



# **Tendering Guidelines**

European tender

according to the

## **Competition Procedure with Negotiations**

for the delivery and maintenance of

*1 Electric truck*

Contracting Authority:

Coöperatie e-GLM U.A.

Lead tender partners:

NV Limburgs Instituut voor Ontwikkeling en Financiering (LIOF) and FIER Automotive  
BV

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## 1. Definitions

In this document, the capitalised terms below are used within the meaning of the following definitions.

### **Term/abbreviation Definition**

|                                         |                                                                                                                                                                                                                                                                                    |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tender Documentation                    | These Tendering Guidelines, including Appendices and any Information Memoranda                                                                                                                                                                                                     |
| Evaluation Team                         | The team as described in Appendix 1 that evaluates the Provisional Tenders and the Final Tenders                                                                                                                                                                                   |
| BPQR                                    | Best price-quality ratio                                                                                                                                                                                                                                                           |
| Appendix                                | A document attached to these Tendering Guidelines that contains additional information on the Contract and/or the tender procedure                                                                                                                                                 |
| Final Tender                            | The tender that will be assessed by the Contracting Authority according to the Minimum Requirements and the Award Criterion and that is no longer negotiable                                                                                                                       |
| First Tender                            | The first provisional tender on the basis of which the negotiations to improve the tender, unless the Contracting Authority exercises its right to award the Contract to a First Tender                                                                                            |
| Tenderer                                | The natural person or legal entity submitting a First/Provisional and/or Final Tender                                                                                                                                                                                              |
| Award Decision                          | The announcement of which Tenderer may be awarded the Contract if no preliminary relief proceedings are initiated during the Period for Objections. This announcement does not oblige the Contracting Authority to make a Definitive Award                                         |
| Competition Procedure with Negotiations | The tender procedure as defined in Articles 2.30 and 2.31 of the PPA                                                                                                                                                                                                               |
| Minimum Requirement                     | A requirement that the Final Tender must in any event meet to qualify for the Definitive Award of the Contract. Failing to meet one or more Minimum Requirements will render the Final Tender invalid. Failing to meet one or more Minimum Requirements in the First or subsequent |



Provisional Tenders will not render those tenders invalid – unless the Contract is already awarded on the basis of the First Tenders – on the proviso that not meeting the same Minimum Requirement(s) again in the Final Tender will invariably result in invalidity

|                          |                                                                                                                                                                                                         |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contracting Authority    | Coöperatie e-GLM U.A., with its registered office in (5928 RC) Venlo at Sint Jansweg 15, with which the Contractor can conclude the Agreement after the Definitive Award                                |
| Contractor               | The Tenderer to whom the Contracting Authority has definitively awarded the Contract and with whom it has concluded the Agreement                                                                       |
| Schedule of Requirements | A description of the services to be performed, including the relevant minimum functional and/or technical specifications and the implementation requirements to be applied by the Contracting Authority |
| Tendering Guidelines     | This document, on the basis of which the valid Final Tenders of suitable and non-excluded Tenderers will be assessed in order to conclude the Agreement with the winning Tenderer                       |

Where definitions in the Tender Documentation are used in the singular or plural, they are also considered to include the plural or singular, respectively, unless stated otherwise.



## 2. Tendering Guidelines

This document consists of the Tendering Guidelines that belong to the European tender for the contract to deliver and maintain Electric truck of Coöperatie e-GLM U.A. and is part of the Tender Documentation. The Tender Documentation contains the information necessary for interested parties/Tenderers to understand the Contract.

The European tender procedure will be carried out in accordance with the Competition Procedure with Negotiations (procedure description in 5.2).

Negotiations to improve the tenders are held with the Tenderers after each provisional tender round. Based thereon, Tenderers can submit a Final Tender.

