any costs incurred in the context of this tender. The Contractor agrees to this condition by submitting his tender.

In the event of termination of the procedure, the contractors involved will simultaneously be informed of the relevant reason. If a contractor involved has not instituted preliminary relief proceedings within 7 days of the date of dispatch of this decision, no further objections can be made as a result of this decision and contractor has forfeited its right in this matter.

4.3.2 *Validity period*

The tender must be valid for 45 days after the final date for submitting the tender. In the event preliminary relief proceedings have been instituted with regard to the award decision, contractor's tender must at least be valid for 8 calendar days after the day when judgement has been pronounced in the preliminary relief proceedings or after the date the preliminary relief proceedings have been dropped.

4.3.3 *General conditions*

RWS CIV declares that this contract is subject to the General Government Terms and Conditions for Public Service Contracts (ARVODI-2018).

The delivery, payment and general or other conditions of the contractor are expressly rejected.

4.3.4 *Discrepancies, inadequacies and/or objections*

The tendering documents with the connected appendixes have been compiled with due care. Should the contractor still find any discrepancies and/or inadequacies, the contractor must report this as soon as possible, but in all events no later than before the final date for submitting questions, to RWS CIV stating correction proposals and, if applicable, substantiation. In addition, the contractor must notify RWS CIV as soon as possible, but in no event later than before the final date for submitting questions, of any objections against the tender documents or parts of those.

If it appears later that the tendering documents contain inadequacies, discrepancies and/or flaws and those have not been reported by the contractor, RWS CIV cannot be held accountable.

The contractor is expected to show a proactive attitude. This means that the contractor cannot legally invoke inadequacies or discrepancies that have not been put forward by him within the period referred to above, while this would have been reasonably possible. With regard to these inadequacies or discrepancies the contractor has forfeited his rights in this situation.

4.3.5 *Dutch language or English language*

Knowledge of the Dutch language is required to use TenderNed. The employees of the contractor who are responsible for communication must have a sufficient command of spoken and written Dutch or English in so far as relevant at the moment of tendering and for the performance of the contract.

4.3.6 *No compensation tendering costs*

RWS CIV does not compensate any costs connected with the tender.

4.3.7 *Once-only tendering*

A contractor may only tender once (for both lots), either as an individual contractor, as a consortium or as a subcontractor who is called upon by the contractor to be able to meet the stated suitability requirements.

If enterprises that have a concern relation tender independently, as consortium or as subcontractor, RWS CIV excludes them unless their parent company declares with each of their tenders that it has been the express intention that they should

tender and that at drawing up the tenders they have not shared - respectively will not share - anything of the contents thereof.

**4.3.8** *Consortium*

Contractors that register as a consortium must appoint a coordinator. The coordinator must be authorised to bind the consortium and to act on behalf of that consortium. The coordinator is the organisation with which, for the duration of the agreement and the framework agreement, the Client, on behalf of the consortium, carries on correspondence on the progress of the performance and to which the Client makes the payments. It must be indicated in the Personal Statement who the coordinator is.

Contractors who register as a consortium are jointly and severally liable for performance of all obligations resulting from the agreement and the framework agreement.

**4.3.9** *Lots*

It is not mandatory for Contractor to tender for every Lot. It is possible however, that a contractor is awarded both Lots.

**4.3.10** *Social Conditions*

The national government decided to observe as from 1 January 2013 the "social conditions" in addition to environment as a sustainability criterion for all contracts above the European threshold.

The contractor must warrant social conditions in his organisation. To the agreement and the framework agreement, a schedule with standard text Social Conditions is added in which it declares that its enterprise respects the relevant international standards and indicates which regime and connected measures are applicable in the framework of the performance of the contract.

The generic declaration (Dutch) can be found at: [link](#)

## 5 Grounds for exclusion and qualification criteria

### 5.1 General

This chapter describes the grounds for exclusion and the qualification criteria prescribed by RWS CIV for the contractor. In the following sections, RWS CIV describes what information the contractor must submit with its tender to declare that the grounds for exclusion do not apply to it and that it complies with the defined qualification criteria.

