



SELECTION GUIDELINES

European tender based on a negotiated procedure with advance selection for airfin-coolers for the benefit of N.V. Nederlandse Gasunie

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N.V. Nederlandse Gasunie
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gasunie
crossing borders in energy

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Annexes to these selection guidelines:

Annex 1	Design specifications
Annex 2	General terms and conditions Deliveries, version 2020
Annex 3	Gasunie Tendering Regulations, including ARN ²⁰¹⁶
Annex 4	Gasunie Suppliers Code of Conduct
Annex 5	Gasunie Complaints Procedure for Tenders
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Forms to be submitted with the tender (§ 2.9.1):

Form A Uniform European Tender Document (UEA)- Self Declaration
Form B Reference(s)

Forms to be submitted after the tender upon request (§ 2.9.2):

Form X - Reliance on the financial capacity of a third party
Form Y - Reliance on the ability of a third party

Please note: all annexes and forms can be found in Ariba eSourcing (see Paragraph 2.2)

1 GENERAL INFORMATION ABOUT THE PROCEDURE AND CONTRACT

1.1 Introduction

This selection guideline contains the information required to participate in the European tender based on a negotiated procedure with advance selection for airfin-cooler for the benefit of N.V. Nederlandse Gasunie (hereafter: Gasunie).

These selection guidelines describe the process for selecting candidates for the said tender. This selection phase is followed by the award phase. In the selection phase, candidates may only submit an application in relation to these selection guidelines. If the candidate is selected by Gasunie, it will receive an invitation to tender (award phase). Only these tenders will be evaluated in the award phase.

This tender is subject to the Public Procurement Act 2012 (special-sector contracts) and the Gasunie Tendering Regulations, including ARN²⁰¹⁶. The Gasunie Tendering Regulations and the ARN²⁰¹⁶ have been added in Ariba eSourcing.

The tender was published on TenderNed on the date mentioned in the planning.

The contract will be awarded after the award phase to the economically most advantageous tenderer, based on best price-quality ratio. Further information about the awarding of the contract is included in the award guidelines which will be made available via Ariba.

1.2 N.V. Nederlandse Gasunie

Gasunie is an energy infrastructure company. In the Netherlands and Northern Germany, we manage the infrastructure for large-scale transport, storage and conversion of gas, currently still mostly natural gas. With the energy transition, this is increasingly shifting towards green gas and hydrogen. We are also working on the construction and management of heat and CO₂ networks.

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

The Gasunie network is one of the largest high-pressure gas transport networks in Europe and consists of more than 15,000 km of pipelines, 1,000 gas receiving stations and dozens of installations in the Netherlands and Northern Germany. Gasunie's infrastructure is part of the 'gas roundabout' of Europe. This network allows the gas to be traded and transported easily. The annual throughput of gas is approximately 100 billion cubic meters.

Our mission

Gasunie is a leading company in the field of energy infrastructure in Europe. The transportation and storage of gas are our core business. We serve the public interest and facilitate the energy transition by offering integrated infrastructure services. We focus on value creation for our shareholder(s) and other stakeholders, and apply the highest industrial safety and business standards.

Our vision

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

Our three pillars:

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

Gasunie Suppliers Code of Conduct

Maintaining a good reputation is of great importance for Gasunie to be able to achieve its objectives. Gasunie sees it as its responsibility to ensure that its services are provided in a value chain which complies with international standards. Cooperation with suppliers and partners needs to take place in a professional and careful manner and with integrity. The Code of Conduct applies to all Gasunie staff, also for those employed by companies belonging to the Gasunie group and for those workers

that are seconded to or that work on behalf of Gasunie. The Code of Conduct has been added in Ariba eSourcing. The *Gasunie Suppliers Code of Conduct* forms part of the framework agreement to be concluded.

More information about Gasunie can be found on www.gasunie.nl

1.3 Subject of the tender: H2 storage

Gasunie is working on the HyStock hydrogen storage project near Zuidwending in the Netherlands. Gasunie is planning to develop here the first large-scale hydrogen storage site in northwest Europe. The Zuidwending site is situated on top of a salt dome that is ideally suited to underground hydrogen storage. In this way energy can be stored. In 2027 the first cavern and an above-ground installation will be put into operation. It is expected that four hydrogen caverns will be needed by 2030 to meet the demand. To this end, the current above-ground plant needs to be expanded. It is planned, that in the future the H2 caverns will connect to the H2 Back Bone project, which is still under development. With a connection to the national transport network for hydrogen (H2 Back Bone project), it will be possible for companies throughout Northwest Europe to supply and purchase hydrogen. In this way HyStock is facilitating the energy transition to a clean and sustainable society.

