



Royal Netherlands
Meteorological Institute
*Ministry of Infrastructure
and Water Management*

Annex 2

Mandatory Forms to be Completed

Part of the Descriptive Document

Pertaining to	: Seismological Monitoring Instruments for KNMI
According to a	: Public European tender procedure
Reference no.	: TN-406228
Date	: June 8 th 2023
Version	: 1.0



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Explanatory Notes

These Mandatory Forms to be Completed are part of the Descriptive Document pertaining to Seismological Monitoring Instruments, reference no. TN-406228 dated June 8th 2023.

You are requested to complete these Mandatory Forms in full and, wherever applicable, add appendices. An incomplete form, or a form in which not all questions have been answered, or a form for which appendices are missing, or a form in which textual changes have been made, may lead to your Tender's being laid aside and thus not qualifying for the award of the assignment.

All forms to be completed, with the exception of the forms marked **verification document**, must be submitted with the tender. The forms marked verification document only need to be submitted by the winning tenderer, as set down in and in accordance with Article 5.1 of the Descriptive Document.



1. Information regarding Tenderer

1.1 Company name

Explanation	Tenderers must be registered in a company register, professional register or a trade register in the country where the tenderer is established. <i>Note</i> – The company name or trade name must be able to be derived from the extract(s) of the professional or trade register, or, in the absence thereof, another proof as referred to in Article 2.98 of the 2012 Tender Act.
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Company name / trade name	<to be completed>
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1.2 Details of holding

Do you form part of a holding?	☐ Yes ☐ No
If yes, please answer the questions below.	
Official company name of holding	<to be completed>
Legal form	<to be completed>
Registration number, professional or trade register	<to be completed>
Date of establishment of holding	<to be completed>
Registered address of holding	<to be completed>
Postcode and place	<to be completed>
Country	<to be completed>
Website	<to be completed>
Number of employees within the holding	<to be completed>

1.2.1 Liability statement of concern (Cooperation of trading companies) / holding

In the event of the Tenderer making an appeal to the economic and financial capacity of the concern of which it forms part, or the holding under which it ranks, then the concern or the holding must provide a full and unconditional guarantee for the compliance of all obligations ensuing from the Contract. **In this case, the Tenderer must submit the statement regarding Liability of Concern / Holding.** This statement must be no more than six months old and signed by a person authorised to do so.



Does Tenderer form part of a concern or does it rank under a holding?	☐ Yes ☐ No
Does Tenderer revert to qualifications of a third party in order to meet the Suitability Requirements regarding economic and financial capacity?	☐ Yes ☐ No
If the answer to the second question is positive, Tenderer must submit both the <u>statement regarding Liability of Concern / Holding and an extract of the professional or trade register pertaining to the concern / holding</u> of the country of business of the third party signatory, or, in the absence thereof, another proof as referred to in Article 2.98 of the 2012 Tender Act.	



Statement regarding liability of concern / holding

Tenderer certifies that

Name of concern /
holding_____

Registered
address_____

Postcode and
place:_____

hereinafter to be referred to as "**Surety**",

with respect to this tender procedure – and on condition that the assignment is awarded – the Surety stands surety towards the Contracting Body for the compliance of all obligations entered into by Tenderer under the contract(s) concluded pursuant to the tender procedure at hand.

The Surety certifies – on condition that the assignment is awarded – to Tenderer that:

- it provides full and unconditional guarantee for compliance of the obligations ensuing from the Contract to be concluded,
- and, if and insofar as such is the case, can be held liable for any damage ensuing from non-observance of the Contract or failure to properly observe the Contract or failure to observe the Contract in time,
- and that the acceptance of several liability lapses if the Contracting Body does not award the Contract to Tenderer,

in accordance with Article 2:403 paragraph 1 section f of the Dutch Civil Code.

