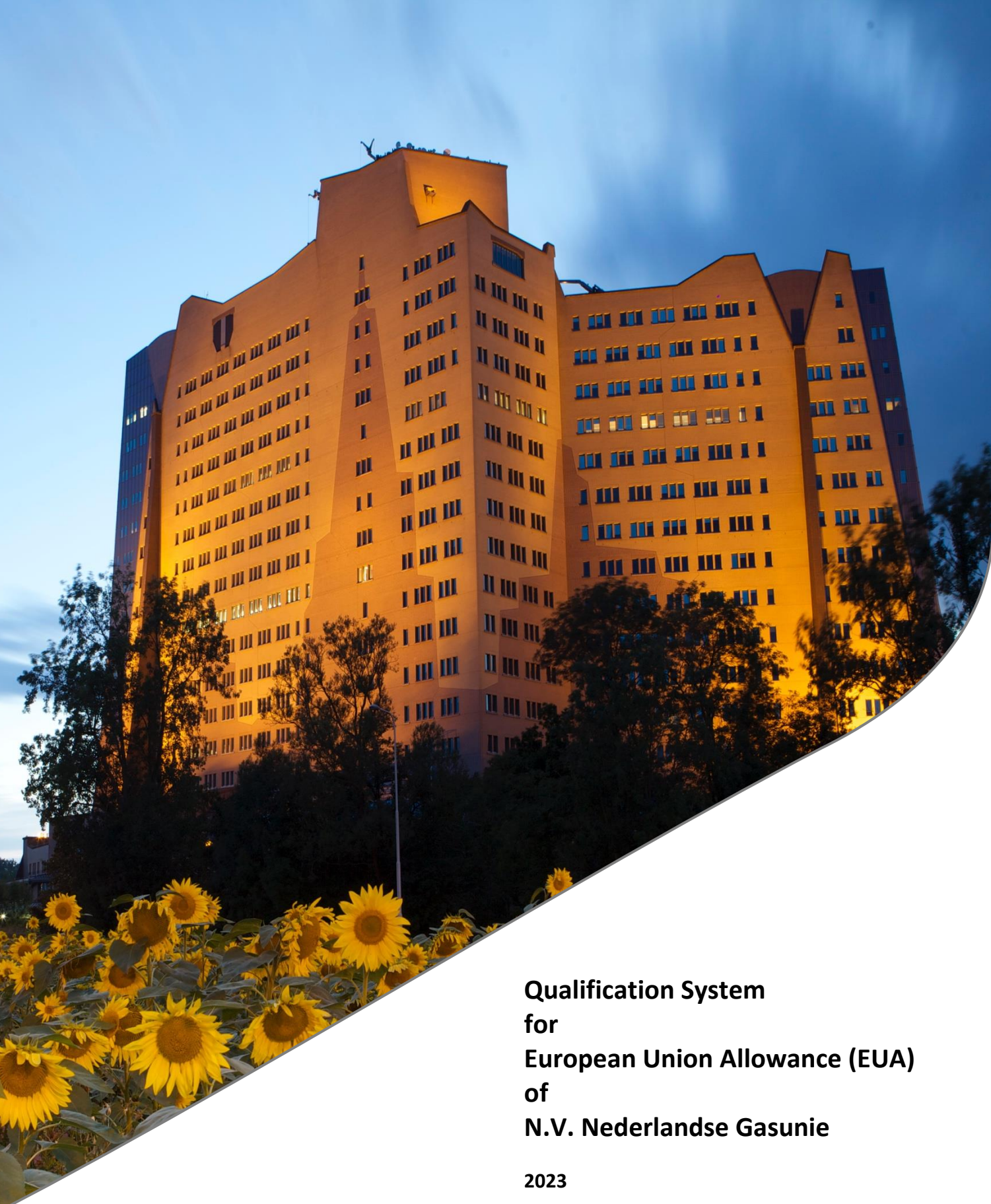




**Qualification System  
for  
European Union Allowance (EUA)  
of  
N.V. Nederlandse Gasunie**

**2023**

Contact: Mark Hansen  
Details: [m.r.hansen@gasunie.nl](mailto:m.r.hansen@gasunie.nl)  
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## Inhoud

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- Terms and Conditions
- Letter of Application
- Self Declaration form
- Statement joint and several liability and leadership/secretarial and administrative duties (for Consortium) for Qualification
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## 1. Definitions

The following words and expressions shall have the meanings stated, except where the context requires otherwise:

**Candidate:** an economic operator who has requested, or a consortium of two or more economic operators who have jointly requested, to be qualified for the Qualification System.