In addition to existing natural gas caverns owned by EnergyStock, 4 new caverns can be realised for hydrogen storage. The envisaged storage facility will be developed in steps, starting with a first cavern in 2027 and then expanding to at least four caverns in 2030. The storage facility will be accessible to the entire market on an open-access basis. Via a connection to Gasunie's national hydrogen infrastructure, which is currently under development, the stored hydrogen can be offered by producers and supplied to customers throughout the country and to the industrial clusters in Germany and Belgium from 2027 onwards.

For more information about Gasunie's role in Hydrogen: see <https://www.hystock.nl/en> or <https://www.gasunie.nl/en/expertise/hydrogen>.

1.3.1 Scope of the delivery for Hystock:

We need three types of airfin coolers.

- An airfin-cooler for the triethylene glycol (TEG) unit: Each TEG unit will be equipped with an airfin-cooler upstream of the absorption column. The aim is to cool the hydrogen gas from the cavern before it enters the absorption column.
- An airfin cooler for the intermediate stage hydrogen compressors: Each compressor is fitted with an airfin cooler in the intermediate stage. Its purpose is to cool the compressed hydrogen.
- An airfin cooler for the discharge of the hydrogen compressors: Each compressor will be equipped with an airfin cooler in the discharge. The purpose is to cool the compressed hydrogen.

The supplier must carry out the engineering, manufacturing, inspection, transport, delivery, installation, commissioning, testing and operational field acceptance test.

Gasunie will carry out preventive maintenance itself and corrective maintenance can be placed with the supplier, as can the supply of any spare parts. The airfin-coolers must meet Gasunie's specifications.

The next numbers are required:

Date	Airfin-cooler TEG	Airfin-cooler compressor first stage	Airfin-cooler compressor second stage
Q2 2027	2 pieces	2 pieces	2 pieces
Probably 2030 or later	1 piece	3 pieces	3 pieces

The specifications will give more information about the contract and will be made available to all selected tenderers via Ariba eSourcing during the award phase.

1.4 Scope of the contract

The scope of the contract is the above-mentioned numbers of Airfin-coolers and the possible preventive maintenance and spare parts. The estimated contract value is € 13.000.000 (excluding indexation during the contract period).

The maximum contract value is € 26.000.000 based on 2024 price level. As this is a framework agreement, a maximum contract value should be indicated. Upon reaching this maximum contract value, the framework agreement ends. Please note this is not an indication of the contract value.

These numbers/amounts are indicative and offer no guarantee for the future. Candidates can therefore not derive any rights from this information. Gasunie is not bound to actually place orders or further orders with the contractor.

1.5 The term of the intended contract

Gasunie is intending to sign a framework contract with one tenderer. This framework agreement has an intended term of four years and can optionally be extended twice by a period of four years. The intended effective date is mentioned in the planning. The intended effective date is a target date, and no rights can be derived from it.

It is important that the framework agreement can cover the full duration of the project and that the airfin-coolers do not have to be re-contracted at the end of the project. Since the realization of the hydrogen storage may span over 12 years, a contract duration for the framework agreement of up to 8 years is too short because retendering could mean a break in standardization. Therefore, the framework agreements are framed for the above-mentioned period. The reasoning for this contract duration is that the project is served by as much standardization as possible.

The contract will also include the possible corrective maintenance and the supply of any spare parts if necessary.

The General Terms and Conditions for Supplies version 2020 apply to the framework agreement. In this selection phase, comments on the General Terms and Conditions are not yet taken into consideration. The provision of the General Terms and Conditions in this selection phase is for information purposes only.

In addition to Gasunie, HyStock, or other entities in which Gasunie holds shares, has an interest or exercises control may also award contracts, further agreements, purchase orders or purchase orders under the framework agreement to the Contractor. Contractor agrees that Gasunie can transfer the (rights and obligations arising from the) framework agreement, further agreements or purchase orders to another group company or to another entity in which Gasunie holds shares, has an interest or exercises (partial) control, even if such an entity is established after the framework agreement is concluded. To the extent that cooperation of the Tenderer required to effect such a transfer, the Tenderer will cooperate, without imposing any conditions. The transfer of other rights and obligations is subject to Article 24 of the General Terms and Conditions for Delivery.