### 5.2 Grounds for exclusion

In this section, RWS CIV describes the grounds for exclusions that apply to the contractor.

RWS excludes a contractor from participation in the contract when a mandatory ground for exclusion and/or an optional ground for exclusion applies to the contractor, unless the contractor has stated self-cleaning measures in Part III of the UEA and on this basis RWS decides to still admit the contractor to the tendering procedure.

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

The ESPD includes the mandatory grounds for exclusion and the optional grounds for exclusion declared applicable by RWS .

#### 5.2.2 *Inside Knowledge and Conflict of interests*

1. The Rijkswaterstaat guidelines for the prevention of inside knowledge and conflict of interests, as included in the memorandum 'Separation of interest, policy against conflict of interests in tendering' dated 14 September 2007, fully apply to this tender.
2. If there is or has been involvement in the preparation of the contract, it is suspected that inside knowledge and/or conflict of interest exists.
3. RWS CIV offers the contractor the opportunity to disprove, to the satisfaction of RWS CIV, the suspicion referred to in subsection 2 and to demonstrate that competitive trading is not harmed by the current or earlier involvement. A contractor may be excluded for from participating in the contract if the suspicion referred to in subsection 2 is not disproved .

### 5.3 Suitability requirements

In this section, RWS CIV describes the qualification criteria that the contractor has to satisfy.

Qualification criteria are a requirement, the contractor must fully satisfy those. If not, the tender may be put aside and the contractor may be excluded from the further procedure.

#### 5.3.1 *Financial and economic strength*

The contractor must financially be capable of carrying out the contract. RWS CIV does not make requirements with regard to financial and economic capacity.

5.3.2 *Professional competency*

5.3.3 *Technical skill or professional capacity*

Contractor must be technically skilled or professionally competent to perform the contract. In order to test that, RWS CIV has laid down core competencies that are relevant for essential aspects of the contract.

5.3.3.1. *Core competencies*

The defined core competencies are:

**For Lot 1**

**Core competency 1:**

Contractor has experience in developing and improving PSI or DSI algorithms, in particular the processing of Sentinel-1 data and wide-area data processing and has demonstrably applied this successfully.

This can be demonstrated by means of a single reference project **or** by means of a statement of the persons to be deployed (a minimum of 2, maximum 4 persons) who are unconditionally available during the performance of the contract.

**For Lot 2:**

**Core competency 1:**

Supplier has experience in developing and improving PSI or DSI algorithms and has demonstrably successfully applied this.

This can be demonstrated by means of a single reference project or by means of a statement of the persons to be deployed (a minimum of 2, maximum 4 persons) who are unconditionally available during the performance of the contract.

**Requirements for the references to be submitted for Lot 1 and 2:**

- In the field of the required competencies, the contractor must demonstrate to have carried out one or more reference projects in a professional and regular manner, to have delivered on time and to have brought it to a good conclusion.
- The reference project or projects must have been performed during the recent period of no more than 3 years prior to the date of this tender.
- References of current projects are valid provided that relevant partial results have been delivered and have been brought to a satisfactory conclusion.
- At least one reference project must be submitted for every core competency. Multiple references are allowed if these references supplement each other to demonstrate the relevant core competency in its entirety.
- Multiple references covering the same components of the core competency do not result in a higher rating.
- By submitting a reference project, the contractor gives RWS CIV permission to contact the person mentioned as reference for verification without the intervention of the contractor.
- The same reference project may be submitted for multiple core competencies.
- For each reference project, it must be substantiated for every reference why it is relevant for the present contract. It must include the following.

- Which core competences or parts of those are covered.
- Description of the activities carried out by the contractor and the results achieved.
- Contractor uses the available formats for answering this requirement.

