



DESCRIPTIVE DOCUMENT

Public tender
Gasunie Transport Services - Peak delivery 2023-2024

Reference: see [TenderNed.NL](https://tender.ned.nl)

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Gasunie Transport Services (GTS)
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Annexes which are part of this descriptive document:

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| Annex 1 | <i>Gasunie Code Of Conduct July 2022.pdf</i>
Gasunie Supplier Code of Conduct |
| Annex 2 | <i>Complaints procedure for tenders Gasunie April 2023.pdf</i>
Gasunie complaints procedure for tenders |
| Annex 3 | <i>Template Agreement Peak Service GTS 2023-2024.docx</i>
Contract which contains all details |
| Annex 4 | <i>Termsheet-Peakdelivery 2023-2024.pdf</i>
Short description of most relevant items for this tender and contract |
| Annex 5 | Spreadsheet <i>OfferGTSPeakDelivery2023-2024.xlsx</i>
in which tenderer makes his offer. |

The annexes can be found on [TenderNed.NL](https://tender.ned.nl)

2 GENERAL INFORMATION ABOUT THE PROCEDURE AND CONTRACT

2.1 Procedure

This document contains the information required to participate in the public tender for Peak delivery 2023-2024 for the benefit of Gasunie Transport Services B.V. (hereinafter: GTS).

The purpose of this descriptive document is to provide information on the requirements to be met by the participating parties, the procedure, the award criterion and the assessment procedure.

This tender is subject to the Dutch Public Procurement Act 2012 (Aanbestedingswet 2012).

GTS intends to award a contract to the Most Economically Advantageous Tender (MEAT) whereby the award criterion Lowest Price will be applied. Rationale for this criterion is that:

- The few hard demands there are must be strictly met,
- Quality of the product, either G-Gas or H-Gas are very strict: there is no qualitative distinction between the various tranches.

2.2 Gasunie Transport Services

Gasunie is an energy infrastructure company. We manage the infrastructure for large-scale gas transport, storage and conversion (still mostly natural gas) in the Netherlands and North Germany. The energy transition means that this is increasingly shifting towards green gas and hydrogen. We are also working on the construction and management of heat and CO₂ networks.

Our task is to provide safe, reliable, affordable and sustainable energy infrastructure services, making energy available to everyone at all times. Safety, reliability, sustainability and cost awareness are paramount here.

Gasunie's network is one of the biggest high-pressure gas transport networks in Europe and consists of more than 15,000 kilometres of pipeline, 1,000 gas delivery stations and dozens of installations in the Netherlands and North Germany. Gasunie's infrastructure is part of the 'gas roundabout' of Europe. This network allows the gas to be traded and transported easily. The annual throughput of gas is approximately 100 billion cubic metres.

Our mission

Gasunie is a leading European energy infrastructure company. The transportation and storage of gas are our core business. We serve the public interest and facilitate the energy transition by offering integrated infrastructure services. We focus on value creation for our shareholder(s) and other stakeholders and adhere to the highest safety and business standards applicable to our industry.

Our vision

We believe in a sustainable future with a balanced energy mix and a continuing role for gas from various sources. We believe that we offer our customers the best service by offering innovative solutions in the field of infrastructure, particularly gas infrastructure.

Our three pillars:

- Ensuring a safe, reliable, affordable and sustainable gas infrastructure in our core area.
- Contributing to efficient gas infrastructure and services for a well-functioning European natural gas and LNG market.
- Accelerating the transition to a CO₂-neutral energy supply.

Part of Gasunie is Gasunie Transport Services (GTS). The GTS tasks are described here:

<https://www.gasunietransportservices.nl/en/about-gts/organisation/tasks>

GTS' mission statement

We offer gas transport services in a customer-orientated and transparent way. Safety, reliability, sustainability and cost-awareness are our priorities. We serve the public interest and operate professionally to create value for our stakeholders.

Code of Conduct - Supplier Code of Conduct

Maintaining a good reputation is very important to Gasunie for achieving its objectives. Gasunie sees it as its responsibility to ensure that its services are supplied in a value chain that complies with international standards. Collaboration with suppliers and partners should be carried out professionally, carefully and with integrity. The Code of Conduct applies to all Gasunie staff, and also to those employed by companies belonging to the Gasunie group and to those workers who are seconded to or who work on behalf of Gasunie, and thus for Gasunie suppliers as well. The Code of Conduct is available with this tender on TenderNed. The Gasunie Suppliers Code of Conduct forms part of the agreement to be concluded.