These Tendering Guidelines are intended for all parties interested in making a bid for the Contract by submitting a First Tender and contain:

- Information for interested parties to gain insight into the Contracting Authority and the tender procedure;
- The planning of the tender procedure;
- Information on how Tenderers can make First and Final Tenders;
- Information on the minimum requirements for First and Final Tenders;
- Information on the purpose of the negotiations preceding the submission of a Final Tender;
- Information on the award criterion and award sub-criteria and the evaluation method used by the Evaluation Team;
- Information on the further course of the tender procedure.

Communication with the Contracting Authority, from questions to submission of first and final tenders, will be done via e-mail. The e-mail address is [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com).

## 3. Contracting Authority: Coöperatie e-GLM U.A.

Coöperatie e-GLM U.A. is the Contracting Authority for this tender. Its members are Dutch and German logistics service providers. The composition of its members can change during both the tender procedure and the tender's implementation stage. The tender is supervised by NV Industriebank LIOF (Limburgse Ontwikkelings- en Investeringsmaatschappij), FIER Automotive BV and BS- Managementsupport.

## 4. Contract description

The Contracting Authority intends to introduce the electric truck in the heavy duty segment of the transport sector for containers & distribution transport in the cross-border top logistics region Limburg – Duisburg, in the context of the e-Green Last Mile (e-GLM) project.



For that reason, the Contracting Authority is organising this tender procedure. The object of the Contract is the delivery and maintenance of the electric truck. Generally speaking, the Contracting Authority's invitation to tender pertains to:

- Electric truck (1 envisaged);
- Service and maintenance of these truck is optional.

The ambition of eGLM is to purchase 1 full electric truck via this tender.

The award criterion used is the most favourable Tender from an economic perspective on the basis of the best price-quality-ratio.

## 5. Planning

Because the planning schedule on TenderNed does not meet the steps in the 'Competition Procedure with Negotiations', the planning in this Tendering Guidelines document is leading. The planning on TenderNed therefore needs to be ignored. When there is an update from the planning, a memorandum of an updated planning will be uploaded.

### 5.1 Dates

|                                                                                       |                               |
|---------------------------------------------------------------------------------------|-------------------------------|
| 1.Digital announcement of the Contract                                                | Tuesday 31-05-2022            |
| 2.Registration of Tenderers                                                           | Monday 27-06-2022 12.00 PM    |
| 3.Tenderers are judged on schedule of requirements                                    | 27-06-2022 – 28-06-2022       |
| 4.Selection and invitation Tenderers to submit first tender                           | Wednesday 29-06-2022 17.00 PM |
| 5.Submission of First Tender                                                          | Wednesday 20-07-2022 17.00 PM |
| 6.Analyses of the First Tender                                                        | 21-07-2022 – 22-07-2022       |
| 7.First negotiation round                                                             | 26-07-2022 – 28-07-2022       |
| 8.Issuance of adjustments to the Contract and invite Tenderers to submit Final Tender | Friday 29-07-2022 17.00 PM    |
| 9.Submission of Final Tender                                                          | Friday 19-08-2022 17.00 PM    |
| 10.Evaluation Final Tender and announcement of Award Decision                         | 22-08-2022 – 25-08-2022       |
| 11.Intention for awarding the Contract                                                | Friday 26-08-2022 17.00 PM    |
| 12.Period for Objections                                                              | 26-08-2022 – 23-09-2022       |
| 13.Conclusion of the Agreement                                                        | Monday 26-09-2022 17.00 PM    |

### 5.2 Summary of the tender procedure

In summary, the tender procedure consists of the following stages:

1. Digital announcement of the Contract via TenderNed;
2. Tenderer reports with potential questions and with 1 document: confirmation of meeting the requirements, via an email send to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com);



3. Assessment team will judge the input from the Tenderers under supervision of Contracting Officer;
4. Selected Tenderers will receive an invitation;
5. Tenderers report with First Tender proposal: technical and operational capability discretions (max 3 pages) and the filled in pricing sheet via an email send to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com);
6. Assessment team will judge the First Tenders from the Tenderers under supervision of Contracting Officer;
7. Assessment team will negotiate with the Tenderers under supervision of Contracting Officer;
8. Contracting Officer will write an issuance of adjustments to the contract, and share this with all Tenderers who are invited to submit a Final Tender;
9. Based on the results of the negotiations round Tenderers will send in additional information resulting in a Final Tender via an email send to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com).
10. The assessment team will judge the Final Tenders from the Tenderers under supervision of Contracting Officer;
11. Assessment team will under supervision of Contracting Officer confirm the intention for the awarding of the contract;
12. Period for making objections by Tenderers who have not been selected for receiving the assignment;
13. Contracting Officer will finalise the agreement with contracting the selected Tenderer

