



City of Eindhoven

Selection Guidelines for Implementation of Vision and Roadmap for Urban Lighting System, Eindhoven 2030

European Public Procurement

Sector Project Management

April 2014

Publication details

Published by

City of Eindhoven
Sector Project Management

Date

April 2014

This document is the translated version of the original Dutch document ‘Selectieleidraad Implementatie Visie en Roadmap stedelijke verlichting, Eindhoven 2030’. This translation has been produced with utmost care. However, the City of Eindhoven cannot be held accountable for its quality. In case of (a) difference(s) between the Dutch and English versions, the Dutch version prevails (with the exception of obvious typing errors in the Dutch version)

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- B Model List of relevant projects in relation to competency requirements set MR 3.4 and MR 3.5
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- D Model Reference Projects relating to innovative applications for urban lighting
- E Model Reference Project for PPS project (revenue model)
- E Model Reference Project for PPS project (social orientation)

Definitions

The definitions below are capitalised in these Selection Guidelines.

Contracting Authority

City of Eindhoven (hereinafter: the 'City')

Application

The request to be accepted for the tender process by submitting the “Candidate’s statement” model, containing data and information in accordance with the provisions of these Selection Guidelines.

PPA

Dutch Public Procurement Act 2012 (effective 1 April 2013), which governs this tender.

Annexes

The annexes which have been uploaded as models or annexes/forms to be completed and which are referenced in these Selection Guidelines.

Candidate

The company or partnership of companies which, by submitting an Application, has requested to be considered for the tender.

Candidate’s Statement (for tenders from contracting authorities)

The statement, required under the law, in which the Candidate certifies on entering the tender process that it complies with the grounds for exclusion, eligibility requirements and terms and conditions of implementation

Information Memorandum (IM)

Document containing the anonymised questions and answers of Candidates, along with any amendments to the Selection Guidelines. The Information Memorandum forms an integrated and binding part of this tender.

Tenderer

The selected Candidate that is invited to participate in the subsequent stage of the tender, including the submission of an Application.

Quality of Life

The perception of an individual or group of individuals in relation to their functioning from a physical (psychological), emotional and social perspective. Quality of Life is dependent on time, location, and the individuals and situations involved.

Contractor (once the contract has been awarded)

The Tenderer with which the Contracting Authority enters into an “innovation partnership” in order to execute the Project

Project

The implementation of the Roadmap

Roadmap

The document entitled “Implementation of Vision and Roadmap for Urban Lighting System, Eindhoven 2030”, which can be downloaded from www.eindhoven/slimlicht

Selection Guidelines

This document, including Annexes, containing information relevant to submitting an Application as part of the European Public Procurement to which this document relates.

Smart Light Grid

A linked, smartly designed “open” system of lighting systems in public space, which is used (or may be used) to perform multiple services.

1. General information

1.1 Contracting Authority

The Contracting Authority in this European Public Procurement is the City of Eindhoven. Information about the City is available on the website www.eindhoven.nl

As of 1 January 2013, the City's organisation consisted of 19 sections, plus the Van Abbemuseum, which are managed by the Board of Directors. In the sections, the municipal duties are divided into the following areas: services (to residents, businesses, etc.), urban development, urban companies, administrative support and internal services. The section responsible for this tender is Public Space, Traffic & the Environment.

1.2 . Eindhoven's Strength

The city of Eindhoven, which boasts a long and rich industrial tradition, is currently the centre of a technologically sophisticated and creative part of the country, where technology, design and knowledge are all used strategically, with considerable success. These three elements represent Eindhoven's main strength, and they directly and indirectly work to attract talent – students, information workers and new businesses – to the city. One of the objectives of this tender is to enhance this strength.

1.3 Project objective

The Project has a main objective and a number of indirect objectives; these objectives are described in this paragraph.

Main objective

As part of the City of Eindhoven's goal to maintain and enhance its reputation as a “City of Light”, the City has set the goal of developing its urban lighting systems into an integrated ‘Smart Light Grid’ during the period up to 2030, together with services based on this grid and services to be developed and operated in the future, each of which – separately or in conjunction with each other – help improve the Quality of Life in the City.

The document titled “Implementation of Vision and Roadmap for Urban Lighting System, Eindhoven 2030” (hereinafter: the “Roadmap”) serves as the main guideline in achieving this objective. This document is available at the following link: www.eindhoven.nl/slimlicht *[information also available in English]*

The first indirect objective

The Quality of Life primarily relates to the city's residents, making the latter the principal consumers of the services and therefore, the primary group of stakeholders, involved in the tender and the implementation of the contract. The same applies to the businesses and other organisations located in Eindhoven, which constitute the second group of stakeholders. In addition, the City also acknowledges a mutual interest in the participation of research and educational institutions in the contract: they can contribute to improving the Quality of Life by sharing their knowledge and expertise. At the same time, they can also further develop this knowledge and expertise in the "living labs", which will be responsible for implementing the Roadmap. The research and educational institutions represent a third group of stakeholders.

The tender and the performance of the contract therefore require an organisational form that protects the interests of the three stakeholder groups and the responsibility of the City. These four parties and the interaction and cooperation between these parties are indicated in visual language using the term "Quadruple Helix", abbreviated as QH. The interaction and cooperation should result in the co-creation of the services which improve the Quality of Life. One of the first indirect objectives of the Project is to create and maintain an organisation that facilitates this.

The second indirect objective

The Roadmap is scheduled to be implemented between now and 2030. Since it is not possible to anticipate or predict requirements and the options available during this period, we cannot specify the project in the traditional manner. The crux of the project is therefore to create a development, based on the process and as specified in the Roadmap, during the entire term of the agreement. Continual innovation is therefore a key requirement, and should be regarded as a second indirect objective of the Project.

The third indirect objective

Innovation entails uncertainties and risks, which can only be borne subject to key requirements -to be specified- and distribution of the risk incurred the City by the commissioning authority and the future Contractor. One of these key requirements is scalability: developing and testing concepts of services and prototypes of products on a small scale and then increasing this scale in the event of proven success (acceptance) and feasibility (added value). A third indirect objective of the Project is therefore managing the uncertainties and risks associated with the innovation process by means of a "testing platform" approach, in a "living lab" environment.

The fourth indirect objective

A "Smart Light Grid", in the meaning specified in the Roadmap, must be an open system at four levels: in terms of connectivity, access, availability of data and knowledge development. A fourth indirect objective is therefore creating an open "Smart Light Grid".

The fifth indirect objective

Eindhoven aims to be a sustainable city from a social and environmental perspective by 2045. Implementation of the Roadmap will need to make a significant contribution on account of its size, term and lead-by-example role. This constitutes a fifth indirect objective.