**Contract or Order:** the written agreement concluded between Gasunie and the contractor to whom a contract has been awarded.

**day:** means a calendar day.

**Ariba:** the IT platform used by Gasunie to make available the Tender File, to dispatch Notices to Tenderer, to receive Applications and to communicate with (potential) Candidates.

**Qualification Procedure:** the procedure as detailed in the Tender File regarding rules for the Application of economic operators for qualification under the Qualification System.

**Qualification System:** a system of qualification for economic operators as stated in article 3:66 of the Dutch Procurement Law (in dutch: Aanbestedingswet) 2012.

**Selection Procedure:** the procedure that may be carried out by Gasunie at the start of a Tender to limit the number of qualified Candidates to participate in the Tender.

**Tender:** the procedure for specific contracts for the services covered by the Qualification System.

**Tender File:** all information with respect to this tender that is provided by Gasunie or via the Ariba platform forms the Tender File, being the "aanbestedingsstukken" within the meaning of the Public Procurement Act 2012 (hereinafter: Aw 2012), as well as the additions or changes as communicated via NTT's, the Ariba messages module and/or other documents.

**Tenderer** means a qualified economic operator that has been invited to take part in a Tender.

**Gasunie:** N.V. Nederlandse Gasunie, the contracting entity.

**Third Party:** any entity other than the Candidate itself, regardless of the legal nature of its links with those other entity (s).

## 2. Qualification System

### 2.1 Introduction

The information for the Candidate in this introduction includes information about N.V. Nederlandse Gasunie, hereinafter 'Gasunie', the contracting entity. More information about Gasunie can be found [here](#).

The tender procedure will only take place digitally via the Ariba platform. All information about the tender procedure will be available to Candidates on this platform. Use the following link for a full explanation of the digital tender procedure: [Ariba](#)

### 2.2 Tender Procedure

Gasunie is a contracting entity subject to the 2012 Public Procurement Act (hereinafter to be referred to as "Aw"). The announcement of this Qualification System was published on TenderNed and in the supplement to the Official Journal of the European Union.

In all cases, the tender procedure for a (utilities) contract, hereafter "contract", in the context of this Qualification System will in principle follow the tender procedure outlined below:

- Every Candidate qualified for the services concerned receives the relevant tendering instructions;
- The tender procedure will be based either on a private tender procedure, the restricted procedure or the procedure of negotiated award with prior notice;
- The relevant tender will further specify the minimum requirements the tenderers will have to meet;
- The award criterion used is the "most economically advantageous tender" - [Best price-quality ratio (Best PQR) / lowest cost using cost-effectiveness approach (Lowest CUCA) / lowest price]. The actual procedure will be detailed in separate tendering instructions;
- The awarding of the contract will result in the winning tenderer and Gasunie concluding an agreement. The agreement will be awarded on the basis of the rules laid down in the relevant tendering instructions.

**Please Note:** This Qualification System is also intended to allow all group entities of Gasunie to make use of this Qualification System and to start tenders among the qualified parties. In order to ensure that the procedure is conducted with due care, the Candidate must strictly adhere to the provisions of this tender file. Failure to do so may result in an application being declared null and void under the relevant provisions of this tender file.

Every economic operator that wishes to qualify for the Qualification System at hand ("Candidate") can submit an "Application" via the Ariba platform.

### 2.3 Tender file

The tender file will consist of all documents relevant to this Qualification System.

The tender file can be found on the Ariba platform. The tender file (referred to as "tender documentation" in the AW) includes the Qualification System and all information related to this tender procedure on the Ariba platform.

The tender file will be provided in English. If necessary, the tender file will be amended/amplified by issuing, in English, a NTT and/or other documents designated as tender procedure documents.

## 2.4 Description of Qualification System

Gasunie participates in the European Emissions Trading System (EU ETS). Gasunie compensates for its Co2 emissions by surrendering one emission right per ton of Co2. In order to compile a group of qualified suppliers who can deliver Co2 emission rights Gasunie has set up this Qualification System.

Gasunie intends to purchase a to be set quantity of emission allowances required through several tenders during the year. Each tender will have its own conditions e.g. with regard to the date of delivery and the account to which the emission rights must be transferred.

Candidates can tender for future contracts relating to the above scope. The Candidates will then receive the tendering regulations from Gasunie with each call for tenders under this Qualification System.

The further scope of the services, technical and the legal conditions will be specified in the relevant Tender(s).

