



Public European tender

Testing fireworks (F2 en theatre fireworks)

Discriptive document Public European tender	
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1 THE CONTRACT

The Contracting Authority hereby invites you to submit a Tender for the procurement of 'Testing fireworks (F2 and theatre fireworks).

The tendering procedure will be conducted as a public procedure pursuant to the Dutch Public Procurement Act 2012 (AW2012).

The procedure will be conducted fully electronically via the Tendered online tendering platform. Further information about the use of Tendered is available at [TenderNed voor ondernemingen | TenderNed](#).

1.1 Description of the Contract

1.1.1 Scope

The scope concerns the performance of tests to determine the product safety of consumer fireworks for the Human Environment and Transport Inspectorate (hereinafter: ILT). Such investigations are necessary to carry out the legal task regarding the safety of consumer fireworks and to test the standards and regulations. This concerns specialist studies of consumer fireworks. The ILT has been using physical tests for many years to determine the product safety of consumer fireworks intended for the Dutch market.

The ILT checks whether individual products meet the legal requirements and also carries out system supervision. System supervision assesses whether processes at the market participant sufficiently ensure that products placed on the market meet the requirements (standards and regulations).

An important feature of product legislation is that control over compliance with the requirements lies primarily with private parties. For some requirements the manufacturer may assess his product himself. Other requirements require a test and European cooperation and information exchange certificate, but also European-organized training, personnel exchanges, knowledge support and joint inspection plans and test facilities. These will be developed in the coming years. However, supervision of products remains necessary for verification purposes and is often required by regulations.

The mission of the Market Regulation Supervision department (TMO, as part of ILT) is to keep the market safe, sustainable and in order.

The scope of the contract is testing F2 and theater fireworks. What also falls within the scope of the contract is:

- Providing a test report;
- Presenting findings, without drawing any conclusions;
- A licensed testing location;
- Be allowed to set off fireworks;
- Possessing the necessary equipment for testing fireworks;
- The possibility of temporarily storing the fireworks at the testing location;
- Space at the testing location to unpack fireworks, photograph them and assess labels;
- Demonstrable destruction of leftover fireworks.

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1.1.2 Out of scope

The following are out of the scope of the contract:

- Classification tests;
- Drawing any conclusions from the tests.

1.1.3 Contracting Authority and end user

De Aanbestedende dienst is de Staat der Nederlanden, ministerie van Infrastructuur en Waterstaat. De aanbesteding wordt in opdracht van Inspectie Leefomgeving en Transport uitgevoerd door de Directie Financiën en Inkoop (FenI).

Ministry of Infrastructure and Water Management

The Ministry of Infrastructure and Water Management focuses on liveability and accessibility, with a good circulation in a clean and safe environment. The Ministry of Infrastructure and Water Management is working on strong connections by road, rail, waterways and air links. It protects against flooding and improves the quality of air and water. The Ministry is developing innovative policy to that end and ensures that this policy is implemented and enforced.

For more information on the Ministry of Infrastructure and Water Management, please refer to the website www.government.nl/ministries.

Human Environment and Transport Inspectorate

The Human Environment and Transport Inspectorate (Inspectie Leefomgeving en Transport, ILT) is the supervising authority of the Ministry of Infrastructure and Water Management. The ILT works on a sustainable and safe living environment, safe transport, and reliability of the housing corporations. The ILT is responsible for approximately 150 topics, such as, noise pollution from aviation, working hours in inland shipping, taxi permits, housing corporations, the transport of dangerous goods, waste materials, genetically modified organisms and houses' energy-performance rating.

For more information on the The Human Environment and Transport Inspectorate, please refer to the website <https://english.ilent.nl/>.

Firework department

Fireworks are a pyrotechnic item that meant for entertainment. The Human Environment and Transport Inspectorate (ILT) monitors compliance with the laws and regulations for fireworks on the basis of the European Pyro Directive and the Fireworks Decree. The ILT wants to raise safety for consumers.

The inspectorate carries out inspections throughout the year. This includes, among other things:

- the product safety of fireworks;
- classification of fireworks;
- compliance with the reporting obligation for the import, export and provision of fireworks;
- transport of fireworks;
- having fireworks available.

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These controls take place at importers, at the border, in ports, along the road and at sale points. If the ILT determines that fireworks do not meet the legal requirements, the inspectorate will take enforcements. To this end, the ILT has administrative and criminal powers to have the fireworks recovered or destroyed, such as a warning or a subject to penalty.

1.1.4 Duration and size of the contract

The estimated value of the framework agreement is € 225.000,00 per year, which is € 900.000.00 over four (4) years. The Contracting Authority has made the most careful estimate possible of the size of the framework agreement, but the actual purchase is not guaranteed.

The framework agreement is concluded for a period of three (3) years starting from 1 January 2025 to 31 December 2027, with one option to extend the agreement for one (1) year.

During the term of the framework agreement, the value of the calls/actual quantity may be higher than the originally estimated quantity, this may be because the Contracting Authority wants/needs to test more for the performance of its task as a result of political and social developments.