1.4 Project description

1.4.1 Project content

The City will facilitate the “test platform” approach referred to in 1.2 by designating ten areas (“living labs”) in which the experiments will be conducted, obviously coordinated with QH. This designation will be formalised during the tender stage; however, the temporary designation is included in a separate appendix to the call for tenders. The scope of the contract will initially be restricted to these ten areas for the first 5-year period. Within these areas, the Contractor will be given full responsibility for the maintenance, operation and development of the urban lighting systems. This is the substance of the primary contract.

Outside these ten areas and within the initial five-year period, the Contractor, as the preferred supplier, will be involved in the reorganisation and development projects in which the urban lighting systems will be replaced or expanded. This means that the Contractor will be able to acquire this replacement or expansion of the urban lighting systems as separate contracts based on “suitable” offers, to be measured for each individual project based on content and market-level pricing. This right will be set out in a separate framework agreement. The reorganisation and development projects currently scheduled for the next five-year period therefore represent the secondary part of the contract

If the Contractor’s performance is found to be adequate, the contract will be converted into an agreement for the subsequent ten-year period once the initial five-year period has expired. This agreement will entail maintenance, operation and the development of the urban lighting systems throughout the City. This represents the third part of the project.

1.4.2 Partnership

The City intends to realise the objectives set out in the Roadmap with the assistance of a private company with which the City wishes to enter into a long-term partnership agreement. Reasons to opt for this type of “innovation partnership” are the high level of ambition expressed in the objectives, the long-term implementation period and the limited resources and limited technical expertise of the City. These reasons – combined with the economies of scale required for the services – also renders a division of the contract into plots of land undesirable.

This tender will therefore result in the awarding of the contract to a single Tenderer.

The Contracting Authority is aware that the contract is of such a complexity that the proposed partner will likely constitute a partnership of several different partners, each of which will provide its own specific input based on individual core competences. Consequently, market players are strongly encouraged – if necessary – to explore options to apply as part of a partnership/consortium.

1.4.3 Approximate scope of the contract

A separate appendix to the announcement of the contract includes an inventory of the urban lighting systems and their age in the 10 designated/temporarily designated areas. The annual maintenance budget for these ten areas has been set at €186,000, while the annual replacement budget totals €450,000; these (fixed) amounts will be used for the initial five-year contract period.

The total maintenance budget for the entire city of Eindhoven is currently €433,000 for the purpose of curative maintenance and €885,000 for the purpose of preventive maintenance. These amounts apply to the second 10-year contract period.

A limited additional budget will be made available for the innovation of the lighting systems and for service development; this budget will be set during the application stage of the tender.

The budget for reorganisation and urban development projects will be determined for each project and included in the multiannual investment plan, which is updated annually and adopted at the administrative-political level. By way of indication: the total amounts budgeted for the budget years 2014 and 2015 are € 37,100,000 and € 26,900,000, respectively. Of these amounts, a total of € 4,405,212 and € 4,372,895, respectively, is required for the installation or replacement of the urban lighting system.

We remind Candidates that the above information does not form part of any contract entered into by the City of Eindhoven; the information is merely designed to provide Candidates with sufficient information, in order to be able to determine their interest in and suitability for the performance of the contract.

1.5 Procurement method

The complexity, scope and price of the contract – which are to be determined in conjunction with the market – have resulted in the choice of the "competition-focused negotiation" process (pursuant to Section 2.28 of the Public Procurement Act). This document describes the selection stage of the competition-focused dialogue. The selection will result in the invitation of the five Candidates who have attained the highest score in the selection criteria set, to participate in the negotiations.

If possible, the negotiations will be limited to two rounds. The main objective of these negotiation rounds is to balance supply and demand as well as possible, so that the appropriate legal-financial, organisational and technical solutions can ultimately be realised. If required, this coordination process will coincide with a reduction in the number of applicants to three – this will be further detailed in the guidelines governing the tender phase.

The “award based on value” method will be applied during the dialogue and tender stages, in accordance with the principles of “Best Value Procurement.” Given a specified budget limit, this method and these principles will help determine the value of:

- ◆ The scope of the offer, in response to the scope of demand determined after the dialogue stage.
- ◆ The opportunities acknowledged to contribute, outside the scope of the offer, to the realisation of the project objectives;
- ◆ The identified risks falling outside the remit of the Contractor, and the quality of the proposed control measures;
- ◆ The measurable competencies, at the personal level, of the proposed implementation bodies, to be determined based on interviews with key employees.

1.6 Relevant information

1.6.1 Division of duties in the “Quadruple Helix”

The performance of the contract involves a partnership between the City, the Contractor, and the stakeholder groups specified in paragraph 1.2 (i.e. members of the public, businesses and research and educational institutions). Initial reflections¹ regarding the required form of partnership is based on the following division of duties between these parties:

Contractor

The Contractor will manage, and be responsible for, the process resulting in the implementation of the Roadmap.

City of Eindhoven (Municipal Authority)

The City of Eindhoven (Municipal Authority) is responsible for protecting the public interest. This process is conducted by a contract manager to be appointed and additional representatives in the executive project group. The contract manager monitors the correct performance of the agreement, with the City members of the project group contributing their specific expertise.

Supervisory Board

¹). i.e. anticipating the basic principles to be determined for the organisation of the partnership in the dialogue stage

A Supervisory Board, constituting an independent entity, is, for the immediate future, the appropriate medium for ensuring compliance with the principles expressed in the Roadmap. The Supervisory Board advises the contracting parties on a solicited and unsolicited basis.

Ambassador

An ambassador will be appointed as the Chairman of the Supervisory Board and independent public representative of the Roadmap.

Project group

The project group is responsible, within a particular project, area for determining the needs and setting key requirements for the projects. It may be necessary to establish multiple project groups.

Research and educational institutions

Research and educational institutions are not assigned a fixed role, but are rather involved in the project at various levels by the Supervisory Board and the Contractor.

Individuals

Members of the public express their needs in terms of improving the Quality of Life through their representatives in the project group.

Other stakeholders

All other stakeholders – including businesses, institutions and public interest groups – are not assigned fixed roles, but informed and consulted by the project group if necessary and desired.

Any additional decisions regarding the organisation of the partnership are made during the dialogue stage of the tender procedure.

1.6.2 Consultation and communication

The City aims to implement a method whereby residents, businesses and other stakeholders are involved at an early stage in creating policies and establishing projects. In this process, the City uses as a guideline the decree entitled *Samenspraak en Inspraak gemeente Eindhoven 2008* (“Consultation and Participation – City of Eindhoven 2008”). This means that, from an early stage of the process (i.e. before a specific plan is in place), the focus will be on effective process communication, with clear terms for (participation) roles of stakeholders and the use of communication media.

The decree also serves as the basis for the implementation of the Roadmap. The Contractor will therefore be responsible for consultation and communication, using the “Consultation” roadmap drafted by the City as a guideline. The City may advise and support companies in this process.