1.6 Backup agreement

In addition, Gasunie will enter into a backup agreement with the next highest-ranking bidder in this tender. The purpose of the backup agreement is to take the place of the contractor's framework agreement if the framework agreement is not concluded with the winning tenderer or if the framework agreement is terminated because the contractor is no longer able to meet its obligations under the agreed framework agreement.

1.7 Disclaimer: subject to FID

The work will be divided into three parts.

The scope of the agreement concludes the following:

- Part 1. Detail engineering leading to an RFC package (Released for Construction).

After FID (and therefore subject to FID which will be taken per airfin-cooler):

- Part 2. Manufacturing, inspection, transportation, delivery, installation, pre-commissioning, testing and operational factory/field acceptance test.

After commissioning (and therefore subject to FID):

- Part 3. Corrective maintenance for at least 10 years including supply of any spare parts.

Because there is no Final Investment Decision (FID) for HyStock yet (which is the case at the moment of publication of the tender), the scope of work for part 2 and 3 is not sure and subject to FID.

1.8 Revision clause

Gasunie has not taken the final investment decision for the whole scope and will take this for each future cavern. It is foreseen that four caverns will be prepared until 2034.

The scope, the planning and even the number of caverns, the location, or the type airfin cooler could be changed. If this is the case this will be discussed with the contracted supplier.

1.9 Clustering and lots

The contract does not involve clustering of work and the contract is not divided into lots.

1.10 Variants and alternative tenders

It is not allowed to submit variants and/or alternative tenders. Any variants/alternatives submitted will not be considered.

2 APPLICATION PROCEDURE

2.1 Schedule

No rights may be derived from the following schedule. Dates shown in **bold** are final deadlines, unless otherwise notified by Gasunie. Gasunie retains the right to change the schedule ad interim. The schedule as stated in Ariba is leading.

Activity	Date / Period
Send publication TenderNed / Publication on Ariba	10 October 2024
Deadline to submit questions	23 October 2024, 13.00 hrs.
Publication note of information	31 October 2024
Deadline submission of applications	11 November 2024, 13.00 hrs.
Assessment of applications	November 2024
Provisional selection decision	November 2024
Legal protection period	10 days after provisional selection decision
Start award phase	November/December 2024

Further information on the schedule of the award phase is included in the award guidelines.

2.2 Digital tender via Ariba eSourcing

This tender is carried out entirely electronically via Ariba eSourcing (<https://service.ariba.com>). This means that, among other things:

- All tender documents are made available free of charge and digitally through Ariba.
- Candidates can submit questions via Ariba Messages, Ariba's messaging module, which is also used by Gasunie to answer those questions;
- Applications can only be submitted digitally;
- In principle, all further correspondence also takes place via the Ariba messaging module.

It is not allowed to request information about this tender from Gasunie in any other way than as described above. Communication about this tender by any other means may result in exclusion from participation in this tender procedure.

To make the best use of Ariba's functionality, it is also important for candidates that the organisation is registered correctly and, among other things, the right people are given the right authorisations for the tender in question. Make sure this authorisation is also in place for vacation periods or other times when substitutions may be needed. This registration must be done once.

For questions about the use of Ariba eSourcing, candidate can contact the Ariba help desk (<https://connect.ariba.com>) or refer to the various manuals on <https://www.gasunie.nl/leveranciers/ariba>.

2.3 Language

The tender procedure is conducted in the Dutch language. Unless otherwise stated or unless otherwise stated in writing by Gasunie in the subsequent tender procedure, all documents submitted by the candidate must be in the Dutch language. The same applies to the performance of the contract throughout the contract period.

2.4 Tender costs

Candidates will not receive any compensation for costs, damages or lost profits regarding the submission of an application. If Gasunie withdraws the tender, it will consider whether a reimbursement of costs is deemed appropriate. It follows that there is no obligation to pay out such a reimbursement that takes into account all costs incurred.

2.5 Presentation about tender contents and tender process in Tender meeting

Gasunie has scheduled a Tender meeting (via Teams) to which every interested organisation is allowed to attend. Attendees are requested to register their participation by sending the organisation name and name and e-mail address of the persons attending by e-mail to p.mol@gasunie.nl. The presentation will focus on the specific aspects of the selection phase of the European tender process. Participation of tenderers that are not familiar with European tender processes is strongly advised. See schedule in par. **Fout! Verwijzingsbron niet gevonden.** for planning.

