



Appendices

Temporary Toll Charge Observation, Reference only English Version

Restricted European Tender of the contract with contract
number 48-1708 Temporary Toll Charge Observation

Date 23-11-2021



Appendices, Explanation and disclaimer

On behalf of the State of the Netherlands, the minister of Infrastructure and Water Management (I&W, hereafter Contracting Authority), the Dienst Wegverkeer (RDW/Government Road Transport Agency) a European Procurement for the award of a contract is held according to the Restricted Tender procedure pursuant to the Tender Regulations for works 2016 (ARW 2016).

The regulation ARW 2016, the Procurement Act 2012 (based on European Directive 2014/24/EU) and the 2020 proportionality guidelines (as mandatory guidelines) apply, albeit in a supplementary sense and not in conflict with the current regulations of the Department of Waterways and Public Works and RDW.

The tender procedure concerns a contract for services with contract number 48-1708 Temporary Toll Charge Observation.

The tender procedure is described in these tender guidelines, the information notices, the official reports and the contract documents, namely: the basic agreement and annexes, the demand specification and the annexes to the demand specification. The documents required for the tender will be made available to the selected candidates at the start of the tender phase.

This first phase requires you to submit documentation and where applicable the filled in forms/appendices **that are in Dutch** and were published on the 12th of november, as separate files you will find the translations of:

- Annex B (European Single Procurement Document (ESPD) and
- Annex N (Questions).

These English translations of the appendices is made available in order to assist interested parties. However, candidates can in no way derive any rights from the English versions. The tender procedure is based on the provisions in the Dutch tender documents. The provisions as defined in the Dutch tender documents set out in principle the tender procedure.

By submitting an application to participate (application) and/or a tender, a company declares that they agree unconditionally with the tender procedure described in the tender documents.

Annex A Application form

Regarding the selection for the invitation to tender according to the restricted procedure, as described in chapter 3 of the ARW 2016, of the contract with contract number 48-1708 Temporary Toll Charge Observation.

Details Contracting Authority:

The State of the Netherlands, established in The Hague, the ministry of Infrastructure and Water Management (I&W). On their behalf, the Dienst Wegverkeer (RDW) in Veendam, represented by the Management Board of the RDW (hereafter: Contracting Authority).

RDW Veendam
Finance & Control
P.O. Box 314
9640 AH Veendam RDW

Contact: Mr. Sybolt Jaarsma

A. Details of the candidate: (to be completed by the candidate, not being a combination)

Name (according to trade register)	
Legal status	
Location	
Contact person	
Business address	
Mailing address:	
Telephone number	
E-mail address	
Registered in the Trade Register of the Chamber of Commerce in:*	
Company registration (KvK) number *	(8 digits)
Location number *	(12 digits)

* If no Chamber of Commerce (KvK) number is applicable, state another national identification number, if required and applicable.

B. Details partnership of companies (consortium):

(to be filled in in case of an application as a partnership of companies)

Name Consortium	
Legal form (where appropriate)	
Company name 1 (Coordinator)	
Registered office company 1	
Name company 2	
Registered office company 2	
Name company 3	
Registered office company 3	

Complete the table if necessary.

* If no Chamber of Commerce (KvK) number is applicable, state another national identification number, if required and applicable.

C. Details of each of the companies (candidates) in the partnership:

Company 1 / COORDINATOR

Name (according to trade register)	
Legal status	
Contact person	
Business address	
Mailing address:	
Telephone number	
E-mail address	
Registered in the Trade Register of the Chamber of Commerce in: *	
Company registration (KvK) number *	(8 digits)
Location number *	(12 digits)

Company 2

Name (according to trade register)	
Legal status	
Contact person	
Business address	
Mailing address:	
Telephone number	
E-mail address	
Registered in the Trade Register of the Chamber of Commerce in: *	
Company registration (KvK) number *	(8 digits)
Location number *	(12 digits)

Onderneming 3

Name (according to trade register)	
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English Translation Annexes Temporary Toll – Reference Only

Legal status	
Contact person	
Business address	
Mailing address:	
Telephone number	
E-mail address	
Registered in the Trade Register of the Chamber of Commerce in: *	
Company registration (KvK) number *	(8 digits)
Location number *	(12 digits)

Complete the table if necessary.

* If no Chamber of Commerce (KvK) number is applicable, state another national identification number, if required and applicable.

Annex B European Single Procurement Document

The European Single Procurement Document (ESPD) is made available as a separate document in an editable PDF format.

The European Single Procurement Document must be digitally signed in accordance with paragraph 4.3.

Annex C Additional self-declaration

Company name and address:

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Chamber of Commerce registration number (registration number of the trade register or a corresponding register of the country of establishment of the company):

Chamber of Commerce number:

Location number:.....

Company contact person (name, email, telephone):

.....

1. QUESTIONS RELATING TO INSIDE KNOWLEDGE AND CONFLICTS OF INTEREST

- 1.1. Prior to this tender procedure, did the company perform work or services in preparation for the assignment, or was the company involved in the preparation of the assignment in some other way, directly or indirectly?