Tenderer's signature

Company name of Tenderer	<to be completed>
Name of representative	<to be completed>
Position	<to be completed>
Signature	<to be completed>
Place, date	<to be completed>



Signature of concern / holding (Surety)	
Name of company	<to be completed>
Name of representative	<to be completed>
Position	<to be completed>
Signature	<to be completed>
Place, date	<to be completed>



2. Endorsement of tender procedure

2.1 Conformity statement

By submitting a Tender, the Tenderer certifies that it agrees to all the requirements, terms, conditions and provisions specified.

Does Tenderer agree to all requirements, terms, conditions and provisions specified?	☐ Yes ☐ No
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Conformity statement
By signing and appending this statement to its Tender, the Tenderer certifies, unconditionally and without reservation, with respect to the European tender Seismological Monitoring Instruments (TN-406228) issued by the Contracting Authority, that: • The Tenderer complies with all terms, conditions and provisions set down in the Tender Documents; • The products and/or services to be provided meet the Requirements set down in the Tender Documents; • the products and/or services to be provided will, as a minimum, meet the wishes as worked out by the Tenderer in its Tender; • The Tenderer agrees to the (Draft) Contract; • The Tenderer agrees to the Terms and Conditions. The undersigned certifies that it is legally authorised on behalf of the Tenderer to sign this statement and submits, as unequivocal proof, either an extract from the professional or trade register or a lawfully signed power of attorney with unequivocal proof showing the signatory's authorisation to represent the company.

Signature by Tenderer	
Company name of Tenderer	<to be completed>
Name of representative	<to be completed>
Position	<to be completed>
Signature	<to be completed>
Place, date	<to be completed>



3. Grounds for Exclusion

The Grounds for Exclusion are set down in Annex 1 - European Single Procurement Document (ESPD) document of the Descriptive Document. By signing the ESPD, the Tenderer certifies that the Grounds for Exclusion do not apply to it.



4. Suitability Requirements

4.1 Economic and financial capacity

The Tenderer's continuity must be sufficiently guaranteed.

4.1.1 SR1 – Annual account / Audit certificate / assessment or compilation report

By submitting a Tender, the Tenderer certifies that it meets the requirement(s) set out below, and, in the event that the Tender is submitted by a Combination, all members of the Combination (will) meet the requirement(s). provide the proof upon request within the term stipulated.

Requirement(s):

Required is a positive audit certificate to the annual statement of accounts pertaining to the total turnover over the last financial year available. The Tenderer's most recent audit certificate must not contain a so-called continuity paragraph (such as a paragraph in, for example, the annual statement of accounts expressing doubt regarding the continuity).

For companies that are not required to produce an annual statement of accounts, an assessment or compilation report will suffice.

Tenderer certifies that it will meet/meets this requirement.	☐ Yes ☐ No
In the event that the Tender is submitted by a Combination, none of the members of the Combination may be subject to doubt regarding its continuity and each of the members of the Combination must be able to produce an audit certificate or compilation report.	☐ Yes ☐ No ☐ Not applicable

Verification document(s) (these documents must be provided within 7 days upon first request from the Contracting Authority):

- Annual statement of accounts with aggregate turnover data of the last available financial year;
- An audit certificate without continuity paragraph, or an assessment report or a compilation report.



4.2 Technical skill and/or professional skill

The Tenderer's skill must be sufficiently guaranteed.

4.2.1 SR2 – Core Competencies /References

The Tenderer must use the References statement to submit references to prove Tenderer possesses the appropriate Core Competencies. A single statement must be submitted for each reference; an assignment carried out for a single organization over a number of years is regarded as a single reference. One reference is requested for each core competency. **Please note that the description of the References (using the specified template) must be added to the submission of the tender.**

The Tenderer must provide a description of the work performed for the organisation giving the reference. This description must demonstrate the relevance of the reference(s). A relevant reference is a reference that is comparable to the Assignment under consideration in terms of nature and scope. The references must, as a minimum, meet the core competencies and requirements set down below.

References;

The Tenderer must submit **2** separate, unique references per Lot in order to demonstrate that it meets the following core competencies. Please make sure to provide the reference assignment- descriptions that belong to / are relevant for the Lots you wish to submit a Tender for.