More information about the company Gasunie can be found on www.gasunie.nl, about GTS on: <https://www.gasunietransportservices.nl/>

2.3 Subject of the tender

Introduction

Every year Gasunie Transport Services B.V. (GTS) organizes a tender to contract the required services for peak supply in order to fulfill its legal task.

In November 2022, GTS organized a peak tender for winter 2023-2024 which did not lead to a positive result. Potential service providers indicated that participation in the peak supply tender was hardly possible due to high prices and volatility,

- In order to fulfil its peak delivery task, GTS decided to use the Peakshaver installation at the Maasvlakte for part of the required volume and capacity needed for the Peak Supply 2023-2024,
- GTS is aiming to contract the remaining peak volume and capacity via this revised peak tender,
- GTS held talks with several potential service providers and discussed parameters for a revised peak service in order to have a successful tender,
- GTS bundled the feedback and included the feedback in the annex 4 - term sheet

2.3.2 Internal client: Department LAO (development and planning department)

The LAO department manages and plans the flow of gas within all GTS's assets. It includes [peak supply](#). Peak supply is described [in the Dutch Gas Act](#).

2.4 Scope of the contract

Tenderer may offer up to twenty four (24) tranches. The offer is to be made using Annex 5: the spreadsheet. GTS is looking to contract Peak Services based on delivery of gas from a highly reliable source when called upon: see term sheet, and contract, for details.

A tenderer can be awarded none or from one (1) up to twenty four (24) tranches.

GTS is not obliged to place orders with the contractor(s).

Enclosed with the tender is annex 3: a template-contract. Please review the contract for all relevant details. With the submittal of a tender the tenderer declares to unconditionally agree with the content of the tender documents including the contract. In case a tenderer gets a contract awarded the/its offer made will be included in the contract.

Changes in contract

For parties who have participated in the tender before, and perhaps have been a peak delivery supplier, a summary of changed conditions and requirements compared to the peak delivery tender until 2021/2022:

- Lead time
Was two hours; i.e. order at least two hours before the first hour of desired delivery.
Now the *Peak delivery request* is set on a fixed time.
Due to this fixed time, it is now possible to bid at any mentioned (Virtual) Interconnection Point, storages and GATE terminal,

- **Delivery Point**
Delivery Point is now on TTF, and not any fixed point,
This gives supplier more flexibility on which point to use, plus more than one entry point (on TTF) for a single tranche is now feasible,
- **Peak capacity**
Peak capacity is now 500 MWh/h per tranche, instead of double that.
As a result the number of required tranches has doubled,
- **Payment for service**
Payment for the service used to be an equal amount for 12 consecutive months (July through June). There are now more invoicing options Supplier can choose from, see contract.
- **Payment for delivered gas**
If any gas is delivered it will be paid for, instead of delivered back later. Details are in the term sheet and the contract.

2.5 Intended result of the tender procedure

GTS intends to conclude contracts with one or more tenderers to ensure that all 24 tranches are covered. Such a contract has a term of three months with no option to extend it. The intended effective/commencement date is December 01, 2023.

2.6 Tranches

Tranches

Tenderer may submit an offer using Annex 4, the spreadsheet, for one or more tranches for Gas.

Variants and alternative tenders

Submitting variants and/or alternative tenders is not permitted. Any variants/alternatives put forward will not be assessed. Questions in this regard will be answered.

3 TENDER PROCEDURE

3.1 Planning

Below is the planning for this tender. No rights may be derived from the schedule below. Dates shown in bold are final deadlines, unless otherwise notified by GTS. GTS reserves the right to amend the planning in the interim. The planning as stated in a note of information takes precedence.