The Contracting Authority estimates that a maximum amount of € 900.000,00 will be purchased during the entire term of the framework agreement. The maximum value of the contract depends on the amount charged by the winning tenderer or on the exact request of the Contracting Authority.

1.1.5 Options

The political field in which the Contracting Authority operates is complex and in a state of flux. Because of the economic situation and tasks imposed by politics, a change in the organisation and consequently a change in its needs cannot be ruled out during the term of the Contract. For this reason the Contracting Authority takes into account that the following optional services may, in the future, be included in the Contract as supplemental work:

- Apply price indexations as included in the Framework Agreement;
- Fireworks ban: no more testing of F2 fireworks, but more testing of theater fireworks;
- Expansion of financial scope of €100.000,00 per year;
- Testing F3 and F4 (professional) fireworks;
- Testing of F1 fireworks.

1.2 Lots

This Contract will not be divided into lots. The Contracting Authority chooses assign the contract in one lot. The Contracting Authority does this on based on the following arguments:

- Invoking competition is limited given the results of the market consultation;
- The assignment is a homogeneous assignment and concerns one functionally coherent assignment (this assignment can be included as a whole in one Program of Requirements);
- Dividing plots has major organizational consequences for the Client and Contractor. This could mean that two or more parties are contracted who must communicate with each other to enable the testing of fireworks. Switching with one supplier benefits the client's objective, namely effective collaboration.

1.3 Draft Framework agreement and Contractual Terms

The Contract must be performed in accordance with the draft framework agreement appended to this document as Appendix A. The agreement is governed by the terms and conditions of ARVODI-2018 (see Appendix B).

The applicability of any general terms and conditions (of delivery) of the Tenderer or third parties is expressly excluded.

1.4 Functional and/or Technical Specifications

The functional and/or technical requirements for the execution of the contract are described in the Requirements (Appendix C) to this Descriptive document.

By submitting a quotation you indicate that your registration meets the requirements.

You must ensure that no misunderstanding can arise about the offer in relation to the price offered.

During the entire execution of the contract, you must continue to comply with the requirements and/or the technical specification based on it.

1.6 Sustainability and Corporate Social Responsibility

The central government promotes Corporate Social Responsibility. This is a business concept where human and environmental factors are considered alongside the profit factor in business decisions and the assessment of company results. This tender includes environmental requirements and criteria.

1.6.1 Environmental criteria

The environmental criteria drawn up by the central government have been incorporated into the requirements or included as part of a sub-award criterion.

1.7 Provisions regarding taxes, environmental protection, labor protection and employment conditions

Tenderers can obtain information about obligations regarding taxes, environmental protection, labor protection and employment conditions that apply in the Netherlands via <http://www.rijksoverheid.nl> under 'Ministries':

- with regard to taxes at the Ministry of Finance;
- with regard to environmental protection at the Ministry of Economic Affairs and Climate;
- with regard to job placement and employment conditions at the Ministry of Social Affairs and Employment.

By submitting a tender, the tenderer guarantees to comply with all obligations regarding taxes, environmental protection, labor protection and employment conditions that apply in the Netherlands.

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1.8 Council Regulation (EU) 2022/576 on Russian companies

Following the fifth sanctions package of the Council of the EU that Russian parties are no longer allowed to participate in European tenders. This measure was introduced by COUNCIL Regulation (EU) 2022/576 of 8 April 2022 and is directly applicable in the Member States.

This also means that you have very limited access to the resources of a third party or that you can use a third party from Russia.

By submitting a Registration you declare that you are not acting in violation of the Regulation.

2 TENDERER REQUIREMENTS

This chapter sets out the grounds for exclusion, Eligibility Requirements and any selection criteria that you must meet as a Tenderer in order to qualify for the tendering procedure. Each requirement also specifies what documents need to be submitted with your Tender.

The Contracting Authority is entitled to exclude the Tenderer if the composition of the Consortium or the contractor-subcontractor construction is changed during the Tender Procedure (after submission of the Tender and prior to entering into the Contract without prior permission in writing from the Contracting Authority).

2.1 One Tender for a Single Entity or Consortium

A company may submit one Tender. This may be done as a single entity, i.e. as an individual company, or as a consortium of two or more companies. A consortium counts as a single Tenderer. If a company submits a Tender as a single entity and as a member of a consortium, the Contracting Authority will only evaluate the Tender submitted by the consortium. The Tender from the single entity will then be excluded from the tendering procedure.

A group of companies may submit one Tender, unless the various Tenderers can prove that they prepared their Tenders for this Contract independently of each other. If they cannot prove this to satisfaction, all Tenders from members of this group of companies will be excluded from the tendering procedure.

2.1.1 Independent registration

If you choose to submit a registration independently, you must complete and submit a Self-Declaration (also called ESPD, see Appendix D). You should then complete sections A and B of Part II, Part III, Part IV and Part VI of this declaration. You must also submit the requested supporting documents after a written request from the Contracting Authority.

If you participate independently and you do not rely on the capacity of a third party (see section 2.2.1) to meet the eligibility requirements, you only need to submit 1 Self-Declaration. If you rely on the support of a third party, you must ensure that, in addition to your Self-Declaration, the Self-Declarations of the companies on which you rely are also submitted.