Yes / No (please cross out as appropriate)

If so, please describe the nature of the work or services concerned, or such involvement.

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- 1.2. Are there persons working within the company who, prior to this tender procedure, performed activities or services in preparation for the assignment, or are there any persons working within the company who are or have been directly or indirectly involved in the preparation for the assignment in any other way?

Yes / No (please cross out as appropriate)

If so, please state for each person:

- a. the name and position within the company;
- b. the nature of the work or services concerned, or the involvement.

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- 1.3. Are there any subcontractors who are or will be engaged by the company in the context of this tender procedure and who have performed, prior to the tender procedure, work or services in preparation for the assignment, or who are or have been directly or indirectly involved in any other way during the preparation of the assignment?

Yes / No (please cross out as appropriate)

If so, please state for each subcontractor:

- a. the name and address, legal form and number of registration in the trade register (or a corresponding register in the country of establishment);
- b. the nature of the work or services concerned, or the involvement.

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- 1.4. Are there any parties/consultants who are or will be engaged by the company in the context of this tender procedure and who have performed, prior to the tender procedure, work or services in preparation for the assignment, or who are or have been directly or indirectly involved in any other way during the preparation of the assignment?

Yes / No (please cross out as appropriate)

If so, please state for each consultant:

- a. the name and address, legal form and number of registration in the trade register (or a corresponding register in the country of establishment);
- b. the nature of the work or services concerned, or the involvement.

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- 1.5. Is the company affiliated with one or more other companies and/or is the company part of a group, all this within the meaning of Articles 2:24a, 2:24b and 2:24c of the Dutch Civil Code, or of a similar legal form according to foreign law?

Yes / No (please cross out as appropriate)

If so, did any of those affiliated companies or companies within such group, prior to this tender procedure, perform activities or services in preparation for the assignment, or is or has any of such companies been directly or indirectly involved in the preparation for the assignment in any other way?

Yes / No (please cross out as appropriate)

If so, please state for each company:

- a. the name and address, legal form and number of registration in the trade register (or a corresponding register in the country of establishment);
- b. the nature of the work or services concerned, or the involvement.

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2. QUESTIONS CONCERNING THE CONSORTIUM IN CASE OF AN APPLICATION OR TENDER SUBMITTED BY A PARTNERSHIP OF COMPANIES *)

** These questions only need to be answered if the application or tender is submitted by a partnership of companies (a consortium), whether or not as a general commercial partnership, or as a Special Purpose Vehicle (SPV).*

- 2.1. Indicate which factors prevent the company from registering individually for the assignment.

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- 2.2. Indicate why the nature and size of the partnership (consortium) that has been formed is necessary in relation to the size and nature of the assignment to be performed, in view of the significance and capacity of each of the companies that are part of the consortium.

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- 2.3. Indicate which part(s) of the assignment will be carried out by the company itself.

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3. QUESTION REGARDING CONFLICTING INTERESTS

- 3.1. Does the company have any conflicting interests ^{1[1]} that could have a negative influence on the execution of the assignment?

Yes / No (please cross out as appropriate)

If yes, state the nature of the relevant conflicting interests.

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STATEMENT

^[1] Article 2.92a paragraph 3 Procurement Law

The undersigned declares that:

- the questions included in this questionnaire have been answered completely and truthfully;
- they have signed this completed questionnaire unconditionally and without any reservation; they are aware that providing incorrect or incomplete information may be regarded by the Contracting Authority as a false statement and that this may lead to an unconditional exclusion for the remainder of this tender procedure;
- no changes have been made to the text of this questionnaire;`
- this questionnaire has been signed by an authorised representative, according to the trade register or a corresponding register of the country of establishment of the company,

Signature

The additional self-declaration must be digitally signed in accordance with paragraph 4.3 and paragraph 6.3.1, respectively.

Annex D Model submission form for documents and submitted with a handwritten signature from other party/parties on whom the candidate/tenderer relies

Company name and address (the candidate/tenderer):

.....
Chamber of Commerce registration number (registration number of the trade register or a corresponding register of the country of establishment of the company):

Chamber of Commerce number:

Location number:

Company contact person (name, email, telephone):

.....

hereby submits, for the assignment with contract number 48-1708 - instead of a version signed with a qualified electronic signature - a scanned PDF version of one or more document(s) signed with a handwritten signature from other party on whom the candidate/tenderer relies:

Name of the other party on whom the candidate/tenderer relies*:

.....

Documents:

- (name document)
- (name document)

* If there are more than one party on whom the candidate/tenderer relies, repeat this list.

and declares that:

1. The attached scanned document(s) from other party on whom the candidate/tenderer invokes is/are actually signed by the (legal) person mentioned in the document and is/are in the possession of the undersigned;
2. The undersigned ensures that the original(s) of attached scanned document(s) from other party on whom the candidate/tenderer relies is (are) sent simultaneously to the Contracting Authority. (by post, courier, or other prompt means).