**Please Note:** in order to become qualified, the tenderer has to be registered in the Co2 register of the NEA.

**Please Note:** Gasunie specifically reserves the right to put Contracts and/or procurement programs out to tender without using the Qualification System. In such case Candidates will be timely informed about such a tender and/or procurement program. Gasunie reserves the right to make qualitative and quantitative changes to the Order during the term of a to be concluded agreement. This includes that Gasunie then has the right to (substantially) reduce the scope of the order as a result of reaching an amicable settlement.

## 2.5 Qualification Procedure

By submitting an Application, the Applicant accepts the provisions of the Qualification System as described in the Tender file.

**Please Note:** The templates attached to this Qualification System must be used.

### **Tender Procedure**

All qualified Candidates will be invited for the Tender procedure. Gasunie will inform all qualified Candidates via an announcement at the moment it will start a tender procedure under this Qualification System.

### *Selection Procedure*

In case Gasunie sees the need for limiting the number of qualified Candidates due to specific scope of work of Tender, Gasunie may apply selection criteria, which criteria will be stated in the announcement of a tender procedure.

### **Questions for Notices to Tenderer**

During the Qualification Procedure, it is possible to - exclusively on and via the Ariba platform - ask questions about the Qualification System, Tender file, the Qualification Procedure, and the scope of the Qualification System in general.

A situation may arise where an economic operator believes to have grounds to rely on exceptional circumstances, such as an inability to meet a minimum requirement that the entrepreneur deems unreasonably onerous. An invocation of exceptional circumstances can only be accepted by Gasunie if it is submitted as a question before submission of the Application. For such an invocation to succeed, Gasunie needs to be able to also share the question (the invocation) and the answer

with other economic operators, but this shall be done in an anonymised form by publication of the Notice(s) to Tenderer on the Ariba platform.

Any questions that an economic operator has must be uploaded to the 'Questions for Notice(s) to Tenderer' folder under 'Documents' on the Ariba platform.

If a question shows that the information and/or questions in the tender file are inherently inconsistent or otherwise contain inconsistencies or lack clarity, Gasunie shall at all-time be authorised to remedy the contradiction, inconsistency, or lack of clarity. Gasunie will disclose any changes to the tender file, if applicable, to the economic operators through Notice(s) to Tenderer.

Please Note that all Questions and answers will be disclosed to all economic operators in anonymised form in NTT's. Gasunie will upload these Notices to Tenderer to the NTT folder. Depending on the moment on which your company/consortium applies for qualification as a Candidate earlier Notices to Tenderer may have been published on Ariba. Economic operators are requested to verify whether earlier questions and answers, clarifications and/or changes have been made to the Tender file have been published and if so to take these into account.

The economic operators will receive a notice if and when Gasunie uploads a document to this folder.

## 2.6 Acceptance of clause concerning forfeiture of rights

The tender file was compiled with the utmost care. Nevertheless, it cannot be ruled out that the documents contain ambiguities or deficiencies. Gasunie expects Candidates to display a proactive attitude by informing Gasunie of any ambiguities or deficiencies in the tender file as soon as possible after discovery. If an objection/question made during the information round is, to the opinion of the Candidate, not or not sufficiently resolved by Gasunie the Candidate should (also) take a proactive attitude. The minimum requirement is that the Candidate in such case makes its objection clear in writing, as soon as possible and no later than two days prior to the deadline for submission of the Application that the objection is maintained.

If the Candidate does not make use of the possibilities offered in this paragraph, this is at the risk of the Candidate and both Gasunie and the (qualified) Candidates may legitimately assume that the tenderer has no questions and/or objections (anymore) about the procedure and/or the contract. Raising objections and/or uncertainties only after tendering leads (by operation of law) to inadmissibility as far as those objections and/or uncertainties are concerned.

Gasunie will not be liable in any way for the consequences of any ambiguities/deficiencies in the Tender file.

By submitting an Application, the Candidate accepts the provisions concerning forfeiture of rights.

## 2.7 Assessment procedure for the Application

The submitted Application will be assessed as follows:

1. The Application will be checked for completeness. If the Application is not complete, Gasunie will disregard the Application. The Candidate will be informed about the missing documents. The Candidate is entitled to submit a new Application in order to be qualified at any given time after such decision.
2. The Application will be checked against the minimum (knock-out) requirements listed in paragraph 3 of this document. If the Application does not meet the minimum requirements, the Application will be declared null and void and will be disregarded.
3. A check will be made on whether the exclusion grounds are applicable (paragraph 3 of this document) to the Candidate, (a) consortium member(s) and/or (a) third part(y)-ies that the Candidate engages in order to meet the suitability requirements. If the exclusion

grounds apply to a Candidate, (a) consortium member(s) and/or (a) third part(y)-ies that the Candidate engages in order to meet the suitability requirements, it will be excluded and the Application will be disregarded.