2.1.2 Partnership or formation Consortium and Subcontracting

You can also register together with one or more other companies, as a partnership. If you participate in the tender procedure together with other companies, you must indicate this in the Self-Declaration. You must also indicate what your role is within the partnership (for example that of secretary - which allows you to act as responsible representative during the term of the agreement - or whether you are responsible for specific tasks).

All participants in the partnership must separately complete and submit a Self-Declaration. They will then complete Sections A and B of Part II, Part III, Part IV and Part VI of this declaration. Each participant must also submit the requested supporting documents at the request of the Contracting Authority.

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The participants of the partnership are jointly and severally responsible for the implementation of the agreement.

NB! It is not possible to change the partnership during the tender procedure.

If the partnership relies on the capacity of one (or more) third parties (see section 2.2.1), in addition to the Self-Declarations of the various participants, the Self-Declaration(s) of the companies must also be submitted.) on which support is submitted.

2.2 Subcontracting

In addition to the third party/parties mentioned above, subcontractors may be engaged to perform parts of the Contract during the term of the (framework) agreement subject to approval by the Contracting Authority.

If you already want to notify that you wish to have part of the Contract performed by one or more subcontractors, you can indicate this in the ESPD, clearly identifying the parts of the Contract that will be subcontracted and, to the extent known, details of the subcontractors that you intend to engage.

The Contract may only be performed by the specified subcontractor if there are no Grounds for Exclusion as referred to in Part III of the ESPD and the Contracting Authority has given its permission.

The cooperation with a subcontractor is without prejudice to the liability of the Tenderer, as the main contractor, for the performance of the Contract.

2.2.1 Relying on Third-Party Capacities

If any eligibility requirement is fulfilled by relying on the capacity of a third party (the holding company of which you are a member, or another legal entity or natural person), you must state as much in the ESPD. Your Tender must also **reflect** the eligibility requirement for which you are relying on a third party.

The subcontractor whose capacity is relied upon must also complete and submit a ESPD. This subcontractor must complete sections A and B of Part II, Part III and Part VI of the ESPD. The main contractor (Tenderer) must submit the requested documentary evidence after receiving a request to that effect from the Contracting Authority.

If you are relying on the financial and economic capacity of a third party, this party must also sign the Guarantee Model (Appendix 8), confirming that the third party will act as guarantor.

Note: if you are relying on the knowledge and experience of a third party for a part of the Contract, this part of the Contract must be performed by this third party. All parties agree to this by signing the ESPD.

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2.2.2 Other subcontractors

In addition to the third party(ies) mentioned above, other companies may also be deployed to carry out parts of the contract during the term of the (framework) agreement, after permission from the Contracting Authority. These are subcontractors whom you do not have to rely on to meet the Eligibility Requirements.

It is not mandatory, but if you want to indicate in your Tender that you want part of the contract to be carried out by one or more subcontractors, you can indicate this in the Self-Declaration in Part II D. You must indicate which parts of contract it concerns and, if known, which subcontractors you propose.

You must only submit a Self-Declaration for the third parties mentioned in your Self-Declaration, as referred to above, at the request of the Contracting Authority. This request will be made after registration. In this case, this subcontractor completes sections A and B of Part II, Part III and Part VI of the Self-Declaration. The main contractor (Tenderer) provides the Self-Declaration and any further requested supporting documents on behalf of the subcontractor - following a written request from the Contracting Authority.

The contract can only be carried out by the subcontractor(s) involved if no grounds for exclusion, as referred to in Part III of the Self-Declaration, apply and the Contracting Authority has given permission for this.

Collaboration with a subcontractor leaves the liability of the tenderer, as main contractor, for the execution of the assignment unchanged.

2.3 Mandatory Grounds for Exclusion

In the ESPD, you declare that the Grounds for Exclusion referred to in Part III of the ESPD (Article 2.86 AW2012) do not apply to your company. To this end, you must complete sections A and B of Part III of the ESPD.

If you qualify for award of the Contract, you will be required to submit, within 10 working days of a request from the Contracting Authority, statutory documentary evidence substantiating that the Grounds for Exclusion referred to in the previous section do not apply to you and – if applicable – your subcontractor.

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For Dutch economic operators, these documents are:

'Certificate of Conduct for Procurement' ¹ issued by the Central Agency Good Conduct Certificates (note: the certificate of conduct may not be older than two years calculated from the date of submission of your Request for Participation (Art. 2.89(2) AW2012)	not more than 2 years old calculated from the date of submission of your Tender
Declaration of the receiving authority for taxes (Art. 2.89(3) AW2012).	not more than 6 months old calculated from the date of submission of your Tender

Documentary evidence may differ from one country to another. Tenderers/subcontractors from other countries may also submit data and documents substantiating that one or more Grounds for Exclusion do not apply to them.

However, if a document of similar effect does not exist in the country of establishment, a sworn or solemn statement before a competent judicial or administrative authority, notary or a competent professional organisation of that country may also be submitted.