**Requirements for the statement of personnel to be submitted for Lot 1 and 2:**

- The statement should only contain relevant training and relevant work and other experience.
- The work and other experience must have been gained over the past 3 years.
- Contractor must actually deploy this personnel for the present contract.
- The statement must not contain less than two, or more than four persons.
- The CV consists of not more than 2 A4 each.
- Contractor uses the available formats for answering this requirement.

Information provided about persons must be **anonymized**.

**5.3.3.2. *Quality management***

Rijkswaterstaat's basic assumption is that contractors are responsible for the quality of the work they produce. For that purpose, the contractor must operate under quality assurance. In that respect, a controlled and assured process is requested of the contractor. The defined requirements are detailed further in the tender documents.

The Client wishes to stay aloof from the contractor's process and product as far as possible. Yet the Client does have a corporate responsibility with regard to the performance process. For that purpose, Client observes the method System-oriented Contract Control "Systeemgerichte Contractbeheersing (SCB)"

If the contractor implements a process that complies with the requirements, which he will have to demonstrate to the Client, this will basically give Client the confidence that the final result will satisfy the defined requirements. Client tests in order to corroborate this confidence.

The tests are scheduled on the basis of the risk register. In view of the wish to stay aloof, Client particularly tests whether the contractor operates according to contractor's own quality management system and whether the registrations of the contractor are reliable. In order to arrive at this judgement, Client uses a mix of system, process, and product tests.

The contractor is expected to work under quality assurance and, in doing so, to link up with the method of System-oriented Contract Control as observed by the Client.

**Quality management system**

A suitability requirement is that the contractor has a quality management system, with the subject of this tender being the area of application.

The contractor must demonstrate compliance with this suitability requirement by means of:

1. a valid certificate issued by a competent authority that the contractor complies with the NEN-EN-ISO 9001 standard with the subject of this tender being the area of application , or

2. an equivalent valid certificate, or
3. any other proof that he meets this suitability requirement.

Re 1 and 2) At a request to that effect from RWS-CIV, the contractor must submit a copy of the certificate. The certificate must in any case be valid up to and including the date of registration.

Re 2) If contractor wants to submit a copy of the certificate as referred to under 2, it must demonstrate on tendering that the copy is an equivalent certificate.

Re 3) If the contractor submits proof as referred to under 3, it does this by means of a recent (not older than 1 year) audit by an independent party that has established that contractor's quality management system fully complies with the standard.

In this proof must cover all subjects of the NEN-EN-ISO 9001 standard.

Contractor also completes appendix 2 and adds it to the tender.

#### 5.3.3.3. *Corporate social responsibility*

Corporate social responsibility - also referred to as sustainable business - means carrying on an enterprise in which there is a balance between economic, social and environmental interests. Socially responsible contractors not only have eyes for their profit and loss figures, but also for the consequences of their operational activities for mankind and environment. And not just for the short-term consequences, but also for those in the long run.

The government sees it as its task to stimulate and facilitate the sustainable procurement policy and to collect and communicate about the progress data.

Contractor must assure corporate social responsibility in its organisation. Contractor must demonstrate it by completing appendix 3 and adding it to its tender.

Example methods include:

- ISO-14001 certification of EMAS registration: the ISO-14001 certificate prescribes that an organisation's environmental management system complies with legislation and regulations, and that the environmental policy provides for a continuous improvement process. The EMAS standards are to a large extent comparable to the ISO-14001 requirements, with the additional requirement that an annual sustainability report should also be added to the annual report for an EMAS registration.
- The social and environmental section in the annual report: an organisation may discuss social and environmental aspects in the annual report.
- Policy document sustainability: that document indicates what sustainability policy entails and how often it is updated.

## 6 Award

### 6.1 General

This chapter describes the requirements with regard to the services to be performed or the products to be delivered by contractor. First it will be tested whether the tender meets the requirements (section 6.2). A tender that does not meet all requirements is invalid and will be put aside by RWS CIV. The tenders that do meet all requirements, will be assessed against the award criteria (section 6.3).

### 6.2 Requirements regarding the services to be provided or products to be delivered

By submitting a tender, the contractor declares that it meets the requirements with regard to the services to be performed or products to be delivered. These requirements are included in the normative documents.