Activity	Date/ Period in 2022 Times in CET
Pre-announcement on TenderNed, including term sheet	Tuesday May 30 2023
Publication on TenderNed	Friday June 9th
Deadline for submitting questions (for note of information)	Thursday June 22 nd 13:00 LET
Publication of note of information (if any) latest at:	Friday June 30 10:00 LET
Deadline for submission of tenders	Tuesday July 4th 2023 10:00 LET
Award decision	Monday July 10 th 2023
Signing of the agreement	a.s.a.p. after July 10 th 2023
Effective runtime of the agreement	December 1 st 2023-Feb 29 th 2024

3.2 Digital tender via TenderNed

This tender is carried out entirely electronically via <https://www.tenderned.nl> . This means that, among other things:

- All tender documents are made available free of charge and digitally on TenderNed;
- Tenderers' questions are submitted via TenderNed;
- Tenders can only be submitted digitally; and
- In principle, all further correspondence also takes place via TenderNed, unless there are questions about TenderNed (-procedure) itself, then you may contact Gasunie procurement directly.

Obtaining information about this tender from GTS other than as described above is not permitted. Communication about this tender, other than with the contact person mentioned above on the title page, can lead to exclusion from participation in this tender.

To make best use of TenderNed, it is also important for tenderers that their organisation is registered correctly and, among other things, the right people are given the proper authorisations for this tender procedure. Make sure this authorisation is also in place for holiday periods or other times when substitutions may be needed.

3.3 Language

The tender procedure is conducted in English. Unless otherwise stated or unless otherwise stated in writing by GTS in the subsequent tender procedure, all documents submitted by the tenderer must be in either Dutch or English. The same applies to the performance of the agreement throughout the contract period.

3.4 Tender costs

Tenderers will not receive any compensation for costs, damages or lost profits relating to the submission of a tender. If GTS withdraws the tender, it will consider whether a reimbursement of costs is deemed appropriate. It does not follow that there is an obligation to pay out such a reimbursement that takes into account all costs incurred.

3.5 Site visit ('indication')

Not applicable.

3.6 Information and note of information

Questions may be submitted in writing about the tender procedure, the tender documents or their contents and/or the contract documents or their contents.

The deadline for submitting questions is indicated in the schedule in section 2.1

Please submit your questions as soon as you have them, even if you have more questions to come. It is the aim of GTS to answer them as fast as possible, so you may receive multiple notes of information.

The answers to the questions submitted will be formulated as an anonymised note of information. The note of information will be published via TenderNed by no later than the date specified in section 2.1. Tenderers are deemed to have taken notice of the contents of the note of information. The note of information takes precedence over the descriptive document and its related annexes.

3.7 Submission

Your entry, the filled in spreadsheet, must be submitted via TenderNed before the date specified in the planning. If in a note of information, the planning was adapted, it supersedes the planning in this document. Tenderer may, during the entire period until the deadline, edit, revise and withdraw its tender. **Any information submitted by the tenderer only becomes visible to GTS after the expiry of the deadline.**

All tender documents to be submitted with the tender that specifically require a signature must be lawfully signed. Adding additional information not explicitly requested by GTS is not permitted. Such additional information will not be included in the assessment. The tenderer is responsible for the timely submission of its tender. Tenderers are therefore strongly advised to upload and release the

relevant data well before expiry of the above mentioned deadline. TenderNed will automatically close exactly at the time specified. It is not possible to submit a tender after the deadline.

3.8 Content of the submission

By submitting a tender, the tenderer declares that it is fully aware of the contents of this tender document, all annexes, and the anonymised note of information to be received, and any other accompanying documents, and also that it agrees with all the provisions and requirements of these documents.

Also, by submitting the tender, the tenderer declares that it has answered all questions and attachments fully and truthfully, and that the information provided corresponds with reality, and is correct and complete. If, after submission of the tender, it appears that this is not the case, this may result in exclusion from further participation in the tender procedure.

Documents to be submitted with the tender

Tenders must be prepared and submitted in full compliance with the provisions. If a tender has not been prepared and/or submitted in full compliance with the provisions, GTS may decide to exclude this tender from further participation in this procedure. The tender in question will then no longer be eligible for award.

The document to be submitted is Annex 4: the spreadsheet *OfferGTSPeakDelivery2023-2024.xlsx*.

3.9 Decision not to participate

If a tenderer decides not to submit a tender, the tenderer is kindly requested to report this as soon as possible.

3.10 Ambiguities, contradictions and forfeiture of rights

The tender documents have been compiled with care. If the tenderer nevertheless discovers errors/contradictions/faults/deficiencies/omissions or ambiguities in the tender documents, the tenderer must take a proactive approach by informing GTS itself as soon as possible, no later than at the time of the information round (note of information) by asking questions or submitting comments/objections.