A Grounds for Exclusion is a knock-out criterion. Any Grounds for Exclusion that applies to Tenderer leads to exclusion.

In the event of Tendering as a Combination, the entire Combination will be excluded if one of the Grounds for Exclusion applies to one or more members of the Combination.

If Grounds for Exclusion applies to the Tenderer, it must indicate which facts have become known, their scope and the measures it has taken to prevent reoccurrence and restore confidence.

¹ At the time of submission of the Tender, the Certificate of Conduct for Procurement (GVA) must not be older than 2 years. The Certificate of Conduct for Procurement is a statement from a competent authority (issued by the Ministry of Security and Justice, *Justis* Department) that an investigation into the natural person or legal body concerned has not resulted in any objections with regard to Tendering for government assignments, special sector assignments, concession contracts for public works or competitions. It specifically pertains to one or more statements or certificates in accordance with Article 45 of Directive 2004/18/EC of the European Parliament and the Council. **Please note!** Foreign Tenderers must submit a similar certificate from their country of origin. For Tenderers within EU, with the website of e-Certis, interested Tenderers can look up the comparable / equivalent documents (eCertis (<https://ec.europa.eu/tools/ecertis/#/homePage>)). If the country of the Tenderer does not issue such documents, the intended Certificate of Conduct may be replaced by a statement made by the Tenderer under oath in the presence of a notary. Please also note that it is the responsibility of the Tenderer to ensure that application for these documents is made in good time to comply with the term of submission.

Note: For Tenderers in the Netherlands; there is no urgency procedure for applying for a Certificate of Conduct for Procurement. This means that you need to apply for such a certificate in time, if you do not already possess a valid certificate. Please do not wait until the intended decision to award has been sent out. The application process usually takes several weeks. For more information on the Certificate of Conduct for Procurement, go to:

Gedragsverklaring aanbesteden aanvragen | Justis or in English <https://www.justis.nl/en/products/certificate-of-conduct/documents-certificate-of-conduct>.

2.4 Facultative Grounds for Exclusion

In the ESPD, you must also declare that the facultative Grounds for Exclusion that have been declared applicable, referred to in section C of Part III of the ESPD (Article 2.87 AW2012), do not apply to your company.

If you qualify for award of the Contract, you will also be required to submit, within 10 working days of a request from the Contracting Authority, this statutory documentary evidence substantiating that the facultative Grounds for Exclusion referred to in the previous section do not apply to you and – if applicable – your subcontractor.

For Dutch economic operators, these documents include:

Ground of exclusion	Certificate	Explanation
Bankruptcy or liquidation (Article 2.87(1)(b) of the AW2012)	an Extract from the trade register of the Chamber of Commerce	not more than 6 months old calculated from the date of submission of your Tender
Grave professional misconduct and distortion of competition (art. 2.87, lid 1, sub c and d AW2012)	Certificate of Conduct for Procurement' (also mentioned in 2.3)	not more than 2 years old calculated from the date of submission of your Tender
Payment of taxes or social security contributions (art. 2.87, lid 1, sub j AW2012)	Declaration of the receiving authority for taxes (Art. 2.89(3) AW2012). (also mentioned in 2.3)	not more than 6 months old calculated from the date of submission of your Tender

If applicable, you will be required to submit other current documentary evidence regarding other facultative Grounds for Exclusion that have been declared applicable.

Documentary evidence may differ from one country to another. Tenderers/subcontractors from other countries may also submit data and documents that serve a similar purpose or that substantiate that the ground for exclusion does not apply to them.

However, if a document of similar effect does not exist in the country of establishment, a sworn or solemn statement before a competent judicial or administrative authority, notary or a competent professional organisation of that country may also be submitted.

2.5 Eligibility Requirements

In Part IV of the ESPD, "Selection Criteria", you indicate whether or not you meet the eligibility requirements.

One or more Eligibility Requirements from the following sections are set:

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professional competence

financial and economic capacity

technical and professional competence (references)

2.5.1 Professional competence

You must be listed in the professional or commercial register and submit proof of registration within 10 working days when so requested by the Contracting Authority. In the Netherlands, this is an extract from the Chamber of Commerce. Other countries have similar registers. This extract may not be older than 6 months calculated from the date of submission of your Tender.

If the Tenderer is a consortium, all members must submit the relevant extracts upon a request from the Contracting Authority.

NB: Electronic submission of a digitally certified extract constitutes valid documentary evidence. A printed or scanned version of a digitally certified extract does not.

2.5.2 Financial and Economic Capacity

You must be able to demonstrate that your company is financially capable of carrying out the contract. To determine this, the following applies:

You have liability insurance for companies for an amount of at least € 3,000,000.00 per event and € 5,000,000.00 per year. If you cannot yet comply with this, you must attach a document (quote) from an insurance company in which it indicates that it wishes to increase the coverage to at least the stated amount.

You also have professional liability insurance for an amount of at least € 1.000.000,00 per event and € 1.500.000,00 per year. If you cannot yet comply with this, you must attach a document (quote) from an insurance company in which it indicates that it wishes to increase the coverage to at least the stated amount.