1.6.3 Other relevant policies

Other issues have also been designated as key requirements for the success of the contract within the scope of the current policy. Besides the above-mentioned Roadmap and Decree concerning Consultation, etc.:

- ◆ *Handboek Openbare Ruimte* [“Public Space Manual”], January 2013
- ◆ *Basisboek voor de Openbare Ruimte* [“Fundamentals of Public Space”], May 2013
- ◆ Agreement for the use of public space for advertising items and fairs
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting inleidend deel* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting, introduction], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting A. Openbare Verlichting* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting A. Urban lighting], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting B. Aanlichten* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting B. Illumination], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting C. Autonome projecten* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting C. Autonomous projects], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting D. Illuminated Signs* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting D. Illuminated Signs], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting E. Evenementen* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting E. Events], October 2005
- ◆ *Visie ‘Licht aan’ visie op de verlichting van Eindhoven A. Openbare Verlichting F. Informatieverlichting* [Report entitled “Lights On” concerning lighting in the city of Eindhoven A. Urban Lighting F. Illuminated Information Signs], October 2005
- ◆ Aesthetic test addressing the issue of “how to handle high-quality lighting in city planning”
- ◆ City of Eindhoven Advertising Policy – Public Space and Boundaries, September 2010
- ◆ Instructions for the use of public space
- ◆ District Thermometer [see: <http://eindhoven.buurtmonitor.nl>]
- ◆ Broad specifications for the maintenance of urban lighting systems 2010-2015 concerning the maintenance of urban lighting in the city of Eindhoven and the applicable terms and conditions.
- ◆ Specifications for the maintenance of traffic control systems in the city of Eindhoven, 2010-2015

- ◆ Specifications and terms and conditions for Framework Agreement VRI 2011, including related and additional work dated 13th July 2011

The policies pursued are dynamic, which means that new policies may also affect the performance of the contract.

All the above-mentioned documents issued by the City are publicly available at the following link: www.eindhoven.nl/slimlicht (information available in Dutch)

2. Selection process

2.1 General information

On 1 April 2014, the Contracting Authority posted an announcement of this Tender on the website www.TenderNed.nl . Additional information about the tender is available at www.eindhoven.nl (Dutch-language information).

2.2 Schedule

The table below contains the overall schedule.

Stage of the tender process:	Date:	Time:
Publication date	1 April 2014	N/A
Information Memorandum: - deadline for submission of questions: - deadline for answering questions:	20 April 2014 24 April 2014	00 hours/midnight
Submit Application by (strict, non-negotiable deadline):	12 May 2014	11 a.m.
Assessment of Applications completed	21 May 2014	N/A
Communication regarding selection decision	26 May 2014	N/A
10-day standstill period ending	6 June 2014	N/A
Final selection announced	10 June 2014	N/A

The dates and times listed above are approximate only and do not form part of any contract entered into by the City as Contracting Authority. The City as Contracting Authority, reserves the right to amend the time schedule indicated, with the exception of deadlines established by law. In the event the time schedule is amended, Candidates and potential Candidates will be notified in a timely manner.

2.3 Information exchange

2.3.1 Contact details

All communications relating to this Tender will be in writing using the below Email address

The contact for this Tender is:

contact: I. Kaal, Senior Project Manager

Email address for this project: Roadmap2030@eindhoven.nl

Candidates are prohibited from approaching any other employee of the City or otherwise contacting any party regarding this Tender other than through the

channel specified above. The Contracting Authority shall be entitled to exclude from participation any Candidate that violate this prohibition.

2.3.2 Information Memorandum

Users of these Selection Guidelines will have the opportunity to ask questions about this selection procedure during the period specified in paragraph 2.2. Questions can only be submitted in an Excel-format or digital open format using the below layout.

Nr.	Document	Paragraph / Reference / Annex	Page	Question / Proposed alteration, etc.

Please submit any technical questions you may have regarding the system to TenderNed directly– see www.TenderNed.nl.

The questions and answers will be anonymised, which means they cannot be traced back to the party that submitted the question. They will be incorporated into an Information Memorandum and published on the website www.TenderNed.nl. Any announcements, commitments or agreements which have not been set out in an Information Memorandum will not be binding on the Contracting Authority.

The Information Memorandum forms an integral and binding part of this Tender and its contents will prevail over the Selection Guidelines plus Annexes. It is therefore recommended that you submit the Tender only after the Information Memorandum stage has been completed and any amendments have been announced.

These Selection Guidelines are published only electronically, in PDF format. The Annexes to be completed by the Candidates are available in Word or Excel 2003 format. Any objections must be communicated during the Information Memorandum stage.

2.4 Submission of Application – Application deadline

The Application may only be submitted in electronic format using TenderNed, and no later than the time and date specified in paragraph 2.2.

The manual to be downloaded separately entitled:

"TenderNed_Six_steps_to_bidding_for_public_procurement_contracts_online" explains how you can register electronically.

The City of Eindhoven would like to receive your Application in PDF and Word formats, with the PDF version taking precedence.

Please note: the application will only be final once the text transaction code has been entered and sent using the TenderNed system.

The application deadline specified in paragraph 2.2 should be regarded as a strict deadline. Since TenderNed will be locking the safe at this time, the entire application process must have been completed in TenderNed by then. The risk of exclusion of the Application due to late submission – e.g. due to the time of electronic transmission – will be fully borne by the Candidate.

Applications received by email, post or through any medium other than those specified above will not be considered.

2.5 Opening of Applications

The Applications submitted within the deadline will be opened as soon as possible after the deadline for Application, based on the “two-man rule”. A formal report of opening will be drafted once Applications have been opened; this report will be published on TenderNed. No Candidates will be invited to the opening.

2.6 Stages

The selection process includes the following stages:

1. Inspection of:
 - ◆ procedural requirements
 - ◆ grounds for exclusion
 - ◆ eligibility requirements
2. Assessment based on:
 - ◆ Selection criteria
3. Selection of Candidates based on the assessment results
4. Announcement of selection decision and final selection

If more than five Candidates are eligible for admission to the dialogue stage due to having achieved the same score (rounded up to a full point) on the selection criteria for admission to the negotiation stage, it will be decided by lottery which of the two or more Candidates with the same score will be accepted. The parties having achieved the same score will be notified in a timely manner, where, when, how and by whom the lottery will be held. They will be authorised to attend the lottery in person or send a proxy in their place.

Selection stages 1 and 2 are further detailed in sections 4 and 5 in relation to the information Candidates are required to provide and the manner in which this information is to be assessed.