4. A check will be made on whether the Candidate satisfies the suitability (knock-out) requirements included in paragraph 4 of this document. If the Candidate doesn't meet the suitability requirements, it will be excluded from participation in the Qualification Procedure and the Application will be disregarded.

Gasunie will inform the Candidate of the outcome of the assessment as soon as possible of receiving the Application.

In case an Application is eligible for qualification the Candidate will be requested by means of a conditional qualification decision to submit the evidence as stated in paragraph 3. The received evidence will be assessed. In case the evidence leads to the conclusion that the Applicant doesn't meet the requirements the conditional qualification will be terminated.

## 2.8 General provisions

The following general provisions apply in the context of this Qualification Procedure and the tender procedures that occur on the basis of this Qualification System:

1. The costs incurred by the Candidate will not be reimbursed. Gasunie is not liable for any costs and/or other expenses incurred or to be incurred by the Candidate in relation to the Qualification Procedure and/or any tender(s) arising from it, either during the qualification period, during the tender phase, or during any subsequent discussions, irrespective of whether or not such discussions result in the award of a contract to the tenderer.
2. Gasunie reserves the right to suspend or discontinue the Qualification Procedure at any time.
3. An Application submitted subject to conditions or restrictions will be excluded from the procedure.
4. In addition to the submitted documents appended to the questions on the Ariba platform Gasunie reserves the right to require further documentation and evidence so as to evaluate the Application for the sole purpose of clarifying the Application.
5. In addition to the submitted documents appended to the questions on the Ariba platform Gasunie reserves the right to require further documentation and evidence so as to evaluate the Application for the sole purpose of clarifying the Application.
6. Gasunie explicitly draws Candidates' attention to the exclusion of industry conditions and/or general conditions of Candidates.
7. Verbal communications, commitments or agreements shall have no legal force, unless confirmed in writing.
8. Manipulative tenders will be excluded from further participation in a tender procedure. 'A manipulative tender' shall be understood to mean a tender comprising an offer that the tenderer has structured in such a way that it does not do justice to the assessment methodology stipulated by Gasunie.
9. The awarding of the contract will be via phone and will be confirmed via Ariba
10. The Application and all correspondence during the tender procedure and the entire contract period shall be in Dutch/English.
11. The Qualification System must be treated as confidential by its recipients. Information provided by Gasunie in connection with this Qualification System may not be used for any purpose other than the one for which it was provided/intended.
12. Dutch law applies to the Qualification System and qualification – and tender – procedure.
13. In order to be qualified an Applicant has to meet the set requirements of this Qualification System. In case a requirement is not met Gasunie will determine if the defect is recoverable in which case the Applicant shall be allowed to rectify the defect within the timeframe as set by Gasunie.

## 2.9 Applicable rules after qualification

### **a) Declaration of continued compliance with the minimum requirements**

Once a Candidate has successfully completed the Application, it should inform Gasunie of its own accord, using the Ariba message module, regarding any change to the information provided in order to secure qualification. Gasunie should be informed of any such change within one month.

Furthermore, on each occasion that a tender is submitted in the context of this Qualification System, the Candidate should declare its continued compliance with all the requirements set out in this Qualification System. The Candidate must confirm this declaration without any reservations and return it along with its tender. If a Candidate does have reservations about the content of the declaration in any way, Gasunie will assess the implications of these reservations for the qualification and the submitted tender. If the qualified Candidate no longer satisfies the requirements set out in this Qualification System the qualification may be terminated by Gasunie.

### **b) Termination of qualification**

Gasunie may terminate a qualification at any time if:

- it becomes apparent that, in the context of the Qualification Procedure or a subsequent Tender procedure, the Candidate has made a false declaration and/or provided incorrect information to Gasunie;
- one of the exclusion grounds becomes applicable;
- the Candidate no longer satisfies the minimum requirements set out in this Qualification System;
- the above can no longer be established.

As and when necessary, Gasunie will notify the relevant qualified Candidate in writing of its intention to terminate the qualification, as well as the reasons for this, no later than fifteen calendar days before the date on which the qualification will be terminated.

### **c) Expiry of the Qualification System**

Candidates should note that, if the Qualification System is not continued at the end of its term, all contracts and agreements/framework agreements already awarded in the context of the Qualification System, and the obligations arising out of them, remain valid until fulfilled.

## 3. Minimum requirements

### 3.1. Minimum requirements

This paragraph 3 includes the minimum requirements an Applicant must meet in order to submit a valid Application. Gasunie also stipulates requirements with regard to documentary evidence (and the content thereof) concerning the minimum requirements, exclusion grounds, and suitability requirements.