If the tenderer fails to comply with this obligation, the tenderer forfeits its rights to raise any errors/contradictions/faults/deficiencies/omissions or ambiguities afterwards in court.

If the tenderer submits an objection during the information round(s) and Gasunie, to the opinion of the tenderer, does not or not adequately resolve that objection, the tenderer must take a proactive approach. The minimum requirement is that the tenderer - in the event that it cannot (yet) reconcile itself to the settlement of the objection - explicitly states, in writing and stating reasons, to the Gasunie that it maintains its objection. This statement needs to be submitted to Gasunie as soon as possible but no later than two days prior to the deadline for submission of the tender.

If the tenderer does not comply with the possibilities offered in this section, this will be at the risk of the tenderer and both Gasunie and the other tenderers will be justified in assuming that the tenderer has no questions and/or objections (left) regarding the procedure and/or contract. Raising objections and/or ambiguities only after the date of submission of the tender will lead to inadmissibility (on the grounds of legal effect) as far as those objections and/or ambiguities are concerned.

3.11 Complaints about the tender process

Gasunie has its own complaints procedure with respect to tenders, see Annex 2. You can submit complaints in writing to Gasunie's complaints desk using the following email address: klachtenmeldpunt.aanbestedingen@gasunie.nl. Please state clearly in the email which tender the complaint relates to, what the complaint is and how you think the problem can be remedied. The complaints procedure for tenders is published and can be consulted at www.gasunie.nl/leveranciers

Submission of a complaint does not automatically suspend the tendering procedure.

4 REQUIREMENT

The assessment of the tenders received on time will be subject to the provision mentioned in this chapter. Failure by the tenderer to comply with this requirement may result in exclusion from participation in this tender procedure.

Requirement to be met is that a tenderer needs to be qualified as a GTS shipper according to the requirements of GTS to become a qualified GTS shipper.

All the qualifications GTS needs for peak delivery are mentioned when supplier became a GTS shipper. Gasunie/GTS will check if the tenderer who submitted an offer is a qualified GTS shipper. If a tenderer is not a qualified GTS shipper the offer made will be regarded as null and void and disregarded.

5 AWARD CRITERION

The award criterion is the MEAT- lowest price per tranche.

6 ASSESSMENT AND AWARD PROCEDURE

6.1 Assessment of the submissions

GTS will go through the following steps to assess the tender:

1. Assessment of whether the tender has been submitted on time. If the tender is not submitted on time, the tender may be considered invalid;
2. Assessment of whether the tender has been submitted in full (complete). If the tender has not been submitted in full, the tender may be considered invalid;
3. Assessment of whether the tender is in accordance with the set requirements. Please note the requirement regarding being a GTS shipper. If the tender is not in accordance with the set requirements or is conditional, the tender is considered invalid;
4. Evaluation of the valid tenders on the basis of the MEAT (Most Economically Advantageous Tender)- lowest price per tranche; and
5. Publication of the award decision (see planning);

Ad. 1. Please submit well on time as the deadline is precise to the second. At GTS the submission by tenderer can only be seen when the deadline has passed, not before.

Ad. 4. GTS will put all offers in one list ordered by price (ranked from lowest to highest).

GTS will award the twenty four (24) lowest priced tranches.

In case GTS does not receive valid tenders for all 24 tranches Gasunie reserves the right and shall be entitled to pursue the intended result by other means in order for Gasunie to be able to meet its legal obligations.

The offer by tenderer needs to have a validity period of 30 days from the last day on which the tender needed to be submitted .

6.2 Notification of immediate exclusion

If the assessment referred to in section 6.1 gives rise to the immediate exclusion of one or more tenderers because their tender is incomplete and cannot be recovered, GTS will notify the tenderer in question in writing as soon as possible.

If the tenderers that were immediately excluded do not agree with the exclusion, and wish to commence summary proceedings, they must do so within the time specified and in the manner as indicated in the notification of immediate exclusion.

6.3 Notification of the provisional award decision

Not applicable

6.4 Award decision

See planning.

7 Contract

All awarded tranches will be included in the template-contract that is provided with this tender. The planning is for the contract to be signed as soon as possible (for both parties) after the final award decision.