## **6. General rules of procedure**

### **6.1 Digital tender**

This tender will take place in entirely digital form online, using the TenderNed platform and communication via email. The application will be done by submitting an email to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com) with the mandatory information described in the following chapters. The Tenderer bears the risk of timely and full submission of their Tender. The Contracting Authority are not responsible for errors made by Tenderers when supplying information through the Internet tool.

### **6.2 Language**

The tender procedure will, in principle, be conducted in the English language. The information and documents requested in the different stages of the procedure must be supplied in the English language. If information and documents cannot be supplied in the English language for valid reasons (such in the exclusive opinion of the Contracting Authority), the Contracting Authority may allow their provision in the Dutch or German language. If required for an effective communication, Dutch or German may be used during the negotiation rounds.

### **6.3 Contact person**

The Contact Person for this tender from the Contracting Authority is Mr B. Smulders (on behalf of the eGLM-partnership), who can be contacted via [bertsupport@hotmail.nl](mailto:bertsupport@hotmail.nl).



## 6.4 Inconsistencies and objections

The Tender Documentation was carefully compiled. Should a Tenderer nevertheless encounter inconsistencies and/or imperfections between the Tender Documentation or the text of the announcement, the Tenderer must inform the Contact Person of this. By submitting a First Tender, the Tenderer agrees to all the conditions for this tender procedure.

Final Tenders must be submitted unconditionally and without reservations. If a Tenderer does include conditions and/or reservations in its Final Tender, the Contracting Authority will exclude the Tenderer in question from further participation in the tender procedure.

## 6.5 Entitlement to award or reimbursement of costs

The Contracting Authority reserves the right to stop the tender procedure in full or in part, temporarily or permanently, at any time up to the moment the envisaged Agreement is signed. In addition, the Contracting Authority is not obliged to award the Contract. By submitting a First Tender, the Tenderer agrees to this reservation. In such a case, the Tenderer will not be entitled to the reimbursement of any costs or losses and such incurred in the context of this tender.

## 6.6 Applicable law and disputes

The tender procedure and the Agreement that may arise from it are governed exclusively by Dutch law. Disputes between the parties involved in the tender that arise further to this tender must be submitted to the competent civil court of the Limburg District Court, location Maastricht.

# 7. Rules of procedure for First Tenders

## 7.1 Round of questions and information

All Tenderers can submit questions about the tender prior to issuing a First Tender. Questions can be submitted until the date included in the planning via sending an email to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com).

The questions and the answers will be shared in anonymous form to all Tenderers on or before the date stated in the planning in the form of an Information Memorandum via an email and via TenderNed.

## 7.2 Rules for First Tender

**1)** The First Tender must be completed and submitted via sending an email to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com). The First Tender must contain the following documents:

1. Price –*Provisional Tender Price List*

On the Price List in TenderNed, the Tenderer must state a total tender price for the entire Contract, specifying the various cost items.



## 2. Quality – *Technical and operational capabilities*

Through the '*Technical and operational capabilities*' Final Tender on the TenderNed platform, the Tender must submit the following documents for its Final Tender:

- *Technical and operational capabilities*: Range, Weight and Charging performance
- *Technical and operational capabilities*: Time of delivery, Service, Maintenance and Guarantee

No format is available: this has no prescribed form. Nevertheless, the documentation with the description of *Technical and operational capabilities* must meet the following requirements:

Maximum 3 A4. More pages will not result in the invalidity of the Tender. However, these pages will be left out of consideration in the assessment of the Tenders.