If you are eligible for award, you must submit an appropriate bank statement and/or proof of insurance against business and occupational risks within **10 working days** of written request.

If you want to rely on the financial capacity of a third party, for example by relying on the insurance taken out by the group, the Self-Declaration of the third party in question (parent company) must be submitted. In addition, you must also submit the Model Guarantee (Appendix F) and a holding statement² within **10 working days** of a written request from the Contracting Authority.

² Conform art. 2:403 lid 1 sub f BW.

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2.5.3 Technical and Professional Ability

References

You must demonstrate that you possess the following (core) competencies to be able to perform this contract:

- a.** Testing of fireworks: 150[KDvd(F1)] firework pieces per year conform NEN-15947-4, NEN-15947-5, NEN-16256-4 en NEN-16256-5.
- b.** Experience: at least three years of demonstrable experience with pyrotechnics.

Compliance with the (core) competencies set out in subsections **a** and **b** must be demonstrated with the submission of reference contracts. You demonstrate each core competency with one (1) reference assignment. A reference may be used for multiple core competencies.

Conditions for the reference(s):

- If a contract that has not yet been completed (in full) is used, only the actual result of the contract may be specified, not a forecast of the expected result.
- One reference contract can be used for more than one of the competencies.
- The reference contract may not be older than three years calculated from the closing date for submission of the Tender.
- If the reference contract has been performed as a consortium, you must clearly state the work you performed, the results you achieved and the total value of your share in the contract. If you are relying on a third party, and that third party has performed the contract as part of a consortium, the third party must also state this and the third party must also be engaged for the present contract.
- Reference assignments must be carried out to full satisfaction of the reference-party.

Reference contracts that do not satisfy the above (core) competencies and conditions are invalid and will not be included in the assessment.

The Tenderer must complete and submit the Reference Contracts Model (Appendix 5) for each reference. By providing a reference, the Tenderer grants the Contracting Authority permission to verify the reference(s). **Please note that the description of the references as proof of the core competences (using the specified template in Appendix 5) must be added along with the submission of the Tender.**

If the Contracting Authority is unable to verify the reference when necessary (for example, because it is unable to contact the referee and the Tenderer cannot prove the performance and completion of the reference contract through other documents), the reference provided will not be included in the assessment. These Requirements are a "Knock-Out", which means that failure to comply with these Requirements in any of the references means that the core competence is not acceptable and leads to exclusion from the Tender and are not eligible for awarding of this Tender.

2.6 Exclusion or Rejection of a Tenderer

If one or more of the Grounds for Exclusion apply to you, a member of your consortium or to your subcontractor, you may be excluded from participating in the tendering procedure. In that case, the Tender will be set aside and will not be eligible for awarding.

However, you will first be given the opportunity to prove that you have taken sufficient measures to demonstrate your reliability. If the Contracting Authority considers that proof to be adequate, you will not be excluded. It is up to the Contracting Authority to determine whether the proof provided is adequate. The Contracting Authority may also refrain from applying the ground for exclusion for other reasons.

You will also be rejected for participation in the tendering procedure if you do not meet one or more of the eligibility requirements. In that case, your Tender will be set aside and not evaluated any further.

Failure to provide all the documentary evidence requested in order to determine whether the Tenderer meets the eligibility requirements, or failure to do so in a timely manner, will also lead to exclusion and/or rejection of the Tenderer. Chapter 3 contains a table listing who must provide what and when.

3 THE TENDER

This chapter describes the methods and criteria that will be used in the assessment of the Tenders in order to determine which Tenderer has submitted the most economically advantageous Tender. A distinction is made between Requirements that result in the direct knock-out of a Tender as a result of a Tenderer's failure to meet the requirements, and the further criteria and sub criteria for award that are used to determine the final ranking of the Tenders.

3.1 Knock-out eisen

There are knock-out Requirements concerning the content of the Tender, specified below at K1 through K3:

- K1: With your Registration you unconditionally agree to the draft framework agreement - including any corrections resulting from the information notice;
- K2: Tenderer must be able to meet all mandatory Requirements Appendix C – including any corrections resulting from the information notice;
- K3: Tenders need to fully meet the criteria regarding validity, completeness, format Requirements and other terms, conditions and Requirements that have been prescribed in this document and all attached Appendixes.

3.2 Award Criterion

The Contracting Authority will award the Contract to the Tenderer with the most economically advantageous Tender. The most economically advantageous Tender will be determined as follows: best price/quality ratio.

The best price/quality ratio is determined using the "Weighted Factor Method". With this method, a certain number of points is assigned to each criterion and each criterion has a certain weight.

Award Criterion	
Quality , consisting of:	Maximum points
AC1 Quality of provides services	100 points
AC2 Reporting	150 points
AC3 Safety	250 points
AC4 Cooperation	300 points
Pricing	200 points
Total number of points to earn	Maximum of 1.000 points

The Contracting Authority decides the valuation per criterion and uses the weighting to determine the total score of a tenderer. The winning tenderer has the highest total number of points.