Failure to submit the required templates and documentary evidence or deviation from a prescribed template may result in rejection of the Application at the sole discretion of Gasunie.

The minimum requirements that apply to the Application are included in paragraph 3 of this document. When submitting the Application, the Applicant must use the templates as appended to this document (submitting these declarations is a minimum requirement). If an Applicant is unable to open these templates or requires new copies, it should contact Gasunie in time through the message module on the Ariba platform.

The minimum requirements are:

- Contracted party has to agree upon the General terms and conditions of Gasunie as set out in appendix I enclosed in this Qualification System. By participating in this Qualification System the tenderer shall agree with the General terms and conditions of Gasunie in accordance with attachment I;
- Contracted party has to be registered at NEA as a trading company by submitting their Nea CO2 register account number;
- As regards the qualification criterion technical or professional ability, the tenderer must submit one reference showing that the tenderer meets the core competence included in the table below;

| Core competence                                                                           | Supporting documents (to be submitted on request)                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant has experience with the delivery of 24.000 EUA certificates in one transaction. | One reference showing that the core competence is met. The reference needs to be stated in the template core competence as attached to this Qualification System (IV). A reference is considered relevant if executed in the last 3 years. statement from the client showing that the contract has been properly executed both with respect to the manner of execution and with respect to the result |

The reference should not be older than three years from the date of application. Gasunie retains the right to verify the reference.

With the submittal of the Application Applicant shall submit:

- Form B;
- NEA certificate (account number);
- Self Declaration form (as mentioned in 3.3 documentary evidence);
- Core Competence.

### 3.2. Application

#### a) Application

There are different ways in which an economic operator can apply for qualification.

An economic operator can submit an Application as:

- I. independent Candidate; or
- II. participant in a combination/consortium; or
- III. main contractor with recourse on a Third Party.

With regard to sub II and sub III the following is meant:

#### **Ad II. Consortium of economic operators**

As stated previously, an economic operator can submit an Application on its own. It is also possible that two or more economic operators jointly submit an Application as a consortium. A consortium will be treated as one Candidate.

A consortium is in principle not permitted to change the composition of the consortium during the Qualification Procedure and during the term and performance of the Contract. If and insofar as the consortium wishes to change its composition, it must obtain prior written permission from Gasunie. Gasunie has the right to attach conditions to this permission.

Each consortium partner is jointly and severally liable for the proper execution of the contract and all other obligations resting on the consortium (such as, for example, possible consequences of dissolution, compensation and / or wrongful act).

Each consortium will be treated as one Candidate. Each member of a consortium must complete, sign and upload to survey question 3.1.6 a separate UEA.

The person signing on behalf of a, in the consortium participating, economic operator must be a natural person legally authorized to represent the Candidate. If the authorization is based on a power of attorney, a duly signed power of attorney shall also be provided.

The authority to represent an economic operator and to sign the power of attorney (if any) must be demonstrated in the respective extract of the commercial register as and when Gasunie requires this further information.

A duly authorized person is defined as:

1. a director or attorney with representative powers as laid down in the register of companies or equivalent register in the country where the company is established, or
2. an attorney who has obtained a written power of attorney specifically for the purposes of this procedure.

If said register of companies states that only two or more persons together are authorized to represent the company, the Statement and/or the power of attorney must also be signed by those two or more persons. Signatures by another person in absence or on the authority of the authorized representative(s) are not permitted.

If the (joint) authorized representative(s) of the Candidate is/are a legal entity, the Statement and/or the power of attorney must be signed by the (joint) authorized representative(s) of this legal entity, etc. up to a level where signature by one or more natural persons as (joint) authorized representative(s) is possible.

### **Ad III. Main contractor with recourse on a Third Party**

Gasunie sets suitability requirements. If an economic operator cannot independently meet one or more of these suitability requirements (please see paragraph 4), the economic operator can rely on the capacity and competences of another economic operator ('recourse'). The recourse to the skills and/or capacity of a subsidiary, parent and/or sister company(-ies) is also a recourse on (a) Third Party(-ies).

**Please Note:** as stated in paragraph 2.8 Gasunie requires that the services are to be executed by the party who has the required experience.

**Please Note:** At all times, only the Third Party's own experience can be used for recourse. If the Third Party on whom recourse is sought was part of a consortium and did not carry out the relevant services itself or the relevant part of the services was subcontracted to another party, than recourse on this Third Party is not possible.

In the event of recourse on (a) Third Part(y)(-ies), an economic operator must demonstrate that the capacity and/or competences are actually available for the execution of the Contract. In addition, it must actually make use of the resources of that Third Party in the execution of the Contract.