### 6.3 Award criteria

The criterion for awarding this tender is the 'economically most advantageous tender with the best price-quality ratio (BPKV)'. The EMVI criterion is divided into a number of award criteria.

RWS CIV observes the award criteria and weighting factors listed in the table below.

No.	Award criteria	Weighting factor	Section
1	<i>Price</i>	<i>400 points max</i>	<i>6.3.1</i>
2	<i>Quality</i>	<i>600 points max</i>	<i>6.3.2</i>

#### 6.3.1 Award criterion: Price

For the purpose of an objective assessment of the tenders, it was decided to submit a questionnaire with a form to be filled in to each contractor for each Lot (see appendix 6 A and B). This form is mandatory and must be adhered to by the contractor.

#### Lot 1

The details of the financial offer must meet the following requirements.

- All prices and rates are in Euro exclusive of VAT and firm during the term of the agreement.
- Indexing can take place after 3 years on the basis of the price index mentioned in the agreement.
- The prices and rates include all costs for the contract to be performed. This includes costs for project management, packaging costs, transport costs, insurance, travel and accommodation costs and all administration and office costs;
- All prices and rates are proportional to the effort and costs required from contractor for complete performance of the services.
- Contractor states the prices and rates of its financial offer only in the submitted format and not in any other documents.



The tender price used for the assessment of this award criterion will be determined as follows.

Sum total of prices for Lot 1:

Fixed sum realisation 6 data deliveries plus reports (2x per year for 3 years), payment 1/6 fixed sum after receipt and approval of each data delivery and report.

*Lot 2:*

The price component for Lot 2 is determined by the offer for the performance of the further agreement Limburg VHR.

The details of the financial offer must meet the following requirements:

- All prices are in Euro exclusive of VAT and fixed during the term of the further agreement.
- The prices include all costs for the contract to be performed. This includes costs for project management, packaging costs, transport costs, insurance, travel and accommodation costs and all administration and office costs;
- The price is proportional to the effort and costs required from contractor for completing the services in respect of its Limburg VHR offer.
- Contractor states the price of its financial offer only in the submitted format and not in any other documents.

The tender price used for the assessment of this award criterion will be determined as follows:

Fixed sum realisation Limburg VHR

### 6.3.2 *Award criterion 2: Quality*

The award criterion for quality is assessed on the basis of the documents submitted by the contractor. For the purpose of an objective assessment of the tenders, it has been decided to present the formats of these documents to contractors. These formats are normative and must be adhered to by contractors.

### 6.3.3 *Quality Lot 1*

RWS CIV uses the award subcriteria relating to quality listed in the table below.

No.	Award subcriterion	Assessment framework (points of attention)	Information to be submitted	Format
1	<i>Schedule</i>	<ul style="list-style-type: none"> <li>• <i>Schedule</i></li> <li>• <i>Knowledge management and assurance</i></li> </ul>	<i>Completed form award criteria Lot 1</i>	<i>Appendix 6a</i>
2	<i>Theoretical skills</i>	<ul style="list-style-type: none"> <li>• <i>Dealing with large data sets</i></li> <li>• <i>Dealing with inconsistent geometries</i></li> <li>• <i>Minimising and correcting errors</i></li> </ul>		
3	<i>Practical skills</i>	<ul style="list-style-type: none"> <li>• <i>POC delivery limited area*</i></li> </ul>		

\* Knockout criteria

A further explanation and the weighting of the assessment on the award sub-criteria and the knockout criteria is included in Questionnaire Lot 1 Quality.

