

NOTICE OF INFORMATION BELONGING TO TENDER BUSINESS LIABILITY INSURANCE VGA WITH NR 276727

This notice of information answers the questions raised by interested parties about the invitation to tender. It also contains various additions to the specifications and the schedule of requirements.

Questions

1. **You have used the module in Tendered to complete the UETD. However, it is not possible for us and/or we are unable to download and register the documents through Tendered. Is there any other option than Tendered available?**

Yes, see the addition to the specifications as described below.

2. **Can you only register for the excess?**

No, every reinsurer may register on multiple layers (primary and excess).

3. **Is a complete list of all the insureds available in addition to the participations?**

In addition to the participations, it concerns the Municipality of Amsterdam in the broadest sense of the word, with regard to all activities that a local authority has to perform. A description is represented in article 1.1 VGA General WA LAG14.

- a. Municipality of Amsterdam;
- b. the municipal administrative bodies and administrators (mayor, aldermen and councillors) acting as such;
- c. the municipal committees and their members acting as such;
- d. the subordinates - including trainees, temporary workers, freelancers and volunteers - of the insured with regard to activities they perform for the insured in his insured capacity;
- e. the civil registrars acting as such;
- f. the municipal services, companies, schools, institutions and organising committees that have no legal personality;
- g. the natural and legal persons explicitly designated as co-insureds in the policy schedule;
- h. staff associations and their board members acting as such;
- i. education:
 - ** teachers and other municipal school staff;
 - **(members of) parent committees, school councils, participation councils and the like;
 - ** those who perform work in the context of the so-called parental participation and the scheme; everything if so far as the liability arises from the work concerned;
- j. the traffic wardens as well as parents and guardians of underage traffic wardens if and so far as they are liable for the activities of the traffic wardens;
- k. services;
 - ** all natural persons who perform work for the benefit of the insureds as stated under f;
 - ** persons appointed by the insureds to serve in polling stations;
 - ** interviewers appointed by the insured;
 - ** members of the (voluntary) fire brigade;
 - ** persons who work for the municipality within the framework of the Contingency Plans Act; everything in so far as the liability arises from the work concerned;
- l. administrator employed by the policyholder who performs his activities within the framework of the Act on Debt Cleansing of Natural Persons
- m. physicians

- (para) medics as well as their assistants in connection with carrying out work to the order of and/or for the benefit of the insured, as well as in connection with assistance in the event of accidents and the like (first aid risk).

n. attorneys employed by the policyholder with regard to the activities they perform for an insured within the limits of the insured capacity.

4. What impact will the quay wall incident (Grimburgwal) of Tuesday 1 September 2020 have?

No immediate effect. This quay wall does not belong to the municipality and as such, therefore, neither does the maintenance. This applies to several quays within the municipality of Amsterdam. The municipality has its own program for quay walls and bridges, which is laid down in the memo "Bridges and Quay walls", which will be appended to this note of information.

5. Are more details available regarding the largest claims?

In view of the fact that no privacy sensitive data may be shared, VGA has briefly described and updated the bigger claims below mentioned by number as requested.

2015 Burst pipes € 21,010,949.19

Loss at a hospital due to a burst water pipe. According to VGA, the investigations into the cause of the pipe break and the associated loss do not directly lead to a (full) liability of the insured of VGA. The insurer(s) of the hospital consider(s) a participating interest of VGA liable for the damage. VGA and the reinsurer put forward a defence.

2017 Tram against a stationary vehicle. Tram/taxi collision. € 8,142,764.29

Driver and passengers of the taxi have been seriously injured. Not only residents from the Netherlands are involved in the accident, but also foreign visitors. A loss with several parties involved and recovering parties. An external loss adjusters firm is involved in the settlement of this claim.

2017 Road unclear traffic situation € 7,250,000.00

An accident in which a foreign motorcyclist was seriously injured as a result of an unclear traffic situation in Amsterdam. This concerns a young victim with a good job. An external loss adjusters firm is involved in the settlement of this claim.