2.6 Information and note of information

Written questions may be asked about the tender procedure, the tender documents or their contents and/or the contract documents or their contents. Questions should be worded clearly and unambiguously with a reference to the section of the tender documents to which the question relates. Questions should be asked in the Excel format attached in Ariba eSourcing ('Model for submitting questions re. note of information'). If the candidate has multiple questions, one question should be asked per line. Gasunie would like to emphasise that the questions have to be relevant to the application.

Questions can only be submitted electronically via the 'Messages' functionality of Ariba eSourcing (with the questions added as an attachment), with the reference: "Questions information round". Questions may be submitted throughout the period up to the deadline for questions. The questions will be published anonymously via Ariba eSourcing. The questions will be answered as soon as possible once the answer is ready, and the answers will be published via Ariba eSourcing as soon as possible. The deadline for asking questions is listed in the schedule in paragraph 2.1.

The answers to these (relevant) questions asked will also be formulated as an anonymous note of information. The note of information will be published via Ariba eSourcing, including any amended tender and contract documents, no later than the date specified in paragraph **Fout! Verwijzingsbron niet gevonden..** Candidates are advised to keep a close eye on the answers to the questions via Ariba eSourcing. They are expected to be familiar with the contents of the note of information. The note of information shall prevail over the selection guidelines and its annexes.

2.7 Application

The application must be submitted before the deadline specified in Ariba eSourcing. All application documents must be complete and (where specifically requested) validly signed, and submitted electronically to Gasunie via Ariba eSourcing. During the tender period, the currently available time for submitting applications is visible in Ariba, under 'Time left'. The candidate may, during the entire period until the deadline, edit and review his application. Any information submitted by the candidate only becomes visible to Gasunie after the expiry of the deadline.

Candidate is not permitted to submit an application by any other means. Applications submitted by other means will not be considered and are deemed not submitted.

All documents to be submitted for the application where a signature is specifically required, have to be lawfully signed. It is not allowed to add additional information which Gasunie has not explicitly asked for. Such additional information will not be included in the assessment. The candidate is responsible for the timely submission of his application. Candidates are therefore strongly advised to upload and release the data in plenty of time before the expiry of the said deadline. Ariba eSourcing will automatically close at the time specified. It is not possible to submit an application after the deadline.

The candidate will see the following message in Ariba if all required data has been uploaded and released. If the candidate does not see the following message, the application cannot be taken into consideration.

 You have submitted a response for this event. Thank you for participating.

[Revise Response](#)

2.8 Auditing

During the tendering phase (RFP) – which is the phase that follows the selection phase - in the context of quality assurance / quality control, tenderers can be audited by Gasunie or a third party

representing Gasunie. The audit is to verify whether the applicant meets the requirements of the RFI and/or RFP, and optionally also to verify the submitted information. A negative outcome of the audit may lead to the exclusion of tenderer(s) for further participation in the tender. To maintain the progress of the procurement process, no candidate(s) that are excluded/rejected in the selection phase (RFI) will be invited for the tendering phase. Both parties bear their own audit costs. More information about the audits will be included in the award guideline during the tendering phase.

2.9 Content of the application

By submitting an application, the candidate declares that it has taken full cognisance of the content of this selection guide, all annexes, the anonymised note of information to be received, and any other accompanying documents, and also declares that the candidate agrees to all the provisions and requirements set out in these documents.

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

Please note:

- In the unlikely event that a standard, brand name or manufacturer's name is stated in this tender procedure and the addition 'or equivalent' is accidentally omitted, this addition in accordance with Article 2.76 (4b) of the Dutch Procurement Act 2012 (Aw), be deemed to be present, so as not to act in conflict with the European non-discrimination principle. It is always the candidate's responsibility to demonstrate that it meets Gasunie's requirements.
- Gasunie uses the Ariba network to send orders to its suppliers. In addition, suppliers are also obliged to send their invoices to Gasunie via the Ariba network. Ariba's most recent rates can be found on its website: <http://www.ariba.com/suppliers/subscriptions-and-pricing/supplier-membership-program/pricing>. Invoices sent by Ariba are a matter between the supplier and Ariba, in which Gasunie does not play a role. The contractor agrees to use the Ariba network for all transactions, to accept the Ariba's terms and conditions, and pay any costs to the candidate that use of the Ariba network entails.
- Gasunie uses the Ariba network to send orders to its suppliers. However, this does not apply to the procurement of coded/regulated materials for the purpose of this tender.
- For coded/regulated materials such as the compressor units of Work II, Gasunie sends orders to its suppliers via SAP (e-mail) and the procedure as indicated in the document Administrative Procedures (AP) for supply contracts and related services, which can be found on the website <https://www.gasunie.nl/leveranciers>, is followed. Invoices for coded/regulated materials should be sent to: digitalefacturen@gasunie.nl.