2.7 Complaints process, selection decision and objection period

2.7.1 Complaints procedure

As described elsewhere in this document, all stakeholders will be given the opportunity to ask questions regarding the Tender. The City will answer these questions based on its experience and expertise. If the party submitting the question(s) does not agree with the answer and would like to express this in the form of a complaint or if a stakeholder otherwise has a complaint regarding the Tender, the following steps are to be taken:

- 1) The party making the complaint must communicate this complaint by sending an email to the following address: aanbestedingen.meldingen@eindhoven.nl The City of Eindhoven will process the complaint and will immediately inform the party of the name of the person processing the complaint and the date by which the complaint is expected to be handled.
- 2) If the party submitting the complaint does not agree with the City's ruling regarding the complaint submitted, it must contact the Board of Tender Experts [Commissie van Aanbestedingsexperts] instituted by the Minister of Economic Affairs, Agriculture and Innovation (see Section 4.27 of the Public Procurement Act 2012). If a complaint relating to this tender process is submitted to this Board of Tender Experts, the party submitting the complaint will be requested to submit a copy of the complaint to the City contact specified in paragraph 2.3.1.

In addition, the procedure is open to appeal in accordance with the legal proceedings described below.

Any complaints submitted do not have a suspensive effect on this Tender. Any opinions of the Board of Tender Experts will not be binding on the City, unless a court decision is subsequently handed down which renders it enforceable.

2.7.2 Selection decision / objection period

All Candidates will be notified of the selection decision simultaneously, including reasons relating to each Candidate and the names of the Candidates selected. This information will be confirmed in writing (by letter post). All Candidates shall be entitled to obtain additional information from the Contracting Authority if required.

It is possible to appeal the selection decision by instituting summary proceedings at the District Court for East Brabant in Den Bosch. This is subject to a period of 10 calendar days following the date on which this decision was announced. This 10-day period will commence on the date the email was sent. No extensions or deferrals of the period will be granted,². The Contracting Authority will start the subsequent (dialogue) stage of the Tender, unless any of the following events have occurred during the period:

- a) an appeal has been brought (in the manner specified above), or
- b) the Contracting Authority has reneged on its selection decision prior to the expiry of the period.

Candidates that fail to institute summary proceedings in a timely manner will forfeit their rights to protest the further progress of the Tender (in a court of law). Failure to comply with the deadlines specified above also entails that the Candidate will forfeit any and all rights it may have to institute proceedings on the merits in order to successfully claim that the Contracting Party take specific actions (legal or otherwise) and/or pay compensation.³ to be (successfully) claimed.

Even if a Candidate objects to the (incomplete) reasons for the rejection and/or the commencement and/or expiry of the above-mentioned 10-day period, it will forfeit any and all rights if it has failed to (also) subpoena the Contracting Authority in summary proceedings within ten days of being notified of the rejection.

If summary proceedings are brought within the 10-day term, the selection will be suspended until the decision has become irrevocable. This decision will then serve as the basis for any further decisions made by the Contracting Authority regarding the selection.

If no summary proceedings are brought (in a timely manner) and/or the decision in the first instance of temporary summary proceedings does not object to the selection decision, any appeal and/or proceedings on the merits can never result in any liability whatsoever (e.g. regarding expenses incurred or profits lost) of the Contracting Party in relation to a (beneficiary and/or losing) Candidate.

²) With the exception of an extension arising from the General Extension of Time Limits Act [*Termijnenwet*], which – it is hereby announced – shall govern this Tender.

³) The City's liability will be limited to compensation of direct loss; any lost profits cannot be compensated. Liability is limited to a maximum amount of €2 million.

3. Terms and Conditions

3.1 Inaccuracies and conflicts

Candidates are required to report any manifest or suspected conflicts and/or inaccuracies and/or irregularities in the Selection Guidelines and their Annexes to the Contracting Authority prior to the publication of the (most recent) Information Memorandum (see the date included in paragraph 2.2).

Following publication, Candidates may only address such conflicts, inaccuracies, irregularities and any (irresolvable) disputes in response to the answers provided in the (most recent) Information Memorandum by submitting a complaint and/or – subject to forfeiture of rights – serving a summons for summary proceedings on the Contracting Party no later than three working days prior to the deadline for submission of the Application (see paragraph 2.2).

Following the expiry of the period for submitting the Application, Candidates or interested third parties can no longer claim any conflicts, inaccuracies, irregularities or irresolvable disputes. If and where necessary, any conflicts, inaccuracies, irregularities and disputes will be interpreted in favour of the Contracting Authority.

The Contracting Authority reserves the right to disregard, or only partially process, any comments and suggestions without stating reasons.

3.2 Agreement

In submitting an Application, Candidates certify that they agree to all terms and conditions set by the Contracting Authority and provided for in these Selection Guidelines. Any implicit or explicit rejection of the terms and conditions will result in exclusion from the Tender.

3.3 Confidentiality

The content and information relating to these Selection Guidelines – including the Annexes appended thereto and any further information to be provided – must be treated confidentially by the Candidate and may only be disclosed to employees and any third parties that are directly involved in the Tender.

The Contracting Authority will likewise treat the data and information received confidentially, except in cases where the Contracting Authority is required by law to disclose such information. In such situations, the Contracting Authority will not

disclose information and data provided by Candidates to any other Candidates or third parties without the written consent of the Candidate concerned.

Demonstrable loss as a result of failure to comply with this condition will be recovered from the non-compliant party.

3.4 Accuracy and completeness of Application

Candidates are required to provide accurate and complete information in their Application. If it can be demonstrated that this is not the case, this may result in exclusion from the Tender.

If and where appropriate – to be determined at the discretion of the Contracting Authority – Candidates may be requested to complete missing information or for verification of information. However, the Contracting Authority will be under no obligation to do so. Candidates are requested to provide the information requested within five working days following the dispatch date of the request. Failure to comply with this deadline may result in exclusion from the Tender. If the information provided is contrary to the contents of the Application, Candidates will be excluded, without reservation, from further participation in the Tender.

3.5 Reservation

The Contracting Authority reserves the right to modify the Tender procedure and/or alter the nature and scope of the contract. Furthermore, the Contracting Authority reserves the right to complete and/or amend the information included in these Selection Guidelines. If this provision is applied, the Contracting Authority will comply with the applicable laws and regulations.

The Contracting Authority reserves the right to terminate all or part of the Tender or refrain from awarding the Contract to any party, for any reason whatsoever.

3.6 Reimbursement of expenses

Candidates will not be entitled to reimbursement of expenses of any kind arising from their participation in the selection stage of this Tender.

3.7 Partnership or appeal to (a) third party/parties

3.7.1 Appeal to financial and economic capacity (pursuant to Section 2.92 of the Public Procurement Act)

If a Candidate, in order to comply with the requirements for financial or economic capacity, claims the performance of a "third party" (generally the group or holding

company of which the Candidate's company forms part), the Candidate must indicate this in the Candidate's Statement in point 8.2.