2018 Wrongful decision EUR 7,100,000.00 (in the meantime the reserve has been reduced to EUR 4,000,000.00).

In connection with necessary changes based on the legislation (Services Directive and Act), the municipality has made a new policy with regard to the permit system for round-trip boats in Amsterdam. The shipowners have challenged the new policy. In the end, the Council of State declared this policy non-binding in 2017. As a result, the decisions on the revocation of the existing permits were unlawful.

The situation has been reversed to that before the policy, this until a new policy will have been formed. This means that the costs incurred by the shipowners for the new applications have been made unnecessary. The shipowners hold Waternet liable for these costs.

6. Can we receive claim statistics for each participation and Noord?

In Enclosure 6 you will find the claims survey, column B shows the participations and Noord in the coloured cells, by selecting these you can view the claim surveys per participation.

7. What are the requested limits based on? An internal analysis?

An analysis has been carried out by an international reinsurance broker with regard to calamities which may occur within VGA's insurance portfolio and the possible indemnities required. A benchmark also took place with comparable captives.

8. Does a deductible apply for the participations?

Only GVB has a deductible of EUR 50,000. At the moment an investigation takes place into the introduction of a deductible for other insureds. We are doing this to increase the risk awareness.

9. What is the turnover and how many employees work per participation?

	Turnover	number of employees
GVB	EUR 482 million	3,577
Havenbedrijf (Port Authority)	EUR 170 million	372
AEB	EUR 160 million	400
Waternet	works with a budget	1,796

10. Does the municipality expect more claims due to Covid situation?

The municipality of Amsterdam has acted in accordance with the guidelines of the RIVM and the government. We have received 1 claim in relation to Covid 19 so far. We do not expect a flow of claims.

11. What impact does COVID-19 have on "exposure"?

VGA closely follows the developments regarding Covid-19 and thereby acts fully in line with the advice of the RIVM, the national government and the municipality of Amsterdam. The corona pandemic has significant consequences for society, and therefore also for VGA and its employees. The board, in consultation with the risk management advisor, assessed the potential impact of the pandemic on our customers, employees, services, (insurance technical) results as well as the impact of the financial markets on our solvency. The continuity of VGA is guaranteed because our organisation has sufficient liquidity to absorb the impact of the pandemic in the short and medium term. In view of the ample financial buffer (solvency on an S-II basis at year-end 2019 is 234%), VGA expects to be able to continue its activities in 2020 without significant adjustment. VGA is rated a 'going concern'.

12. Does the Municipality of Amsterdam / N.V. Verzekeringen Groot Amsterdam have a cyber insurance?

Both VGA and the Havenbedrijf Amsterdam (Port Authority) have a cyber insurance with a sum insured of EUR 5 million. VGA is currently discussing a cyber insurance for the whole of the Municipality of Amsterdam.

Supplement Specifications

13. **Paragraph 3.4, fifth underscore, of the Specifications will be amended. Subsection 3.4 reads in its entirety as follows below (underlining has been added):**

3.4 In this tender, VGA has opted to have communication with Tenderers take place electronically as much as possible. VGA uses the electronic tendering platform TenderNed for this. It is also possible for foreign companies to register via TenderNed. Practical information can be found here: <https://www.tenderned.nl/cms/english/registering-foreign-business-tenderned>

The announcement for this tendering procedure has been published on TenderNed;

All tender documents are made available digitally by VGA through TenderNed. Upon written request, the tender documents published on TenderNed may also be made available by email afterwards;

Requests for information as meant in paragraph 3.7 must be submitted through TenderNed; or by email through svanhaaren@vga.amsterdam.nl;

The Notice of Information is published digitally through TenderNed; Upon written request, the Notice of Information published on TenderNed may also be made available by email afterwards;

The registration may be submitted through TenderNed;

VGA also offers Tenderers the opportunity to submit registrations on time by email that is no later than at the point of time specified in the Planning. If you want to use the option to register by email, you must submit a request to this in time. For more information about submitting the Tender, you are requested to carefully study paragraph 5.10 and further of these Specifications.