If two or more tenders have an equal first place in the ranking, the tender with the highest score on the award criterion **AC4** will be the one awarded the contract. If the score is also equal on this

award criterion, the tender with the highest score on award criterion **AC3** will be awarded the contract. If the score is also equal on this award criterion, the tender with the highest score on award criterion **AC2** will be awarded the contract. If the score is also equal on award criterion, lots will be drawn.

3.2.1 Assessment of the Award Criteria

The Contracting Authority has set up an assessment committee for this tender that is responsible for the award process. The assessment committee consists of three (3) members. The assessment committee draws up the award advice/report of the assignment and submits it (for approval) to the end user.

The tenders will be assessed as follows:

- Firstly, on validity, completeness, formal requirements and other conditions and requirements (section 3.5). Tenders that fully comply with this will be included in the further assessment process.
- Secondly, on Exclusion Grounds (2.3 and 2.4) and Eligibility Requirements (section 2.5), taking into account the provisions of section 5.1. Registrations that fully comply with this will be included in the further assessment process.
- Thirdly on Requirements (section 2.6). Tenders that fully comply with this will be included in the further assessment process. If one or more of these criteria are not met, this will lead to immediate exclusion from the procedure.
- Fourthly, on the award criterion (section 3.2) and the associated sub-award criteria. Each tender complies to a certain extent with the provisions of the Descriptive document. The tender is assessed per sub-award criteria and points are awarded for this. The total points achieved is the final assessment of the tender.

For each sub award criterion, it is initially assessed whether the description is clear (is it clear to the Contracting Authority what the Tenderer now intends to do?). If the description is not received clearly, Tenderer will receive no points for this sub-sub-award criterion.

De volgende scores zijn te behalen conform onderstaande waarderingstabel:

Valuation	Explanation	% of maximum points to be achieved
Excellent	The qualification 'excellent' is comparable to that in the Netherlands generally accepted grade 10: • fits perfectly with what is requested; • meets all requested aspects; • offers ILT additional added value that is concretely substantiated.	100%
Very good	The qualification 'very good' is comparable to that in the Netherlands generally accepted grade 9 • fits with what is requested; • meets all requested aspects; • offers ILT additional added value but is to a lesser extent concretely substantiated.	90%
Good	The qualification 'good' is comparable to that in the Netherlands	60%

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Valuation	Explanation	% of maximum points to be achieved
	generally accepted grade 8: • fits well with what is requested; • meets all requested aspects; • meets the needs of ILT but offers no additional added value to IenW compared to what was requested.	
More than sufficient	The qualification 'more than sufficient' is comparable to that in the Netherlands generally accepted grade 7: • is more than sufficiently in line with what is requested; • largely meets the requested aspects; • meets the needs and wishes of ILT more or less.	30%
Sufficient	The qualification 'sufficient' is comparable to that in the Netherlands generally accepted grade 6: • is sufficiently in line with what is requested; • only slightly or largely meets the requested aspects; • at minimum meets the needs and wishes of ILT.	10%
Insufficient	Everything lower than 'sufficient': • does not sufficiently match what is requested; • does not discuss all aspects; has not been developed in sufficient detail and/or does not paint a realistic picture.	0%

Each member of the assessment committee first assesses the Tenders received and awards them individually, per sub-award criterion. Except for the sub-award criterion pricing: this sub-award criterion is only made known to the assessment committee and added to the assessment after the other quality sub-award criteria have been assessed. In this way the Contracting Authority guarantees that the assessment is not influenced by the pricing.

After the individual assessment of all Tenders, a plenary session will take place with all assessors, in which the answers to the sub-award criteria and the scoring results are evaluated. The scores assigned by the individual members are discussed, so that they are given the opportunity to explain the score they assigned and to correct any incorrect interpretations and/or errors in their assessment. The final score per sub-award criterion is then determined by consensus whereby the assessment team speaks with one voice and therefore arrives at one final assessment score per sub-award criterion.

The intention to award will be sent to the Tenderer who meets all requirements and has achieved the highest total score including the sub-award criterion 'price'. The tenderer with the highest total score will be asked to submit any supporting documents for verification. Tenderers who are not (yet) eligible will receive a rejection letter.

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3.2.2 Quality

Award criterion 1: Quality of provides services

Background and reason for this sub-award criterion:

The following aspects with regard to the service are at least important for this sub-award criterion:

- The test days and the preparation of the test days. Consider how you include the Contracting Authority in the preparation.
- The environment where the inspectors carry out the tests together with the Contractor. This includes facilities at the test location.
- The way you handle samples. Samples must be handled with care at all times. This is to prevent the products from being damaged.
- The minimum requirements (Appendix C) for this assignment form the basis for this part. The Contracting Authority would like to see how you fulfill the requirements as formulated in Appendix C. Consider the extent to which the quality of service is reflected in the reports.
- The ILT Risk assessment (see Appendix I).

Objective of this award criterion

Insight into how you guarantee quality of service.

Information to be provided by the tenderer:

Describe in an action plan how the tenderer will carry out this assignment. In any case, the following aspects should be addressed:

1. Preparation for the test days;
2. What facilities and amenities will be made available and what the working environment will look like;
3. The way in which you ensure order and cleanliness;
4. How to connect the services to the risk assessment;
5. How the tenderer deals with waste and waste flows.