Any claim to the performance of a "third party" is subject to the condition that such "third party" acts as a financial guarantor fully and unconditionally, in order to ensure compliance with the obligations arising from the agreement to be signed on the award of the contract. If requested, this must be confirmed by the Candidate and the "third party" (this is often the holding company) on the award of the contract by means of a duly signed declaration.

3.7.2 Appeal for technical or professional expertise (pursuant to Section 2.94 of the Public Procurement Act)

In order to comply with the requirements regarding technical or professional expertise (i.e. eligibility requirements), Candidates may claim the competence of other natural persons or legal entities, irrespective of the legal nature of their relationship with such individuals or legal entities. The two procedures available for making such an appeal are described below.

Application as a partnership (i.e. in combination)

Partnerships of businesses have the option to collectively submit an Application as a single Candidate, subject to the following terms and conditions:

- ◆ Point 1.5 of the Candidate's Statement must list the businesses included in the partnership. The participant(s) from the partnership must each individually submit a Candidate's Statement.
- ◆ The partnership must designate a single lead partner in point 1.6 of the Candidate's Statement. Please note: The lead partner will be the sole point of contact for any communication conducted with the partnership. The lead partner must be authorised to legally commit the partnership to any obligations relating to the Tender and the performance of the agreement. The lead partner must first be authorised for this purpose by all members of the partnership.
- ◆ All members of the partnership must specify in point 8.1 of the Candidate's Statement what specific eligibility requirements it satisfies. The partnership as a whole shall comply with all the requirements set.
- ◆ Individual members of the partnership will not be entitled to submit another individual Application or an Application submitted in conjunction with another partnership, in addition to an Application as a member of a partnership. Failure to comply with this provision will result in the invalidity of all Applications submitted by the Candidate in question or of the combination(s) of which it forms part.
- ◆ On award of the contract, all members of the partnership will be jointly and severally liable for complying with the obligations arising from the contract agreement, in all its components.
- ◆ In exceptional circumstances and under specific conditions, to be specified during the dialogue stage of the Tender, individual members of the partnership

may exit the partnership or be replaced by a new member once the contract has been awarded. This is subject to the statutory condition that the Candidate permanently complies with any and all requirements to which the partnership has committed pursuant to its Application and registration.

Use of subcontractors

In order to satisfy one or more competence requirements, Candidates are entitled to engage the services of subcontractors, subject to the following terms and conditions:

- ◆ The Candidate must specify under point 8.2 of the Candidate's Statement for which competence requirement(s) it is engaging the services of (a) third party/third parties. In such an event, the Candidate (i.e. the main contractor) will submit all information on Application.
- ◆ As stated in point 1.4, the subcontractor(s) in question will not complete the Candidate's Statement.
- ◆ On the award of the contract, the Candidate (i.e. the main contractor) will be required to use the services of the subcontractor(s) in question for the work to which the competence requirement(s) relate, which only the subcontractor(s) satisfies/satisfy.
- ◆ At the request of the Contracting Authority, the Candidate will subsequently submit documentary evidence of the involvement of the subcontractor(s).
- ◆ The Candidate, as the main contractor, shall be fully liable for the work performed by the subcontractor(s), based on its responsibility for the correct performance of the contract agreement.

4. Procedural requirements, grounds for exclusion and eligibility requirements.

4.1 General information

The following paragraphs specify what information Candidates are required to provide for the purpose of the assessment of the Application, based on procedural requirements, grounds for exclusion and eligibility requirements.

4.2 Procedural requirements

The Applications will initially be assessed for compliance with the procedural requirements, consisting of the rules for submission specified in Section 2 and the conditions set in Section 3.

Compliance of the Application with the procedural requirements will be assessed based on the completeness of the documents submitted and the content of the data and information provided, including, in particular, the information and data contained in Annex A to the Candidate's Statement for Tenders. Entering the required fields; valid signature.⁴ and submission as part of the Application is required, subject to exclusion of the Application in the event of non-compliance with this procedural requirement.

Non-compliant Applications *may* (or – in the event of non-legally valid signature – *must*) be declared invalid. Although this constitutes, to some extent, an “optional provision”, Candidates must be aware that the Contracting Authority will be likely to decide to exclude them from further participation in the Tender in order to exclude unequal treatment of Candidates.

4.3 Grounds for exclusion

In the second instance, Applications will be assessed based on binding and optional grounds for exclusion, as specified in sections 2.86 and 2.87 of the Public Procurement Act, respectively.

In signing the Candidate's Statement for tenders in accordance with the model contained in Annex A to this document, the Candidate certifies that the above-

⁴) i.e. signed by the director(s) authorised to represent the Candidate. (For Candidates domiciled in the Netherlands, this must be the director(s) listed in the Commercial Register of the Chamber of Commerce)

mentioned mandatory and optional grounds for exclusion do not apply to the Candidate. The Contracting Authority reserves the right to verify the statements made for accuracy prior to making a final selection. In such an event, the Candidate will be required to submit the documentary evidence specified in Section 2.89 of the Public Procurement Act at the Contracting Authority's request. If the contents of this documentary evidence does not match the contents of this statement, the Candidate will be excluded from participation in the Tender.

PLEASE NOTE:

If an Application is submitted by a partnership (i.e. a combination), each individual member of such partnership is required to sign the Candidate's Statement in accordance with Annex A.

If one or more grounds for exclusion apply to the Candidate, the Application will be rejected and the Candidate will be excluded from participation in the Tender, unless the Contracting Authority rules that the statement included in point 7.1 of the standard Candidate's Statement is sufficient or if, based on case law, exclusion is not possible.

4.4 Eligibility requirements

Candidates are subject to a number of eligibility requirements (also referred to as “minimum requirements”). Candidates are required to certify, using the Candidate's Statement included in Annex A, that they comply with the eligibility requirements and, if they are appealing to a “third party” to this end, they must specify to what requirement/part of the requirement this applies, along with the name of the “third party”. The applicable terms and conditions in relation to the above are detailed in paragraph 3.7. Prior to the final selection process, the Contracting Authority will verify the contents of the Candidate's Statement by requesting documentary evidence.

Failure to comply with one or more eligibility requirements will result in exclusion from participation in the Tender, unless the reason(s) provided in the Candidate's Statement included in Annex A (point 7.1) can be deemed to constitute compelling reasons.

4.4.1 MR 1: Professional competence

ME 1.1 Proof of registration in the Professional or Commercial Register

The Candidate certifies that its company or each individual company of a partnership submitting an Application is registered in its country's national professional or commercial register in accordance with the requirements applicable in the country in which its company is located.