14. **Paragraph 3.7 of the Specifications will be amended. Paragraph 3.7 reads in its entirety as follows below (underlining has been added):**

3.7 All communication with regard to this tendering procedure should preferably take place through TenderNed to the VGA contact. It is also possible to communicate with the VGA contact by email. VGA has tried to provide all relevant information in these Specifications and the associated Schedule of Requirements. If you have specific questions about this tender, we ask you to get in touch with the contact mentioned above.

15. **Paragraph 5.10 of the Specifications will be amended. Paragraph 5.10 reads in its entirety as follows below (underlining has been added):**

5.10. The Tender must be submitted on time, i.e. no later than the time specified in the Planning, in a digital way through TenderNed. or by email. If the Tenderer wishes to make use of the option to submit the tender by email, the Tenderer must submit a written request - by 8 October 2020 at the latest - to the VGA Contact through svanhaaren@vga.amsterdam.nl . You will receive instructions on how to submit by email through the Contact.

The Tenderer is responsible for timely and complete submission of the Tender. VGA would like to point out to Tenderers that TenderNed is sometimes unavailable due to disruptions and that the uploading of a Tender takes time. Tenderers are advised to take this into account and preferably submit their Tender well before the closing date for registration. In the event of a malfunction, VGA can make use of the provisions of sections 2.109 and 2.109a of the Procurement Act 2012 and extend the registration period, provided VGA has not yet taken note of the content of any Tender. In addition, VGA can extend the registration period at its own discretion, even without appeal from (potential) Tenderers, if circumstances give cause to do so.

If the Tenderer chooses to submit the Tender through TenderNed, the Tender may not also be submitted by email. This is to prevent double registrations. In the event that VGA nevertheless detects a double Registration, only the Registration that has been submitted by email will be valid, even if this registration by email turns out to be incomplete. The Tenderer remains responsible for the completeness, correctness and timeliness of the Tender(s). You must submit digital documents in Word or PDF format. The Tenderer must ensure that all files submitted by email may be opened at the latest at the time stated in the Schedule. Tenderers or Tenders that do not comply with any condition or requirement may be excluded or set aside by VGA from further participation in the tendering procedure.

16. **Paragraph 6.1 of the Specifications will be amended. Paragraph 6.1 reads in its entirety as follows below (underlining has been added):**

6.1 Tenderers must submit their Tender digitally through TenderNed or - if they have submitted a request to VGA to that end - by email within the period specified in the Planning. For more information about submitting the Tender, you are requested to carefully study paragraph 5.10 and further of these Specifications. To register by email, the Tenderer must first submit a request in time to the VGA contact through svanhaaren@vga.amsterdam.nl.

Supplement to the Schedule of Requirements

17. **A fourth paragraph will be added to article 2 of the Schedule of Requirements. Article 2 paragraph 4 of the Schedule of Requirements reads as follows:**

"If the procedure as described in article 2 paragraph 3 to find a replacement for the released share among the remaining Reinsurers does not yield any results, VGA reserves the right to offer the released share to the other Tenderers who participated in this tender, but to whom the assignment has not been awarded. If VGA fails to find a replacement for the released share among these other Tenderers, VGA reserves the right to approach third parties to act as a replacement for the released share. The review clause described in article 2, paragraphs 3 and 4 is intended to find a replacement in the short run under the conditions of the reinsurance contract for the released share."

18. **Article 4 of the Schedule of Requirements will be subject to a fourth paragraph being added.**
Article 4 paragraph 4 Program of Requirements reads as follows:

“If the procedure as described in article 4 paragraph 3 to find a replacement for the released share among the remaining Reinsurers does not yield any results, VGA reserves the right to offer the released share to the other Tenderers who participated in this tender. , but to whom the contract has not been awarded. If VGA fails to find a replacement for the released share among these other Subscribers, VGA reserves the right to approach third parties to act as a replacement for the released share. The review clause described in article 4, paragraphs 3 and 4 is intended to find a replacement in the short term under the conditions of the reinsurance agreement for the released share.”