The final deadline for submitting this information can be found in the Planning on TenderNed.

- 2) The Tenderer is responsible for the timely digital submission of the First Tender via sending the required documents to [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com).
- 3) Insofar as the Tenderer bases its First Tender in part on assumptions, these assumptions, to the extent that these turn out to be incorrect, are for the risk and account of the Tenderer.

## 8. Evaluation of First Tenders

### 8.1 Validity

After the closing date for receipt of First Tenders, it is first reviewed whether the Tenderers have submitted a complete and valid First Tender.

### 8.2 Announcement of the result of the verification

All Tenderers that submitted a First Tender will receive a notification from the Contracting Authority about the (in)validity of their First Tender and the result of the verification. Every Tenderer can furthermore acquire information from the Contact Person of the Contracting Authority for an explanation in respect of this notification.



## 9. Negotiations tenders

After the expiry of the tender period for the First Tenders, all eligible non-excluded Tenderers that have submitted a valid First Tender are invited for consultations, unless the Contracting Authority chooses to award the contract on the basis of the First Tender. In that case no negotiation rounds will take place. The Contracting Authority reserves the right to award the contract on the basis of the First Tenders.

If the award does not occur on the basis of the First Tenders, there will be a negotiation round. The goal of the negotiation round is to improve the First Tenders, so that the Final Tender completely fits the objectives and needs of the Contracting Authority.

During the negotiation round it is not permitted to make adjustments to the award criteria and/or minimum requirements.

After the negotiation round, the changes are announced to all Tenderers via a separate Information Memorandum. This will also be announced this way if there are no changes and/or if the Final Tender Round is expected. N.B.: what is discussed during the negotiation round does not constitute an assessment and will not be considered in the Assessment Team's ultimate assessment of the Final Tenders.

## 10. Regulations Final Tenders and Assessment

### 10.1 Final Tender

**1)** The Final Tender must be completed and submitted via [cooperatie.eglm@gmail.com](mailto:cooperatie.eglm@gmail.com). The Final Tender consists of the following parts:

1. Price – *Price List Final Tender*

On the Price List Final Tender in TenderNed, the Tenderer must state a total tender price for the entire Contract, specifying the various cost items.

2. Quality – *Technical and operational capabilities*

Through the '*Technical and operational capabilities*' Final Tender on the TenderNed platform, the Tender must submit the following documents via TenderNed for its Final Tender:

- *Technical and operational capabilities*: Range, Weight and Charging performance
- *Technical and operational capabilities*: Time of delivery, Service, Maintenance and Guarantee



No format is available: this has no prescribed form. Nevertheless, the documentation with the description of *Technical and operational capabilities* must meet the following requirements:

Maximum 3 A4. More pages will not result in the invalidity of the Tender. However, these pages will be left out of consideration in the assessment of the Tenders.

## 10.2 Review Final Tenders

After the expiry of the tender period for the Final Tenders, it will be reviewed whether the Tenderers have submitted a complete and valid Final Tender. The review of the completeness entails a review of the number of documents as well as a review of the contents of the documents (review in conformity with regulations).

## 10.3 Award Criterion and Award Sub-Criteria

The Award Criterion is the most favourable Tender from an economic perspective on the basis of the best price-quality-ratio (BPQR). The award occurs by means of the assessment of the valid Final Tenders on the basis of the award sub-criteria below and the accompanying weighting factor. The price-quality ratio for this tender is set up as follows:

| No. | Award (sub-)sub-criteria                                                                       | Weighing |
|-----|------------------------------------------------------------------------------------------------|----------|
| 1   | <b>Quality:</b>                                                                                |          |
|     | - Technical and operational capabilities: Weight and Charging performance                      | 33,5 %   |
|     | - Technical and operational capabilities: Time of Delivery, Service, Maintenance and Guarantee | 33,5 %   |
| 2   | <b>Price</b>                                                                                   | 33,0 %   |

## 10.4 The assessment

### *Score Price*

The tender price referred to here is stated in the Price List Final Tender (section 10.12). The tender price must be based on the actual quality offered by the Tenderer.