If a Candidate intends to rely (recourse) on the technical capacities and/or professional capacities of (a) Third Party(-ies) in order to meet one or more suitability requirements as stated under questions 3.2, 3.3. and 3.4), he must demonstrate that the required capacities will actually be at its disposal throughout the execution of the Contract.

When a Candidate relies on one or more Third Parties, the Candidate shall upload to this question a completed and duly signed Statement regarding recourse to technical or professional capacities of Third Parties as appended as a template to this question for each Third Party that gives recourse.

The Statement has to be signed both by the Candidate and the Third Party by a duly authorized person.

A duly authorized person is:

1. a director or attorney with representative powers as laid down in the register of companies or equivalent register in the country where the company is established, or
2. an attorney who has obtained a written power of attorney specifically for the purposes of this procedure.

If said register of companies states that only two or more persons together are authorized to represent the company, the Statement and -if applicable- the power of attorney must also be signed by those two or more persons. Signatures by another person in absence or on the authority of the authorized representative(s) are not permitted.

If the authorization is based on a power of attorney, a duly signed power of attorney shall also be uploaded to this question.

If the (joint) authorized representative(s) of the Candidate is/are a legal entity, the Statement and the power of attorney must be signed by the (joint) authorized representative(s) of this legal entity, etc. up to a level where signature by one or more natural persons as (joint) authorized representative(s) is possible.

**Please Note:** Also the recourse to the skills and/or capacity of a subsidiary, parent and/or sister company(-ies) is considered as a recourse on (a) Third Party(-ies).

**Please Note:** Every Third Party whose technical and/or professional competence is relied upon/recourse must complete a self-declaration and submit it with its Application (See also question IIC of the self-declaration).

*b) Subcontracting without relying on Third Part(y)(ies)*

An economic operator who independently meets the suitability requirements may, with the prior written consent of Gasunie, engage a subcontractor, whether or not a subsidiary, parent company and/or sister company(ies), during the performance of the Contract to perform/carry out part of the Contract. Gasunie may impose requirements on this subcontractor - whether or not during the Tender procedure. The Contractor remains responsible and liable for the execution of the Contract at all times.

**Please Note:** Companies belonging to the same group

Companies from the same group may individually submit an Application, provided they each demonstrate that their mutual relationship does not influence their behavior in the context of the tendering procedure. This can be demonstrated with a declaration, in which each company from the group that wants to be qualified, must declare for itself that complete independence and confidentiality is guaranteed in the preparation of its Application and the Tender(s) under this Qualification System.

The absence of such a declaration may lead to the exclusion of all companies involved. In its assessment whether or not to proceed with exclusion, Gasunie applies the applicable jurisprudence in the field of rectifying obvious omissions, defects and errors.

### 3.3 Grounds for exclusion, suitability requirements and self-declaration

Gasunie uses the "**Uniform Europees Aanbestedingsdocument**" (UEA) as the template for the self-declaration. With the self-declaration, Candidate declares whether grounds for exclusion apply and whether the suitability requirements are met. The Candidate can find more details of the grounds for exclusion and the set suitability requirements, as well as the required supporting documents and the manner in which these have to be submitted.

Who must submit a self-declaration?

1. The individual Candidate;
2. In the event the Candidate is a consortium: each consortium member individually (See also question IIA of the self-declaration);
3. In the event the Candidate seeks recourse with a third party: every Third Party whose technical and/or professional competence is relied upon/recourse (See also question IIC of the self-declaration).

**Please Note:** In its (provisional) qualification decision Gasunie shall request additional documentary evidence, with regard to the UEA as submitted, of the Candidates (therefore also of the consortium members, including those of any Third Party/Third Parties). In the event that the documentary evidence show that the set requirements are not met, Gasunie can declare the Application invalid and disregard the Application.

This concerns the following documentary evidence:

1. A certified copy of registration in the register of companies or proof of registration in a professional register in accordance with the legal requirements of the country where the Candidate is established; this item of documentary evidence must not be older than six months, starting from the moment the Application is submitted;
2. Documentary evidence showing that any exclusion grounds do not apply to Candidate or individual consortium members and/or to the third party on whose standing they rely, i.e. a Public Procurement Statement of Conduct ('Gedragsverklaring Aanbesteden') which is not older than two years at the time the registration is submitted. If Candidates company has a registered office outside the Netherlands, Candidate may not be able to provide Gasunie with the GVA requested. Instead of such GVA, Candidate may provide Gasunie with equivalent document(s) or certificate(s) issued by the authorities in the country where Candidates principal place of business is. Candidate can check in eCertis (<https://ec.europa.eu/tools/ecertis/#/homePage>) which document(s) or certificate(s) equivalent to the GVA certificate has to be provided;
3. A declaration of the tax authorities stating that the Candidate complies with tax obligations payment. This "compliance with tax obligations payment history declaration" from the Tax and Customs Authority must not be older than six months at the time of submission of the Application;

**Please Note:** In case the Certificate of Conduct for Procurement should not be available in Dutch, English or German, it shall be translated into English by Candidate.