2.9.1 Documents to be submitted with the application

Applications must be prepared and submitted in full compliance with the requirements set out below. If an application has not been prepared and/or submitted in full compliance with the requirements below, Gasunie may decide to exclude the application from further participation in this procedure. The application in question will then no longer be eligible for awarding.

The documents that must be submitted not later than on the date specified in Paragraph 2.1, comprise the following documents:

- **Uniform European Tender Document (UEA) - (Form A).**
- **An extract from the national trade or professional register (in the Netherlands: extract from the trade register of the Chamber of Commerce) of the tenderer.**
- **One or more (contiguous) extracts from the trade register or one or more powers of attorney (not older than 6 months at the time of submission) from which the representative authority of the signatory can be adequately derived.**
- **Reference(s) - (Form B).**

2.9.2 Documents to be submitted after application

After provisional selection, the candidate should, within 7 calendar days after a request to that end, submit the following documents via the 'Messages' functionality in Ariba:

1. Supporting documents for grounds for exclusion as indicated in the table in paragraph 3.1.

See column 'Supporting documents (to be submitted on request)' as referred to in paragraph 3.1.

NB: In the event of application as a collaborative partnership, each member of the collaborative partnership should submit the said supporting documents.

2. Supporting documents for grounds for exclusion as indicated in the tables of paragraph 3.2.

See column 'Supporting documents (to be submitted on request)' as referred to in paragraph 3.2.

NB: In the event of application as a collaborative partnership, each member of the collaborative partnership should submit the said supporting documents.

3. Form X - Reliance on the financial capacity of a third party

Insofar as candidates rely on the capacity of a third party in terms of one or more minimum requirements in paragraph 3.2.1 (financial and economic capacity), the candidate should submit form X after application. Form X must be signed both by the candidate and the third party.

4. Form Y - Reliance on the ability of a third party

Insofar as candidates rely on the technical or professional ability of a third party in terms of one or more minimum requirements in paragraph 3.2.2, the candidate should submit form Y after application. Form Y must be signed both by the candidate and the third party.

2.10 Decision not to participate

If a candidate decides not to submit an application, the candidate is requested to report this as soon as possible via the "Messages" functionality of Ariba eSourcing, and to unsubscribe in Ariba for the relevant event.

2.11 Ambiguities and contradictions and forfeiture of rights

The tender documents have been compiled with care. If the candidate nevertheless discovers errors, inconsistencies, faults, inadequacies, omissions or ambiguities in the tender documents, the candidate must take a proactive approach by informing Gasunie of this as early as possible, but no later than at the time of the information round, by asking questions or submitting comments/objections.

If the candidate fails to comply with this obligation, the candidate shall forfeit their rights to raise any errors/inconsistencies/faults/inadequacies/omissions/ambiguities afterwards (possibly in court).

If the candidate raises an objection during the information round and Gasunie, in its opinion, does not or not adequately resolve that objection, the candidate must (also) take a proactive approach. The minimum requirement is that the candidate - in the event that it cannot (yet) reconcile itself to the settlement of the objection - explicitly states, in writing and stating reasons, that it maintains its objection as soon as possible but no later than two days prior to the deadline for submitting the bid. If the candidate does not avail itself of the possibilities offered in this section, this will be at the risk of the candidate and both Gasunie and the other candidates will be justified in assuming that the candidate has no questions and/or objections (left) regarding the procedure and/or contract. Raising objections and/or ambiguities only after registration will lead to inadmissibility (on the grounds of legal effect) as far as those objections and/or ambiguities are concerned.