Prior to the decision of a final selection, the Contracting Authority may request recent proof of registration or a statement to be submitted under oath, in compliance with Section 2.98 of the Public Procurement Act. For Candidates domiciled in the Netherlands, an extract of registration in the Commercial Register of the Chamber of Commerce will suffice. "Recent" here refers to valid proof of registration issued no more than six months ago at the time the Application is submitted.

PLEASE NOTE:

If the Application is submitted by a partnership, each individual member of the partnership will be required to submit recent proof of registration of the company in the Commercial Register.

4.4.2 MR 2: Financial and economic capacity

The financial and economic capacity of the Candidate is subject to the requirements set out below.

MR 2.1 Continuity requirement

The audit statements, issued for the Candidate's three most recent financial statements and reports of any audits conducted in the intervening period may not contain what is referred to as a "continuity paragraph", i.e. a paragraph in which the auditor makes a reservation or expresses concern regarding the continuity of the Candidate's business operations.

On Application by a partnership (i.e. a combination), the Candidate certifies that none of the audit reports issued for the three most recent financial statements or reports relating to any audits conducted in the intervening period contain a continuity paragraph.

If the Candidate, pursuant to Section 396, paragraph 6 of Book 2 of the Dutch Civil Code or equivalent legislation in the country in which the Candidate is domiciled, is exempt from the obligation to have the financial statements verified by an auditor, the continuity of the Candidate's company must be evident from the 'compilation reports' relating to the financial statements adopted over the past three financial years. These 'compilation reports' must be prepared in accordance with the accounting principles accepted in the country in which the Candidate is domiciled and must satisfy the statutory requirements applicable in this country to audit reports or review reports.

Prior to final selection and at the Candidate's expense, the Contracting Authority may request documentary evidence of compliance with the requirement above if required. The following documents will be accepted as documentary evidence:

- ◆ a copy of the relevant audit report or a separate (confirming) report issued by an auditor; or
- ◆ the above-mentioned compilation reports for the past three financial years.

PLEASE NOTE:

If an Application is submitted by a partnership, each individual member of such partnership must satisfy this requirement and, accordingly, submit the evidence specified above.

MR 2.2 Insurance

On the award of the contract, the Candidate must be sufficiently insured against the risk of being held liable by the City or any third parties in connection with attributable failure in the performance of the contract.

The following requirements apply:

1. Professional liability insurance providing cover against financial loss resulting from a professional error, subject to a minimum cover of €1,000,000 per claim and €2,000,000 per insurance year. No clause may be inserted into any insurance contract by linking to terms and conditions of sale, which provides that, in practice, actual cover is lower than the amounts stated.
2. A statutory liability insurance policy, including insured liability against injury and death, subject to a minimum sum insured of €2,500,000 per event.

Candidates are required to submit the following evidence prior to the final selection:

1. A certified copy of the insurance policy or policies or a declaration provided by the insurer clearly specifying the following details:
 - ◆ the insurance cover;
 - ◆ maximum cover per claim and per insurance year, and
 - ◆ the term of the policy.

OR:

2. Written statement provided by the Candidate's insurer satisfying the requirements specified above which confirm its willingness to take out the insurance on the award of the contract. PLEASE NOTE: In such an event, the submission of the evidence referred to in point 1 forms part of the verification prior to the final award of the contract.

The Candidate to which the contract is awarded is contractually obliged to maintain the insurance policy – which satisfies the requirements – subject to the same terms and conditions and with the same sums insured or higher, during the full contract period.

PLEASE NOTE:

If an Application is submitted by a partnership, each individual member of such partnership must satisfy the insurance requirements set and, accordingly, must submit the evidence specified above prior to the final selection process.

4.4.3 MR 3: Professional competence

Candidates are required to have the proven knowledge, skills and experience to implement the main objectives and sub-objectives of the contract – see Section 1.

For this purpose, Candidates will primarily be requested to submit a list of the main relevant projects completed in connection with the eligibility criteria MR 3.4 and 3.5, to be submitted with the Candidate's Application. This list – in accordance with the model contained in Annex B – must satisfy the requirements specified in Section 2.93, paragraph 1 of the Public Procurement Act:

ME 3.1: The following details must be specified for each contract: the commissioning authority/client, the performance period and the contract amount.

ME 3.2: The performance period for each contract must satisfy the requirement that the contract must have been completed within the past three years, rounded up (i.e. calculating from the deadline for Application).

The following requirement applies to ensure the reliability of the information provided:

ME 3.3: Proof of each of the contracts included on the above-mentioned list must be provided in the form of a signed statement supplied by the relevant commissioning authorities/clients (in accordance with Section 2.93, paragraph 2 of the Public Procurement Act).

In order to determine the suitability of the Candidate within the meaning of Section 2.95 of the Public Procurement Act, the skills and experience specified below must have been acquired as a result of the contracts or contract components included on the list, as evidenced from compliance with the requirements stated below (in accordance with the following requirements (in accordance with Section 2.93, paragraph 3 of the Public Procurement Act):

ME 3.4: Knowledge of and experience with urban lighting: Candidates must have had ultimate responsibility in the recent past (i.e. in the past three calendar years) for one or more projects which (collectively) satisfy the following requirements:

- 1) Design of a urban lighting system with a minimum acquisition value of €250,000, and
- 2) Supply and installation of a urban lighting system, with a minimum contract sum of €500,000

To this end, the Candidate must specify in the list included in Annex B which project(s) complies/comply with these requirements: MR 3.4-1 and/or ME 3.4-2.

ME 3.5: Knowledge of and experience with public-private partnerships:
management responsibility in a recent (i.e. within the past three calendar years) project is required.⁵ for the performance of one or more government contracts/tenders based on public-private partnership, in addition to responsibility for design and implementation, along with responsibility for financing, management **or** operation has been entrusted to the Contractor and for which the (total) maximum amount of the government contract(s) is €3,000,000.
To this end, Candidates must specify in the list enclosed in Annex B which project(s) comply/complies with this requirement MR 3.5.

Besides requirements relating to competences acquired during the performance of the contract, Candidates will also be required to demonstrate that the following requirements are being complied with:

ME 3.6: Quality care – assurance: Candidates must be in possession of valid certification of the management system under the ISO 9001:2008 standard, or equivalent certification. The corresponding certificate must have been issued by a certification body which complies with the European series of standards for certification (in the Netherlands, by accreditation by the Accreditation Board [Raad voor Accreditatie]).

PLEASE NOTE:

If an Application is submitted by a partnership, each individual member of such partnership must satisfy the certification requirements set and, accordingly, must submit evidence to this effect prior to the final selection process.

ME 3.7: Work safety: For the part of the contract involving installation work performed on the urban lighting system and for which the Candidate is responsible, the Candidate must be in possession of valid certification under the VCA** (two stars) standards, or equivalent certification⁶. The corresponding certificate must have been issued by a certification body which complies with the European series of standards for certification (in the Netherlands, by accreditation by the Accreditation Board [Raad voor

⁵) As a Contractor or as a consultant to the actual Contractor.