Lot 1:

Tenderer has proven experience with the following core competencies:

- (1) Delivery of Geophone string for use in Seismological monitoring and research;
- (2) The equipment is field-tested and the quality performance complied to the stated requirements by the client of the assignment.

Lot 2:

- (1) Delivery of Surface accelerometer with associated data logger for use in Seismological monitoring and research within an organization which operates a FDSN**-registered Network;
- (2) The equipment is field-tested and the quality performance complied to the stated requirements by the client of the assignment.

Lot 3:

- (1) Delivery of 12+ channel data logger for geophone string for use in Seismological monitoring and research within an organization which operates a FDSN**-registered Network;
- (2) The equipment is field-tested and the quality performance complied to the stated requirements by the client of the assignment.

All references (regardless of the Lot it refers to) to be provided must, as a minimum, meet the following requirements:

- The references to be submitted have been performed / carried out during the past three (3) years (to be counted back from the publication date of this tender).



- The references have been completed, carried out in a timely, professional manner, to the satisfaction of the client.

(!) Please note that the Contracting Authority requests 2 reference assignments in total per Lot that meet the core competencies (marked with "(1)" or "(2)"). This means one reference assignment that meets core-competence 1 and one reference that meets core-competence 2. In case the Tender relates to more Lots, 2 references per Lot have to be provided.

In addition, all references must meet the minimal requirements (marked with "•") mentioned above. These requirements are a "Knock-Out", which means that failure to comply with these requirements means exclusion from the tender and are not eligible for awarding of this tender.

The Contracting Authority reserves the right to request further information from the organization providing the reference (the client) regarding the performance of the services. For that reason, it is advisable for the Tenderer to inform the contacts of the client/reference(s) provided that they may be contacted by the Contracting Authority. It is not allowed to include the contact information of your own staff/employees in the mandatory forms. The contracting authority wants to be able to contact the client of the reference-assignment directly.

It goes without saying that the Contracting Authority will handle the information obtained thus with the utmost confidentiality.

In the event of a Combination or Subcontractor, the Tenderer must state clearly who has performed (which part of) the reference assignment.



References Lot 1/2/3 (Please copy and complete the form below in case of Submission of multiple Lots)

References Statement 1/2/3 <Please state which Lot is applicable>	
Reference number 1	
Details of client	
Name of client:	<to be completed>
Registered address:	<to be completed>
Type of organisation:	<to be completed>
Name of contact:	<to be completed>
Position:	<to be completed>
Telephone number:	<to be completed>
Description of assignment carried out	
Type of provision:	<to be completed>
Carried out by:	<to be completed>
Period of execution:	From <to be completed> up to and including <to be completed>
Reason for termination assignment:	<to be completed> or N.A.
Total amount for the entire assignment and per year:	Entire assignment € <to be completed> Per year € <to be completed>
Number of items supplied for the entire assignment and per year:	Entire assignment <to be completed> Per year <to be completed>
Meets core competency 1 (for this Lot):	Yes / no <to be completed and substantiated>
Meets core competency 2 (for this Lot):	Yes / no <to be completed and substantiated>
Requirement 1: Assignment is carried out during the past three (3) years	Yes / no <to be completed>



Requirement 2: Assignment has been completed, carried out in a timely, professional manner, to the satisfaction of the client. <i>Explain how this is demonstrated:</i>	<i>Yes / no</i> <i><to be completed></i>
Other relevant information and explanation / supplementation of the explanations to the core competencies	
<i><to be completed></i>	

Signature by Tenderer	
Company name of Tenderer	
Name of representative	
Position	
Signature	
Place, date	