2.12 Complaints about the tender process

Gasunie has its own complaints procedure with respect to calls for tenders. Complaints can be submitted in writing to Gasunie's complaints desk via the following e-mail address: klachtenmeldpunt.aanbestedingen@gasunie.nl. Candidate shall state clearly in the e-mail to which tender the complaint relates to, what the complaint is and how the problem can be remedied. The Complaints Procedure for Tenders is published and available at www.gasunie.nl/leveranciers and can be found in Annex 5, Gasunie Complaint Procedure for Tenders.

Submitting a complaint will not automatically suspend the tender procedure.

3 GROUNDS FOR EXCLUSION, SUITABILITY REQUIREMENTS AND SELECTION CRITERIA

The assessment of the applications received in time on the basis of Chapter 2 shall be subject to the provisions referred to in this chapter. Failure by the candidate to comply with any of the aforementioned grounds for exclusion and suitability requirements may result in exclusion from participation in this tender.

3.1 Grounds for exclusion

Uniform European Tender Document (UEA)

The candidate shall attach to the application a completed and lawfully signed Uniform European Tender Document (UEA). The statement to be used by the candidate, required by law, is included as Form A: Uniform European Tender Document (UEA).

Mandatory grounds for exclusion

Gasunie declares the mandatory grounds for exclusion applicable, as referred to in Part IIIA of the UEA.

Optional grounds for exclusion

Gasunie declares the optional grounds for exclusion applicable (and considers the application of these grounds relevant and proportionate for this tender procedure), as referred to in Part IIIB and Part IIIC of the UEA.

At Gasunie's request, the following supporting documents must be submitted.

Supporting documents (to be submitted with the application)	Supporting documents (to be submitted on request)
Validly signed Form A, Uniform European Tender Document (UEA).	A Certificate of Conduct in Procurement (GVA) that is not more than two years old at the time of submission. Obtaining this certificate may take approx. 6 weeks; please make sure to request the certificate in a timely manner.
An extract (not older than 6 months at the date of submission) from the national commercial or professional register (in the Netherlands: extract from the Kamer van Koophandel) relating to the candidate.	A statement by the tax administration (a statement of payment behaviour regarding fulfilment of tax obligations) that is not older than six months at the time of submission.
One or more (contiguous) extracts from the trade register, or one or more powers of attorney (not older than 6 months at the time of submission) from which the representative authority of the signatory can be adequately derived.	

Please note:

- The grounds for exclusion apply to every candidate and participant in a partnership (consortium), as well as every subcontractor and companies called upon by the candidate.
- All sections applicable to the candidate must be completed.
- If the candidate submits a tender as a consortium, uses subcontractors, or relies on the ability of third parties, Part II **must** be completed in full and accurately. In addition, all parties of the consortium must, each separately, submit a copy of the UEA, completed correctly and signed in a legally valid manner; Third parties whose ability is called upon to meet the **suitability requirements** (Part IIC) must also submit a correctly and truthfully completed and signed UEA.
- The grounds for exclusion applicable to this contract are ticked under sections IIIA, IIIB and IIIC. This section must be answered by the candidate.
- By completing Section IV, the candidate indicates whether it meets the stated **suitability requirements**. **suitability requirements** are called selection criteria in the UEA.
- The UEA must be validly signed by a representative of the candidate who is authorised to represent the candidate. This must be evidenced by the extract from the trade or professional register or by an attached authorisation signed by an officer authorised to represent the candidate, as can be inferred from the extract from the trade or professional register.

- If the UEA is not signed by an authorised representative of the candidate, the candidate may be excluded from further participation in the tender process.

If a ground for exclusion applies to the candidate, the candidate must indicate the facts that have occurred or are occurring, their scope and the measures taken by the candidate to prevent recurrence and to restore the breached confidence. Gasunie may waive exclusion if the candidate demonstrates that it complies with Art. 2.87a Aw.

Conditions of Gasunie regarding the new EU sanction package (Regulation 2022/576)

In connection with the new EU sanctions package (laid down in Regulation 2022/576), Gasunie wishes to emphasize the following. As far as Gasunie's contracts are concerned, the aforementioned sanctions prohibit Gasunie from awarding and/or granting contracts to Russian nationals/(legal) entities (as specified below). Contractors must be excluded in the event that the contract is performed by:

- a) Russian national, or a natural or legal person, entity or body established in Russia.
- b) A legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50 % by an entity referred to in point (a) of this paragraph; or
- c) A natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph.