⁶) VCA** is a Dutch certification scheme. Foreign Applicants may either wish to subcontract installation work to a certified Dutch subcontractor, include a Dutch certified contractor in a combination or present present proof that the organisation complies with equivalent foreign certification of work safety.

Accreditatie]). If the technical work to be performed on the urban lighting systems is to be subcontracted, the Candidate will comply with the requirement that solely subcontractors that satisfy the requirement set will be charged with the work in question.

5. Selection criteria

The degree of suitability of Candidates is expressed in the list of criteria (i.e. selection preferences, abbreviated as “SPs”), including the corresponding score awarded for each criterion. The table below shows the maximum score which can be awarded for each selection criterion.

Par.	Code	Description of selection criterion	Max. score
5.1	SP 1:	Technical and organisational capacity relating to the management of urban lighting systems	20
5.2	SP 2	Innovative power, both in general and in relation to the smart design of urban lighting systems	30
5.3	SP 3	Ability to develop revenue models in relation to public services	20
5.4	SP 4	Public focus, i.e. the ability to anticipate or respond to (changing) public needs	20
5.5	SP 5	Sustainable business operations	10
		Total score	100

The paragraphs below contain further details on these criteria, the information required, and the method used to assess this information and the corresponding award of points.

5.1 SP 1: Technical and organisational capacity

The continuity of the operations of urban lighting systems is subject to stringent requirements, which, in turn, sets high standard for the organisational skills of Candidates' organisations. Solely organisations with a sufficient amount of knowledge of and expertise in urban lighting will be able and authorised to support the City in this part of its public duty. Candidates are requested – using a maximum of three A4 pages of text – to provide a description of/report on the technical and organisation skills of their organisation (i.e. people, skills and resources) for contracts of this type.

Assessment:

The description/report will be assessed based on two assessment criteria:

- 1) The completeness of the available disciplines and facilities, measured based on the Candidate's experience working with municipal authorities in the field of urban lighting (weight factor: 50%).

- 2) Proven relevance of the elements contained in the report, e.g. based on references to benchmark projects (references⁷) or research results (weight factor: 50%)

The assessment will be prepared in consensus by an evaluation committee for each individual assessment; this committee will be comprised of five experts in the technical and organisational aspects of urban lighting systems. They will use the evaluation scale shown below.

Assessment:	Score
Excellent	10
Good	8
Satisfactory	6
Mediocre	4
Unsatisfactory	0

The ultimate score (expressed as a single figure) is the average of the two evaluation scores. The table below shows the corresponding score (in points).

Average score	% of points to be awarded	Points
10	100%	10
9	90%	18
8	80%	16
7	70%	14
6	60%	12
5	50%	10
4	40%	8
3	30%	6
2	20%	4
0	0%	0

5.2 SC 2: Innovative power

Innovative power is characterised by three relevant aspects, each of which has been translated into a selection criterion with a corresponding score, as detailed in the subparagraphs below.

⁷) Please note: references must relate to contracts completed within the past five calendar years. The Contracting Authority reserves the right to verify the accuracy of data and information submitted prior to the final selection process with the parties that commissioned the reference projects.

5.2.1 SP 2.1 General innovative power

The Roadmap provides for the long-term, continual development of urban lighting systems themselves and for services facilitated by urban lighting systems or the urban lighting network. Proven innovative power on the part of the prospective Contractor therefore constitutes a key risk-mitigating factor for the City of Eindhoven (Municipal Authority). Candidates are requested to score their general innovative power in the form of a closed-ended question based on the characteristics listed below, and to submit this using the form contained in Annex C.

PLEASE NOTE:

- 1) If the Candidate consists of a partnership of companies, the details must be entered by – and they must relate to – the lead partner in the partnership.
- 2) Prior to the final selection process, a selected Candidate must provide proof of the accuracy of the answers provided, in the form of an audit report or information contained in official documents (e.g. approved financial statements).

Description of criterion:		Score/evaluation
Percentage of the revenue earned in 2013 from products and services developed over the past five calendar years		
- Unknown or 0%		0
- Less than 20%		1
- 20 – 40%		2
- More than 40%		3
Research and Development efforts (R&D) ⁸ over the past five calendar years, expressed as the average percentage of revenue		
For production companies:	For service providers:	
- Less than 3%	- Less than 1%	0
- 3–6%	- 1–2%	1
- More than 6%	- More than 2%	2
Has the Candidate's company taken advantage of grants to promote innovation or participated in any innovation programmes over the past five calendar years (at the European or national level)		
- No		0
- Yes		1

The "Innovative power" competency is most clearly expressed in the scope of the advances in innovation for products or services of which Candidates can demonstrate that they have the ability to realise them. In this respect, Candidates are requested to describe their most remarkable "leap in innovation" over the past five calendar years using a maximum of two A4 pages. The description must

⁸) This includes efforts which, in terms of the wage costs involved, are eligible for wage-cost subsidy under the Dutch Research and Development (Promotion) Act [Wet Bevordering Speur- en Ontwikkelingswerk].

address the following four qualities, which the evaluation committee will consider in its opinion:

- A study into needs and requirements, including creative solutions
- The scope of the “innovation leap” for the company in question, to be measured based on the extent to which the company’s business model has been affected and the extent to which the company has incurred innovation risk.
- Coverage in scientific publications, where the Committee will also consider the quality of such publications
- The amount of publicity received outside the company

The assessment report will be drafted by agreement between the members of the evaluation committee, based on the distinctiveness of the description of the four parameters listed above.

Assessment:	Score/evaluation
Distinctive in 1 of the 4 parameters	1
Distinctive in 2 of the 4 parameters	2
Distinctive in 3 of the 4 parameters	3
Distinctive in 4 of the 4 parameters	5

5.2.2 SP 2.2: Open innovation

Continuous innovation during the entire period of the partnership benefits from co-creation (within the Quadruple Helix), with the involvement – if useful and necessary – of “third parties”. The involvement of such “third parties” (i.e. parties which are still unknown and have not yet been designated or appointed at the time of the Tender), along with a renewed Tender on expiry of the contract term, benefits from the “transparency” of the Smart Light Grid. The Roadmap cites four levels of transparency, based on:

- connectivity,
- accessibility,
- availability of data; and
- dissemination of knowledge and information.

This objective would be supported by a partner with specific views on “open innovation”, which has integrated these views into a strategy, and has subsequently implemented this strategy in its operations.