Maximum number of pages

The elaboration is a maximum of three (3) pages in A4 format. This maximum number of pages applies to the main text (in a readable font size, not smaller than 9 points) including tables, figures and images, but excluding the cover page and table of contents. If the interim maximum number of pages is allowed, this will not lead to the authorization of the registration, but the assessment team will not assess the excess pages in the assessment.

Assessment framework AC1:

The action plan is assessed qualitatively. During the assessment, the assessment team looks at the 'overall picture' of the action plan and the substantiation provided. The assessment team pays attention to:

- The extent to which the action plan is realistic;
- The extent to which the action plan is concrete;
- The extent to which the proposal is relevant to the assignment;
- The degree of demonstrable flexibility.

ILT considers an elaboration to be qualitatively better developed on the basis of the aforementioned assessment aspects to the extent that the tenderer supports its elaboration with concrete examples and substantiates it with relevant evidence. References and best practices can serve as evidence. The elaboration of this Award Criterion must contain a clear and concrete description of what is offered and be properly substantiated.

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The assessment aspects of the assessment framework are not further (sub)award criteria and are not mutually weighted. These concern aspects on which the assessors assess this Award Criterion in order to arrive at one integral assessment qualification, taking into account the substantiation. ILT consciously opts for an integrated assessment, because ILT believes that there is a clear relationship between the assessment aspects.

Award Criterion 2: Reporting

Background and reason for this sub-award criterion:

The Contracting Authority expects the Contractor to provide unambiguous and professional reports. The Contracting Authority also expects the reports to be clear and correct. Based on the reports, the products are removed from the market. This is also included as an attachment to the official measures shared with importers.

The reports must be submitted in a timely manner to ensure that the products can be removed from the market before the sales days by the importer or the sales points can be informed of the rejected products.

The reports must be correct in 95% of the cases and contain no errors.

Objective of this award criterion

Insight into how you ensure the quality of reporting and what the reporting will look like.

Information to be provided by the tenderer:

Describe in an action plan how the tenderer will carry out this assignment. In any case, the following aspects should be addressed:

Measures for how you ensure the quality of reporting (process):

1. No language errors;
2. Quality of photos;
3. Completeness;
4. Clear;
5. Guaranteeing lead time (PvE);
6. Traceability to ILT article and case number;
7. How observations are processed in the reporting and how you ensure that observations regarding labels comply with Dutch legislation and regulations;
8. Provide a sample report as an attachment and explain why you chose this format.

Maximum number of pages

The elaboration is a maximum of three (3) pages in A4 format. This maximum number of pages applies to the main text (in a readable font size, not smaller than 9 points) including tables, figures and images, but excluding the cover page and table of contents and the sample report. If the interim maximum number of pages is allowed, this will not lead to the authorization of the registration, but the assessment team will not assess the excess pages in the assessment.

Assessment framework AC2:

The action plan is assessed qualitatively. During the assessment, the assessment team looks at the 'overall picture' of the action plan and the substantiation provided. The assessment team pays attention to:

- The extent to which the tenderer can demonstrate that the measures taken contribute to the quality of the reporting;
- The extent to which the described process is concrete, understandable and clear;
- The extent to which the report is complete and the way in which you handle data validation;
- The extent to which the report is logically structured.

Award Criterion 3: Safety

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Background and reason for this sub-award criterion:

Lighting fireworks always remains a risky activity. The risk of incidents exists and must be reduced as much as possible. The safety of all people involved in testing fireworks must be guaranteed.

Objective of this award criterion

Insight into how to safely test fireworks.

Information to be provided by the tenderer:

Describe in an action plan how the tenderer will carry out this assignment. In any case, the following aspects should be addressed:

1. Ensuring employee safety;
2. Ensuring the safety of visitors and clients;
3. The content of the RI&E;
4. How to use safety equipment;
5. How you handle the fireworks, such as temporary storage, internal transport, lighting and processing fireworks;
6. How do you ensure the safety of the environment?

Maximum number of pages

The elaboration is a maximum of three (3) pages in A4 format. This maximum number of pages applies to the main text (in a readable font size, not smaller than 9 points) including tables, figures and images, but excluding the cover page and table of contents. If the interim maximum number of pages is allowed, this will not lead to the authorization of the registration, but the assessment team will not assess the excess pages in the assessment.

Assessment framework AC3:

The action plan is assessed qualitatively. During the assessment, the assessment team looks at the 'overall picture' of the action plan and the substantiation provided. The assessment team pays attention to:

- The extent to which the proposal is concrete;
- The extent to which the measures taken are acceptable with regard to the assignment;
- The extent to which the measures taken are workable and realistic;
- The extent to which measures contribute to a safe testing environment.

ILT considers an elaboration to be qualitatively better developed on the basis of the aforementioned assessment aspects to the extent that the tenderer supports its elaboration with concrete examples and substantiates it with relevant evidence. References and best practices can serve as evidence.