#### 6.3.4 Quality Lot 2

No.	Award subcriterion	Assessment framework (points of attention)	Information to be submitted	Format
1	<i>Project realisation and project management</i>	<ul style="list-style-type: none"> <li>• <i>Knowledge management and assurance</i></li> <li>• <i>Risk management</i></li> </ul>	<i>Completed form award criteria Lot 2</i>	<i>Appendix 6b</i>
2	<i>Theoretical skills</i>	<ul style="list-style-type: none"> <li>• <i>Dealing with inconsistent geometries</i></li> <li>• <i>Minimising and correcting errors</i></li> </ul>		
3	<i>Practical skills</i>	<ul style="list-style-type: none"> <li>• <i>Bid for Limburg VHR*</i></li> </ul>		

\* Knockout criteria

A further explanation and the weighting of the assessment on the award sub-criteria and the knockout criteria is included in Questionnaire Lot 2 Quality.

### 6.4 Assessment Award criteria

#### 6.4.1 Assessment of award criterion 1: Price

The following applies to the assessment of the tenders for the award criterion 'price':

- the contractor with the lowest tender price receives 400 points;
- for the other contractors the number of points is calculated as follows:  
 $400 \times (\text{lowest tender price}) / (\text{contractor's tender price})$

#### 6.4.2 Assessment of award criterion 2: Quality

It is important that the contractor describes the relevant aspects with such detail and clarity that RWS-CIV will be able to assess whether the performance to be delivered by contractor meets the intended use.

A scale of 4 points is observed as score model for each score item.

<i>Assessment</i>	<i>Score</i>
The detailing quality is mediocre. Explanation: The detailing is incomplete, partly unclear, sloppy. It is not clear whether the offered solution is suitable.	1
The detailing quality is good. Explanation: The detailing meets expectations, no more and no less. Contractors have demonstrated that they understood the tender and offered a suitable solution.	2
The detailing quality is very good. Explanation: The detailing meets the expectations and also includes	3

matters that show that the offered solution is more than suitable.	
Little or no detailing, or the detailing contains little or no relevant text.	0

The assessment team gives a score for every score item.

The following applies to the assessment of the tenders for the award criterion 'Quality'.

- The assessment team needs to reach consensus for every score item. If however this fails, the individual score items of the individual team members will be calculated as an average score-item.
- For every separate award subcriterion a score is determined by calculating the weighted average of the score-items that the assessment team has given to the score items.
- The score for the award criterion quality is determined by calculating the weighted average of the scores for the award subcriteria.
- The contractor with the highest score for the award criterion quality gets 600 points.
- For the other contractors the number of points is calculated as follows:  

$$600 \times (\text{contractor's score quality}) / (\text{highest score quality})$$

## Appendix 1. European Single Procurement Document (ESPD)

(separate document)

## Appendix 2. Quality management system

Belonging to case number: 31133408

Company name:	
<b>1. Company holds a valid NEN-EN-ISO 9001 certificate.</b>	<input type="checkbox"/> Yes
<b>2. Company holds a valid equivalent certificate.</b>	<input type="checkbox"/> Yes, contractor completes text box I below.
<b>3. Company does not hold a certificate.</b>	<input type="checkbox"/> Yes, contractor completes the bottom text box II.
<p>I. Elaboration by contractor to show the existence of an equivalent certificate (concise, but complete).</p>	
<p>II. Details ( 3 A4 max) in which contractor demonstrates that its quality management system complies with the applicable standard including proof in the form of an audit report (can be in appendix) (concise, but complete).</p>	

In the event of a consortium tender, all consortium members must complete this declaration separately.



## Appendix 4a. Reference project (both for Lot 1 and Lot 2)

Belonging to case number:	31133408 Lot 1/Lot 2 (Strike out where not applicable)
Company name:	

<b>Reference (unique serial number):</b>	
Name Organisation (public or private law authority):	
Country:	
<b>Contact of the reference to be approached by RWS CIV</b>	Name:
	Position:
	Phone:
	Email:
<b>Date completion:</b>	
<b>Project value:</b>	
<b>Has the reference project been carried out by contractor</b>	Yes/no
<b>or its subcontractor(s) that contractor can actually use.</b>	Yes/no if applicable name subcontractor(s):
<b>Documents added to this statement?</b>	Yes/no
<b>Project description (if necessary, add separately to this model, 2x A4 max)</b>	
<b>Substantiation of the relevance of the reference project in relation to the core competency (if necessary, add separately to this model, 2x A4 max)</b>	

Contractor declares to have performed the above project in a professional and regular manner, to have delivered it on time and to have completed it satisfactorily.