If a consortium applies and/or if the Candidate relies on a third party, it will request documentary evidence from every individual consortium member and or that third party.

If the documentary evidence reveals that Candidate (including consortium members and/or third party whose standing is relied upon, as the case may be) does not meet the requirements regarding exclusion grounds, suitability, technical specifications, and work performance, Gasunie will declare the Application of Candidate null and void and disregard it.

The self-declaration should be signed by a duly authorized person. A duly authorized person is

defined as:

- 1. a director or attorney with representative powers as laid down in the register of companies or equivalent register in the country where the company is established, or*
- 2. an attorney who has obtained a written power of attorney specifically for the purposes of this tender procedure.*

If said register of companies states that only two or more persons together are authorized to represent the company, the self-declaration must also be signed by those two or more persons. Signatures by another person in absence or on the authority of the authorized representative(s) are not permitted. If the (joint) authorized representative(s) of the Candidate is/are a legal entity, the self-declaration must be signed by the (joint) authorized representative(s) of this legal entity, etc. up to a level where signature by one or more natural persons as (joint) authorized representative(s) is possible.

Candidate is requested to submit the signed self-declaration (for as many companies as needed) together with the submittal of the Application.

**Please Note:** In connection with the processing time of a certificate, declaration or a statement, Gasunie wishes to point out that this/these document(s) must be requested from the relevant institution(s) early in the procedure in order to be able to submit the evidence in time. Gasunie may allow a Candidate to submit the required evidence at a later date. The failure to submit the evidence (in time) may - at Gasunie's sole discretion - lead to the rejection of the Candidate's Application.

### 3.4 Corporate Social Responsibility (Code of Conduct)

The Gasunie Supplier Code of Conduct sets our basic requirements in the area of human rights and working conditions, the environment and business. Gasunie wishes that its contractors share this principles and as such conduct themselves with responsibility and integrity.

### 3.5 Health, safety and environmental legislation and regulations

In accordance with article 3.63 jo. 2.81-1 of the Aw 2012, Gasunie herewith provides information on the obligations with regard to the provisions on taxes, environmental protection, occupational health and safety and working conditions that apply in the Netherlands and that apply to the place where the execution of the Contract takes place:

- for provisions on taxes: the Tax and Customs Authority, [www.belastingdienst.nl](http://www.belastingdienst.nl);
- for provisions on environmental protection: the Ministry of Infrastructure and the Environment, [www.rijksoverheid.nl](http://www.rijksoverheid.nl); and
- for provisions on occupational health and safety and employment conditions: the Ministry of Social Affairs and Employment, [www.rijksoverheid.nl](http://www.rijksoverheid.nl).

### 3.6 Conditions of Gasunie in relation to the new EU sanctions package (Regulation 2022/576)

In connection with the new EU sanctions package (laid down in Regulation 2022/576), Gasunie wishes to emphasize the following. For contracts of Gasunie, the aforementioned sanctions prohibit it from awarding and/or granting contracts to a Russian national/(legal) person (as specified below). Economic operators shall be excluded in case the contract is (to be) performed by:

- (a) a Russian national or a natural person, legal person, entity or body established in Russia;
- (b) a legal person, entity or body more than 50% of whose ownership rights are directly or indirectly held by an entity referred to in point (a), or;

(c) a natural person or legal person, entity or body acting on behalf of or at the direction of an entity referred to in point (a) or (b);

including subcontractors, suppliers or entities whose capacity is being called upon within the meaning of the public procurement directives, where they account for more than 10% of the value of the contract.

By submitting an Application for Qualification or a tender in case of a tender under this Qualification System, the economic operator/Candidate/Tenderer declares that:

- (i) the Application for Qualification and/or the tender does not or will not violate Regulation
- (ii) 2022/576 and the sanctions package contained therein and

(ii) that the contract will not be performed in violation of that sanctions package.