Including subcontractors, suppliers or entities whose capacity is claimed within the meaning of the Public Procurement Directives, where they account for more than 10% of the contract value.

By applying for or tendering in this tender, the Candidate declares - in case it is invited to the award phase - that (i) the tender is not or will not be in conflict with Regulation 2022/576 and the package of sanctions contained therein and (ii) that the contract will not be executed in conflict with that package of sanctions.

3.2 Suitability requirements

The minimum **suitability requirements** which must be satisfied by candidates are tested on the basis of the following minimum requirements.

3.2.1 Financial and economic capacity

As regards the financial and economic capacity **suitability requirement**, candidates must meet the minimum requirements included in the table below. When submitting an application, the candidate submits **Form A** (UEA), declaring that it meets the minimum requirements set out below (see Part IV of the UEA). At Gasunie's request, the following supporting documents must be submitted.

Minimum requirements financial and economic capacity	Supporting documents (to be submitted on request)
The creditworthiness of suppliers is important for (a) the operational dependence on (critical) Gasunie business processes and (b) the financial risk. - The impact of the requested products on critical business processes (such as gas transport) is fairly limited for Gasunie. If the supplier is no longer able to meet its obligations, this has limited direct consequences for the critical business processes. - The financial risk is limited. Based on the above analysis, Gasunie considers a risk factor of a maximum of 3 to be an appropriate financial criterion. The credit rating is based on the rating issued by the independent credit information agency Dun & Bradstreet. This rating is based on four risk categories, with category 1 representing minimal credit risk and category 4	Gasunie itself requests the report from Dun & Bradstreet; where necessary, the candidate must provide additional information.

considerable credit risk. The figure refers to the 'risk factor' or 'risk indicator' in the credit rating.	
NB Failure by a candidate to comply with the statutory obligation to file the financial statements may result in exclusion from further participation in the tendering procedure.	

Gasunie feels that setting this qualification criterion is justified considering the importance it attaches to the stability, financial or otherwise, of a candidate, considering the nature of this contract and the way it relates to the primary tasks of Gasunie, including maintaining a stable and reliable gas transport network.

3.2.2 *Technical and professional capacity*

As regards the technical or professional ability qualification criterion, candidates must meet the minimum requirements included in the table below.

When submitting an application, the candidate submits **Form A** (UEA), declaring that it meets the minimum requirements set out below (see Part IV of the UEA). At Gasunie's request, the following supporting documents must be submitted.

Minimum requirements technical or professional ability	Supporting documents (to be submitted on request)
The candidate declares to be in possession of a valid quality system (ISO 9001:2015 or equivalent) the scope of which must – demonstrably – pertain to the work described by Gasunie in the tender documents.	Copy of a certificate valid at the time of submission of the tender (ISO 9001:2015 or equivalent) • Certificate according to the European standards series EN 29000 (ISO 9000 series), or; • Equivalent certification(s) or statement(s) from independent third parties that the quality assurance is equivalent to ISO 9000 serie or; • A description of the working quality system, including at least: - o (the table of contents of) the internal quality manual and; - o Reports of recent and regular independent third-party quality audits or other evidence of continuous quality testing.
The candidate declares to be in possession of a valid VCA*/VCA** VGM management system certificate or equivalent.	Copy of an VCA*/VCA** VGM management system certificate or equivalent valid at the time of submission.

3.2.3 *Technical and professional ability: References*

As regards the suitability requirement technical or professional ability: references, candidate must submit one or more references showing that candidate meets the minimum requirements (core competences) included in the table below. When registering, candidate must submit **Form B**. At Gasunie's request, the following supporting documents must be submitted.

Knock-out criteria apply for the core competencies; should the candidate not meet these criteria according to Gasunie's assessment, then the candidate will be excluded from further participation in this tender procedure.

Minimum reference(s)	Supporting documents (to be submitted on request)
Reference requirement 1: One (1) reference showing that the candidate has experience with	Satisfaction statement from the client showing that the contract has been properly

engineering, manufacturing and delivery of an Airfin-cooler with a pressure of minimum 200 bar with H2 or H2 containing gas.	executed both with respect to the manner of execution and with respect to the result.
Reference shall not be older than 10 years.	
Reference requirement 2: One (1) reference showing that the candidate has experience with the delivery of an Airfin-cooler where the candidate reduced the noise level to 75 dB(a) or lower.	Satisfaction 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.
Reference shall not be older than 10 years.	
Reference requirement 3: One (1) reference showing that the candidate has experience with the engineering and delivery of an Airfin-cooler mechanical designed accordance to the NEN EN-13445 (pressure and temperature cycle). The reference also stated the number of cycle loads.	Satisfaction 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
Reference shall not be older than 10 years.	