Signature

This statement must be digitally signed in accordance with paragraph 4.3 and paragraph 6.3.1, respectively.

Annex E Details regarding suitability requirements and selection criteria

The company(s) indicate in the table below the reference contract(s) with which the suitability requirements and the selection criteria are met.

Reference to the suitability requirement and/or the selection criterion	To be filled in and numbered by the (candidate(s)) company(s) :
Eligibility requirement <u>Financial and economical standing</u>	Per eligibility <u>requirement</u> 1 statement with the number:
Paragraph 3.2 under 2.a	See below.
Eligibility requirement <u>Technical competence @ ability</u>	Per eligibility <u>requirement</u> no more than 1 reference contract with the number:
Paragraph 3.2 under 3.b	...
Paragraph 3.2 under 3.c	...
Paragraph 3.2 under 3.d	...
Paragraph 3.2 under 3.e	See below
Selection criterion	Per selection criterion (<u>wish</u>) no more than 1 reference contract with the number:
Paragraph 3.3 SC1	...
Paragraph 3.3 SC2	...
Paragraph 3.3 SC3	...
Paragraph 3.3 SC4	...
Paragraph 3.3 SC5	...

By submitting Annex B, the Candidate declares that at the time of submitting the application to participate they have the financial standing described in suitability requirement a. and the competence described in suitability requirement e. When the candidate is selected to participate in the tender phase, the candidate must submit evidence within 5 calendar days in accordance with paragraph 3.2.

Reference table:

REFERENCE ASSIGNMENT ORDER NUMBER:...	
Name of the company who performed the reference contract	...
Name of the reference contract	...
Location of the reference contract	
Name and address of the principal	...
Agreed amount per year for management, maintenance and/or operation, if applicable (excl. sales tax)	€ ...
One-off implementation / installation / realization costs, if applicable (excl. sales tax)	
Invoiced amount (excl. sales tax)	€ ...
Date of the assignment award	...
Agreed implementation execution time	...
Delivery date	...
If the reference contract has been performed by a partnership of companies (consortium)	
The names of the other participants in the partnership of companies (consortium)	...
The legal participation relationship	...
Percentage share of each participant in the partnership of companies (consortium)	...
Explanation of the required technical competence acquired in this reference contract (maximum 750 words)	
...	

Annex F Selection criteria

The selection criteria are described in paragraph 3.3.

Annex G Tender form

This annex will be made available at the start of the tender phase.

Annex H Model K statement of director regarding legality of registration

This annex will be made available at the start of the tender phase.

Annex I Development of BPKV criteria for the best price-quality ratio

This annex will be made available at the start of the tender phase.

Annex J Declaration on environmental, social and labour law obligations

This annex will be made available at the start of the tender phase.

Annex K Format Breakdown of the tender price

This annex is made available at the start of the tender phase.

Annex L Third party statement – Reliance on Financial Standing

THE UNDERSIGNED:

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Chamber of Commerce registration number (registration number of the trade register or a corresponding register of the country of establishment of the company):.....

Company contact person (name, email, telephone):

.....

HEREBY DECLARES

- that **[name candidate]** with regard to the requirement as referred to in paragraph [...] of the tender guidelines TTH Wn dated [...] relies on the resources of **[name of third party]**;
- **[name of third party]** declare that they comply with this requirement, alone or jointly with **[name candidate]** ;
- **[name candidate]** should the TTH Wn contract be awarded to him, can freely dispose, at first request, of the resources of **[name of third party]** necessary for the performance of the contract;
- **[name of third party]** , fully and unconditionally guarantees the Principal, in case the TTH Wn contract is granted, the fulfilment of the obligations arising from the contract to be concluded with **[name candidate]** .

Truthfully stated and duly signed in **[place]** on **[date]**

[name of third party]

1 *Please fill out this form first, then print it out and sign it*

Annex M Third party statement – Appeal to Technical Competence

THE UNDERSIGNED:

.....

Chamber of Commerce registration number (registration number of the trade register or a corresponding register of the country of establishment of the company):.....

Company contact person (name, email, telephone):

.....

HEREBY DECLARES

- that **[name candidate]** with regard to the requirement as referred to in paragraph [...] of the tender guidelines TTH Wn dated [...] relies on the resources of **[name of third party]**;
- **[name of third party]** declare that they comply with this requirement, alone or jointly with **[name candidate]** ;
- **[name candidate]** should the TTH Wn contract be awarded to him, can freely dispose, at first request, of the resources of **[name of third party]** necessary for the performance of the contract;
- **[name candidate]** will actually hire **[name of third party]** as a subcontractor in the execution of the assignment contract TTH Wn;
- **[name of third party]** will be hired for the following part(s) of the TTH Wn assignment:

Proportionally, this is **[ratio]** [ratio] part of the TTH Wn assignment.

Truthfully stated and duly signed in **[place]** on **[date]**

[name of third party]

2 *Please fill out this form first, then print it out and sign it*

Annex N Questions

This Document is a separate document with the Guideline.