## Attachement I

The following documents have been added separately:

- General Terms and Conditions for Deliveries and Related Services 2020



Gasunie AV  
Leveringen 2020 NL

Given the high administrative nature of the delivery of Co2 emission allowances, a number of articles of these General Terms and Conditions are not applicable. The following shows per Article of these General Terms and Conditions whether they are applicable:

| Article | Not Applicable         | Applicable |
|---------|------------------------|------------|
| 1       |                        | X          |
| 2       |                        | X          |
| 3       |                        | X          |
| 4       | X                      |            |
| 5       |                        | X          |
| 6       | X                      |            |
| 7       |                        | X          |
| 8       | X                      |            |
| 9       |                        | X          |
| 10      | X                      |            |
| 11      | X                      |            |
| 12      | X                      |            |
| 13      | X                      |            |
| 14      | X                      |            |
| 15      | X                      |            |
| 16      | X                      |            |
| 17      | X                      |            |
| 18      | X                      |            |
| 19      |                        | X          |
| 20      |                        | X          |
| 21      | 21.1, 21.2, 21.5,6,7,8 | 21.3 21.4  |
| 22      |                        | X          |
| 23      |                        | X          |
| 24      |                        | X          |
| 25      |                        | X          |
| 26      |                        | X          |
| 27      | X                      |            |
| 28      |                        | X          |
| 29      |                        | X          |
| 30      |                        | X          |
| 31      | X                      |            |
| 32      |                        | X          |
| 33      |                        | X          |
| 34      |                        | X          |
| 35      |                        | X          |

## Attachement II

### LETTER OF APPLICATION

(to be printed on Candidate's letterhead)

With this letter of application, [name of candidate], further on to be referred to as Candidate, declares to submit an unconditional Request for Qualification for the Qualification System EUA's with Ariba number WS574349716. This means that by submitting its Request for Qualification for the above mentioned Qualification System, the Candidate unconditionally agrees with all the conditions, principles, requirements, modalities and reservations of the Tender Dossier.

Furthermore, by submitting its Request for Qualification, the Candidate declares that the self-declaration (UEA) submitted has been truthfully completed and the Candidate accepts that the signing of this Letter of Application also counts as signing the self-declaration. The Candidate declares that its Request for Application has been drawn up in complete independence and confidentiality.

The Candidate agrees that if it appears (at a later stage) that incorrect and/or incomplete information has been provided, the Candidate can be excluded from the Qualification System, from further participation in the tender procedure and/or an (possibly) already concluded Contract can be terminated without any liability of Gasunie for any financial consequences of Candidate, Tenderer c.q. Contractor as a result thereof.

#### Data of applying economic operator:

|                                                                                                 |  |
|-------------------------------------------------------------------------------------------------|--|
| Statutory name company                                                                          |  |
| Legal form                                                                                      |  |
| Registration number Chambre of Commerce                                                         |  |
| VAT number                                                                                      |  |
| Address                                                                                         |  |
| Postal code and place                                                                           |  |
| Country                                                                                         |  |
| Internet address                                                                                |  |
| Contact person* (of the lead party in the event of a Request for Qualification as a Consortium) |  |
| Function contact person                                                                         |  |
| Telephone number contact person                                                                 |  |
| E-mail contact person                                                                           |  |

\* The contact person is the only person with whom Gasunie will correspond during the tender procedure

On behalf of [name Candidate]

Name: [name of legally authorized representative\*\* Candidate]

Function: [.....]

Signature:

-----

Date:

\*\* This Letter of Application must be signed by a duly authorized representative of the Candidate. Some companies have a joint authority of persons representing the company. If this applies to your company, all persons who are jointly authorized to represent the company must sign this letter of application.

If the power of representation is based on a power of attorney, that power of attorney must also be submitted with the Application/Request for Qualification. The extract from the Chambre of Commerce must then show that the person who issued the power of attorney was authorized to do so.

## **Attachement III**

### **Self-declaration – ESPD (European Single Procurement Document)**



europa-single-pr  
ocurement-documen

## Attachement IV

### Reference regarding Core Competence

At least 1(one) reference showing that the Applicant can deliver emission allowances within the EU ETS. Applicant has to submit a reference where a number of 24.000 certificates are transferred

| Reference for core competence                                       |                                 |                            |
|---------------------------------------------------------------------|---------------------------------|----------------------------|
| Supplier has provided the Certificates to the company listed below: |                                 |                            |
| 1                                                                   | Adres data                      |                            |
|                                                                     | Name of client company          |                            |
|                                                                     | Adress                          |                            |
|                                                                     | Zipcode & city                  |                            |
|                                                                     | Industry                        |                            |
| 2                                                                   | General information assignement |                            |
|                                                                     | Transaction date                |                            |
|                                                                     | Total amount                    | <size of the project in €> |