References Statement Lot 1/2/3 <Please state which Lot is applicable>	
Reference number 2	
Details of client	
Name of client:	<to be completed>
Registered address:	<to be completed>
Type of organisation:	<to be completed>
Name of contact:	<to be completed>
Position:	<to be completed>
Telephone number:	<to be completed>
Description of assignment carried out	
Type of provision:	<to be completed>
Carried out by:	<to be completed>
Period of execution:	From <to be completed> up to and including <to be completed>
Reason for termination:	<to be completed> or N.A.
Total amount for the entire assignment and per year:	Entire assignment € <to be completed> Per year € <to be completed>
Number of items supplied for the entire assignment and per year:	Entire assignment <to be completed> Per year <to be completed>
Meets core competency 1 (for this Lot):	Yes / no <to be completed and substantiated>
Meets core competency 2 (for this Lot):	Yes / no <to be completed and substantiated>
Requirement 1: Assignment is carried out during the past three (3) years	Yes / no <to be completed>
Requirement 2: Assignment has been completed, carried out in a timely, professional manner, to the satisfaction of the client. <i>Explain how this is demonstrated:</i>	Yes / no <to be completed>



Other relevant information and explanation / supplementation of the explanations to the core competencies
<to be completed>

Signature by Tenderer	
Company name of Tenderer	<to be completed>
Name of representative	<to be completed>
Position	<to be completed>
Signature	<to be completed>
Place, date	<to be completed>



4.2.2 SR3 – Professional competence

By submitting a Tender, the Tenderer certifies that it meets the requirement(s) specified below.

Requirement(s):

The Tenderer must be able to demonstrate that it is registered on the professional or trade register in accordance with the regulations of the member state of his domicile, or be able to provide a sworn statement or an affidavit. Within the Netherlands, an extract of the trade register of the Chamber of Commerce will suffice.

The proof must describe the current situation of the company and may not be older than six months at the time of tendering. In the event of cooperatives, the Combination or all the individual members of the Combination must be able to provide the proof upon request within the term stipulated.

This extract will also be used to verify who is authorised to sign the Tender or documents on behalf of the Tenderer. This pertains to a signature by an official/officials who, according to the extract from the professional/trade register, is authorised to represent the Tenderer or who has been provided with a written authorisation to represent which has been appended to the Tender. The authorisation must be signed by a person/persons who, according to the extract from the professional/trade register or according to the bylaws of the Tenderer's Company, is/are authorised to represent and bind the Company.

Tenderer certifies that it meets this requirement.	☐ Yes ☐ No
In the event that the Tender is submitted by a Combination, all the members of the Combination certify that they meet this requirement.	☐ Yes ☐ No ☐ Not applicable

Verification document(s):

- Extract from the trade register, statement or affidavit*
- Authorisation (if applicable)

**Please note; this document must be included by the submission of the Tenderer.*



5. 5th Russia sanctions package of 8 April 2022

5.1 Tender law and contractual condition(s)

On 8 April 2022, the European Union imposed new sanctions against Russia¹. These sanctions affect public procurement by contracting authorities and special sector companies. With the fifth package of sanctions, the European Union introduces a ban on all public tenders with a Russian party (see article duodecies). Contracting authorities are obliged to determine whether your organisation, or the other party/parties with which the Tenderer is tendering in combination with, or the subcontractor(s) which the Tenderer has mentioned in this form, has ties with or is affiliated to Russian² parties.

The ban refers to awarding to:

- persons with Russian citizenship and persons or legal entities (companies, entities or bodies) established in Russia;
- Legal entities which are more than 50% owned by a Russian Party as mentioned above; and
- persons or legal entities acting in the interest of or at the direction of any of the above-mentioned Russian parties.

Please note that the legal entities referred to under 2nd/3rd bullet point include legal entities established in the EU/EEA or in a country other than Russia.

5.2 Declaration and signature

Tenderer declares by signature that:	
• Tenderer has no ties with Russian party/parties. • Tenderer is not affiliated with Russian party/parties.	

Signature of Tenderer	
Company name Tenderer	<to be completed>
Name of representative	<to be completed>
Function	<to be completed>
Signature	<to be completed>
Place, date	<to be completed>

¹ See [EUR-Lex - L:2022:111:TOC - EN - EUR-Lex \(europa.eu\)](#)

² References in this document to Russia/Russia include Belarus/Belarus.