- Candidate must submit 1 reference showing that the candidate satisfies these reference requirements for each core competence/reference requirement.
- A reference submitted by the candidate may relate to 1 or more reference requirements. For each reference, the candidate must state which reference requirement (or requirements) the reference relates to.
- Gasunie retains the right to verify the references.
- Fully completed contracts can be given as a reference or, if a contract that has not yet been (fully) completed is put forward as a reference, only actually achieved results of the current contract may be given; a forecast of the results will not suffice.
- For the above reference requirement, the candidate shall use Form B. The candidate shall indicate whether the reference meets all of the above reference requirements. The above reference requirements include the requirement that the reference should not be older than ten years. This period is calculated on the basis of the period between the date of submission of the application and the date of completion/delivery of the reference project.
- If references are used in which the candidate has carried out the reference contract together with another contractor, it must be clearly stated which part was carried out by the candidate. Only that part of the reference contract actually performed by the candidate may be used as a reference.

4 SELECTION PROCEDURE

The selection procedure shall take place on the basis of the following steps described in this chapter.

4.1 Assessment of the documents submitted with the application

Applications submitted on time on the basis of paragraph 2.5.1 are first checked for completeness and validity. Incomplete applications may lead to exclusion. Gasunie expressly reserves the right to request supplementary information to and/or clarification of the application and/or submission of missing documents/supporting documents in the event of apparent omissions and ambiguities. This is to the extent permitted by the Procurement Act and case law in this regard. Gasunie shall, moreover, always see to it that the application does not change.

Subsequently, it is assessed on the basis of the self-declarations in Form A (UEA) and the documents submitted whether any grounds for exclusion apply to the candidates and whether the candidates meet the suitability requirements. If a candidate does not meet the minimum requirements set, this will result in exclusion from the further tender procedure.

4.2 Notification of exclusion

If the assessment referred to in paragraph 4.1 results in the exclusion of a candidate, Gasunie will inform the candidate in question in writing.

If the candidate that was immediately excluded does not agree with the direct exclusion, and wishes to initiate summary proceedings, it should do so within the time specified and in the manner as indicated in the notification of the exclusion.

Gasunie reserves the right to issue the said notification of exclusion at the same time as the notification of the award decision as referred to in paragraph 4.3.

4.3 Notification of the selection decision

Applications to which no grounds for exclusion (paragraph 3.1) apply and which meet the suitability requirements (paragraph 3.2) will be invited to submit a tender in the next phase of this tender procedure, the award phase. If the candidate is not selected for the award phase, Gasunie will notify the relevant candidate in writing.

Prior to the continuation of the tender procedure, Gasunie will simultaneously inform all candidates of its selection decision (provisional selection decision). This selection decision will be communicated in writing electronically via Ariba eSourcing.

4.4 Verification of data

The provisions of the Uniform European Tender Document (grounds for exclusion) and the qualification criteria of the selected candidates are verified by, among other things, requesting supporting documents.

The candidates who are (provisionally) selected for the award phase, will be asked to submit the requested documents and provide the requested information within a period of seven (7) calendar days from the date of Gasunie's request to that effect.

If supporting documents do not confirm the information and data provided by the candidate, the application will be set aside or the selection decision will be adjusted, unless in Gasunie's opinion there is an apparent material error. In the event that the selected candidate's application is set aside, Gasunie will withdraw the selection decision. This situation leads to a redetermination of the selected candidates. In the event that selection criteria are applied, the ranking order is then redefined without the notification of the rejected candidate. This means that Gasunie sends a new selection decision with a new period for objections.

4.5 Subsequent tender procedure

Further information regarding the continuation of the tender procedure (the award phase), schedule, submission of tenders and the method of assessment and awarding is included in the award guidelines. The award guidelines are made available to all selected candidates through Ariba eSourcing.

Award criteria

The following award criteria will be used in the award phase:

No.	Award criteria	Maximum points
G1	Quality	60%
G2	Price	40%
	Total	100%

The award guidelines give more information about the exact award criteria and the contract and will be made available to all selected candidates via Ariba eSourcing during the award phase.