## Appendix 4b. Reference specialist personnel to be used (both for Lot 1 and Lot 2)

(separate document)

## Appendix 5. Declaration functionality for operational PSI and DSI data processing

Belonging to case number:	Lot 1 31133408
Company name:	
Contractor declares to have a software package or a licence for such a package with proven functionality for operational PSI and DSI data processing and in particular for Sentinel-1 and wide-area data processing or to have developed such software in-house, without infringing upon any intellectual property rights of third parties. (Please explain and, if possible, add a copy of the licence or other corroborating evidence, maximum 1 A4)	
<b>Explanation</b>	

Belonging to case number:	Lot 2 31133408
Company name:	
Contractor declares to have a software package or a licence for such a package with proven functionality for operational PSI and DSI data processing or to have developed software in-house for operational PSI and DSI data processing, without infringing upon any intellectual property rights of third parties. (Please explain and, if possible, add a copy of the licence or other corroborating evidence, maximum 1 A4)	
<b>Explanation</b>	

Contractor declares to have correctly and truthfully completed the above.

## Appendix 6a. Questionnaire form Lot1 Quality

(separate document)

## Appendix 6b. Questionnaire form Lot2 Quality

(separate document)

## Appendix 7A Financial bid Lot 1

Belonging to zaaknummer/ case number: 31133408	
Contractor name:	

**1. Fixed sum**

<b>Item</b>	<b>Quantity</b>	<b>Price per unit</b>	<b>Price</b>
<i>Start-up costs</i>	<i>1 unit</i>		
<i>Six-monthly delivery of data and reports</i>	<i>6 units</i>		
<i>Total fixed sum</i>			

<b>Specification/substantiation of start-up costs</b>	<b>Quantity</b>	<b>Price per unit</b>

**Thus drawn up:**

<b>Name:</b>	
<b>Position:</b>	
<b>Company:</b>	
<b>Qualified electronic signature legal representative:</b>	
<b>Date:</b>	

## Appendix 7B Financial bid Plot 2 Limburg VHR

Belonging to case number: 31133408	
Contractor name:	

### 1. Further Agreement Limburg VHR

<b>Item</b>	<b>Price</b>
Data delivery and report	
<i>Total</i>	

### Thus drawn up:

<b>Name:</b>	
<b>Position:</b>	
<b>Company:</b>	
<b>Qualified electronic signature legal representative:</b>	
<b>Date:</b>	

## Appendix 8. Confidentiality statement

Belonging to case number: 31133408 InSAR

Contractor name:	
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The undersigned declares the following with regard to the tender procedure:

The undersigned, including its employees, undertakes to observe confidentiality with regard to all information made available or presented to it for perusal, of which it knows or may suspect that publication may cause harm or damage to RWS CIV or the Ministry of Economic Affairs and Climate Policy (EZK), subject to written permission from RWS CIV.

RWS CIV and EZK may attach conditions to the permission.

Even after the required permission from RWS CIV and EZK has been obtained, the contractor, including its employees, is obliged to reasonably act or refrain from acting so as to prevent any harm to the rights and interests of RWS CIV.

The undersigned will only use all information that has been provided or presented for inspection exclusively for this tender.

### Thus drawn up:

<b>Name:</b>	
<b>Position:</b>	
<b>Company:</b>	
<b>Qualified electronic signature legal representative:</b>	
<b>Date:</b>	

In case of a consortium tender, all partners must sign this declaration.

## Appendix 9. Drawing of lots procedure

1. If lots are to be drawn, all interested parties will be invited to attend in person or by representative.
2. A lot contains the name of a candidate who is eligible for the draw.
3. Drawing is done by invisibly drawing of all lots, while the order of drawing is recorded and the first drawn is selected as first.