Candidates are requested to share their views, strategy and experience with regard to the implementation of open innovation using a maximum of two A4 pages, preferably based on a specific and relevant practical example. The evaluation committee will assess these views, etc. on the level of transparency involved (based on the four levels listed above) and on their relevance to this contract. The assessment, prepared in consensus between the committee's members, will be translated into a evaluation as shown below.

Assessment:	Score/evaluation
Excellent	10
Good	8
Satisfactory	6
Mediocre	4
Unsatisfactory	0

5.2.3 SP 2.3: Innovation of urban lighting systems

Proven experience with urban lighting system is the third selection criterion, in order to measure the Candidate's innovative power.

Candidates are requested to list one or more (a maximum of four) references, using the form contained in Annex D.⁹ which have been implemented over the past five calendar years, based on the condition that each innovation must have been developed in-house by the Candidate or commissioned by same. The innovation must have been new to the company.

The scores below are awarded for each type of innovation, subject to sufficient proof.

Type of innovation (related to the public-lighting infrastructure)	Score/evaluation
New type of light fixture	1
New control system/sub-system	2
New management system	2
New service ¹⁰	4

5.3 SP 3: Development of revenue model(s)

Public-private partnerships are regarded as the key to the successful implementation of the Roadmap. This will make it possible to use the market's creativity and expertise more effectively and cut costs and/or improve quality in the

⁹) Please note: references must relate to contracts completed within the past five calendar years. The Contracting Authority reserves the right to verify the accuracy of data and information submitted prior to the final selection process with the parties that commissioned the reference projects.

¹⁰) Relating to the functional application(s) of light or the lighting system

process. This is an extension of the main objective, i.e. to improve the Quality of Life as much as possible using limited resources, by means of services to be developed which are facilitated by a Smart Light Grid. The success of the partnership will be based on the ability to develop a revenue model for investments in the public domain which involve some level of risk. This has been translated into the selection criterion specified below.

Candidates will be requested to provide a single reference⁸ – using the form included in Annex E – for a completed project which can be regarded as a public-private partnership. The evaluation committee will award the scores below for the (proven) substantive characteristics of the underlying business case,

Contract amount:	Score/evaluation
- Amount less than €500,000	1
- Amount between €500,000 and €3,000,000	2
- Amount in excess of €3,000,000	4
Type of revenue model	
- Principal covers all costs	0
- Contractor finances and achieves cost cuts/improves efficiency; Principal pays periodic amounts which cover operational expenses	5
- Contractor finances and operates based on (private) funds provided by parties procuring services, possibly combined with with public funding.	10
Risk distribution (in terms of the success or failure of the revenue model)	
- Principal bears the risk	0
- Principal and Contractor share the risk	3
- Contractor bears the risk	6

5.4 SP 4: Social focus

A second success factor in the proposed public-private partnership is the private partner's social focus, i.e. its ability to anticipate and meet public needs and manages to involve stakeholders in creating and implementing its plans. A wider social focus on the part of Candidates thus contributes to a solid basis for this contract. This has been translated into the selection criterion specified below.

Candidates are requested to list a single reference, using the form included in Annex F¹¹ for a completed project which can be regarded as a public-private partnership involving the social focus referred to above. Based on (demonstrable)

¹¹) Please note: references must relate to contracts completed within the past five calendar years. The Contracting Authority reserves the right to verify the accuracy of data and information submitted prior to the final selection process with the parties that commissioned the reference projects.

substantive characteristics of the involvement of the public (referred to below as “residents/resident organisations”) and the three other stakeholder groups¹² (referred to below as “professional partners”), the evaluation committee will award the scores below.

The area of social focus	Score/evaluation
- social or public domain	2
- construction or infrastructure (not including urban lighting)	4
- urban lighting	6
Nature of stakeholders’ involvement	Score/evaluation
- No involvement	0
- Stakeholders are regularly updated and well informed	5
- The project involves the participation of ¹³ professional partners or residents (i.e. organisations)	8
- The project involves the participation ¹² of professional partners and residents (i.e. organisations)	11

5.5 SP 5: Sustainable business operations

The City pursues a policy of sustainable procurement, which means it prefers to purchase from suppliers which aim for sustainable business operations based on the equality of the “triple bottom line” of “People, Planet and Profit”. Sustainability therefore relates to both social and environmental policies, as well as the impact of these policies on the way the organisation positions itself and on marketing policies and sales.

This preference is expressed in a selection criterion based on the third recommendation specified in the “Recommendations on Sustainable Procurement” [Advies Duurzaam Inkopen].¹⁴

Recommendation 3 encourages businesses to make their processes more sustainable based on priorities they set themselves. The process-focused criteria defined for this purpose are in line with the City’s interest in selecting suppliers which are competent (i.e. more so than other parties) in promoting the sustainable performance of contracts. These process-focused criteria are:

¹²) businesses, research and educational institutions and other organisations.

¹³) “Stakeholder participation” includes the following levels of partnership:

- consulting partnership: the stakeholder has an advisory role in determining requirements or implementation.
- practical: the stakeholder has been assigned a role/ plays an active role in the project structure.
- influencing partnership: the stakeholder regularly provides input for the decision-making process.

¹⁴) Recommendation of employers’ union VNO-VNW, MKB-Nederland (Netherlands Association for Small and Medium-sized Enterprises), procurement organisation NEVI and sustainability consultancy De Groene Zaak dated June 2011.

1. Selection of relevant and significant sustainability issues
2. Definition of targets and objectives based on the sustainability issues selected and public disclosure of these targets and objectives; and
3. Transparency regarding the progress of these targets and objectives (i.e. their implementation)

The effectiveness of this process strategy is expressed in a fourth criterion, which is separate from the “Recommendation on Sustainable Procurement”, namely:

4. The improved sustainability based on the three process-focused criteria.

Candidates – using two A4 pages of text – are requested to provide descriptions of the following aspects:

- Current *sustainability issues* (i.e. social and environmental) incorporated into their business policies (with reference to point 1 above)
- The *targets and objectives* based on these issues (with reference to point 2 above)
- The *sustainability performance achieved* (quantitative¹⁵), measured based on these targets and objectives (with reference to point 4 above)
- *Communication – both internal and external* – regarding the targets and objectives plus the progress in achieving these targets and objectives (with reference to point 3 above)

Candidates are requested to explain these different angles in separate paragraphs, corresponding to the passages in the text above.

Assessment:

The description provided will be assessed on a comparative basis, i.e. relative to the descriptions received from other Candidates. The assessment will relate to the extent to which the description distinguishes itself from the other descriptions submitted in terms of the process of improving the sustainability of business operations and the results of such efforts, measured based on the four criteria listed above. The following two evaluation categories are identified, including scores:

Distinctive in terms of *sustainability performance* 6 points

Distinctive in terms of *the process of improving sustainability* 4 points

¹⁵) based on measurable indicators, including in relation to the social return volume, carbon performance ladder, etc. 2