The members of the Assessment Team will value the price from 1 (higher price) to 5 (lower price). This method does not require one of the Tenders to reach the highest score and several Tenderers can achieve the same score when using this method.



### *Score Quality*

The score on the award sub-criterion quality are established as follows.

The members of the Assessment Team will value the Technical and Operational capabilities:

#### **1 - Poor**

- Does not link up with the question/situation;
- The answers do not discuss the stated aspects;
- It is not clear;
- Details are not provided;
- The provided image is not realistic.

#### **2 - Unsatisfactory**

- Insufficiently links up with the question/situation;
- The answer to the question does not discuss all aspects;
- Insufficient details are provided and/or the provided image is not realistic.

#### **3 - Satisfactory**

- Suits the desired situation, but provides no added value;
- The answer addresses the question, but not to the desired detailed extent
- and/or not all aspects are discussed.

#### **4 - Good**

- Links up well with the desired situation;
- The answer addresses the question and to the desired detailed extent;
- All aspects are discussed.

#### **5 - Excellent**

- Links up completely with the desired situation;
- All aspects and details are addressed;
- The answer to the question provides a clear added value that benefits the Contracting Authority.

This method does not require one of the Tenders to reach the highest score and several Tenderers can achieve the same score when using this method.

### **Range, Weight and Charging Performance**

The values for sub-criterion Range, Weight and Charging Performance are attributed on the basis of assessment of Range, Weight and Charging Performance pursuant to the following criteria:

- A higher Range for the truck with a fully charged battery (than described in the Schedule of Requirements) results in a higher assessment;
- A higher charging speed of the rapid charger and the truck (than described in the Schedule of Requirements) results in a higher assessment;
- A lower total own weight of the truck (than described in the Schedule of Requirements) results in a higher assessment.



### **Time of delivery, Service, Maintenance and Guarantee**

The values for sub-criterion Time of delivery, Service, Maintenance and Guarantee are attributed on the basis of assessment of the Time of delivery, Service, Maintenance and Guarantee pursuant to the following criteria:

- The sooner the electric truck can be delivered, guaranteed, results in a higher assessment;
- A higher service level on the truck (than described in the Schedule of Requirements) results in a higher assessment (e.g. breakdown assistance, response time, spare parts on stock, dealer network, replacement truck etcetera);
- A better maintenance offer on the truck (than described in the Schedule of Requirements) results in a higher assessment (responsive, pro-active and additive maintenance).

The Assessment Team will assess all documents individually and on the basis of their own expertise. After all individual members of the Assessment Team have completed the assessment, the results will be discussed with the complete Assessment Team in a consensus meeting. This meeting will be chaired by the "Contracting Officer" (see Appendix 1) who has not been involved in the assessment of the Tenders. The scores will for each award sub-sub-criterion, as given by the individual members of the Assessment Team, will be discussed during the consensus meeting. On the basis of this discussion, the members of the Assessment Team must arrive at a consensus and jointly one mark is determined for each award sub-sub-criterion and for each Tenderer.

The Final Tender for which the outcome of the weighting factor in 10.3 is the highest, will be qualified as the most favourable tender from an economic perspective.

### **10.5 Notice of the assessment result**

All Tenderers receive a notice from the Contracting Authority stating the Award Decision and the notice of the end result and the assessment of the Final Tender on the date as stated in the planning.

### **10.6 Concretisation and Award**

Once the Period for Objections has expired, the Contracting Authority will contact the envisaged Contractor(s) to commence the concretisation stage. If this stage is satisfactorily completed, the Contracting Authority will proceed with the Definitive Award.

## **11. Concretisation stage**

The concretisation stage is the stage following the Award Decision, in which the envisaged Contractor is given time to plan the project. In the concretisation stage, the best Tenderer must show how its Tender looks in detail and demonstrate that it can perform its Tender at minimal



risk in a manner that is acceptable to the Contracting Authority. Only the Tenderer who finished first in the final results of the evaluation will be admitted to the concretisation stage.