The elaboration of this Award Criterion must contain a clear and concrete description of what is offered and be properly substantiated.

The assessment aspects of the assessment framework are not further (sub)award criteria and are not mutually weighted. These concern aspects on which the assessors assess this Award Criterion in order to arrive at one integral assessment qualification, taking into account the substantiation. ILT consciously opts for an integrated assessment, because ILT believes that there is a clear relationship between the assessment aspects.

Subgunningscriterium 4: Samenwerking

Background and reason for this sub-award criterion:

Efficient and effective collaboration depends on maximum 'open' communication. Collaboration here is aimed at making all kinds of complex or less complex issues transparent and easy to discuss, so that each other's expertise can be maximally utilized/utilized.

Objective of this award criterion

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Insight into how you will shape the collaboration.

Information to be provided by the tenderer:

Develop a case from which the client can paint a picture of how you work together (reference). In any case, the following aspects must be addressed in the case:

1. Flexibility;
2. Unburdening:
 - a. Proactive thinking;
 - b. What work do you intend to take off the client's hands and how do you intend to do this;
 - c. How do you ensure careful handling;
3. How you stay informed of developments and how you inform the client about them;
4. Measures regarding communication. How does the tenderer envisage collaboration;
5. Equality: how do you ensure a natural relationship;
6. How do you deal with escalation/how do you safeguard escalation?

Maximum number of pages

The elaboration is a maximum of five (5) pages in A4 format. This maximum number of pages applies to the main text (in a readable font size, not smaller than 9 points) including tables, figures and images, but excluding the cover page and table of contents. If the interim maximum number of pages is allowed, this will not lead to the authorization of the registration, but the assessment team will not assess the excess pages in the assessment.

Assessment framework AC4:

The case is assessed qualitatively. During the assessment, the assessment team looks at the 'overall picture' of the action plan and the substantiation provided. The assessment team pays attention to:

- The extent to which the case provides answers to the above points. The better the case fits the practice/needs of the client;
- The extent to which the case is realistic and concrete.

3.2.3 Pricing

The Tenderer indicates his prices by completing the Price Sheet (Appendix G) completely and without reservation. This also means that the submitted prices cannot be changed after the closing date, unless a change in prices is permitted under the agreement (for example if a price revision is included).

The prices quoted are all-in prices, including all costs, but not limited to, transport costs, travel costs and travel time, overhead costs, ICT costs, reporting costs, insurance costs, etc. There are therefore no additional costs. for the Contracting Authority.

For further information and requirements regarding the sub-award criterion Price, please read the Price Sheet (Appendix G).

Contracting Authority uses an absolute scoring methodology to assess the price. With this method, the score on the Price section is calculated according to the formula:

*Score = ((Pmax- tender price)/bandwidth) * maximum number of points price.*

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Gegevens voor de formule	
Prize for maximum points achieved: $P_{\min}$ (minimumprijs)	€ 600.000,00 excluding VAT
Prize for minimum points achieved: $P_{\max}$ (maximumprijs)	€ 900.000,00 excluding VAT
Bandwidth ($P_{\max} - P_{\min}$)	€ 300.000,00 excluding VAT

Quotations with a price above the maximum price will be excluded from the assessment and discarded as invalid.

This means:

- Tenderer receives 200 points for a price of € 600,000.00 excluding VAT (or lower).
- Tenderer receives 0 points for a price of € 900,000.00 excluding VAT.

3.3 Variants

Submission of variants or tenders under restrictions and/or with reservations is *not* permitted. As such, you may not deviate from the technical specifications on your own initiative.

3.5 Notification of Award Decision

All Tenderers will be notified simultaneously by the Contracting Authority about the award decision. The notification will contain the name of the successful Tenderer, the relevant reasons for the award decision and information about the standstill period. The notification of the award decision will in any case be sent via TenderNed.

At first a preliminary award- or rejection decision will be sent. After that, after expiration of the standstill period of 20 days, the preliminary award and rejection decision will be converted into a definite award or - rejection decision if no legal objections have been raised in the meantime. Please also see section 5.2.

By virtue of Article 2.128 of the 2012 Tender Act, the notification of the award decision does not entail acceptance of a bid from the winning Tenderer.

The Contracting Authority may decide to retract or revise the award decision at any time.

3.6 Documents to be Provided

The table below provides an overview of who must submit what documentary evidence and when.

Please keep in mind that submitting a Proposal on TenderNed is only possible if you are registered. If you are not registered you must register first. This registration process may take some time so we advise you to initiate this in time.

What	When	Who		
		Independent registration	Partnership	Derde(n) (paragraaf 2.2.1) (Samenwerkingsverband/zelfstandige inschrijver dient de

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				documenten namens derde in)
Appendix Self-Declaration (UEA/ESPD) Completed and signed	Tender registration	X	X	X
Appendix Self-Declaration (UEA/ESPD, zie Tendered) completed and signed from third parties (paragraph 2.2.2)	(indien van toepassing) Op verzoek			X
Appendix Model references	Tender registration	X	X	
Price sheet	Tender registration	X	X	
Model guarantee	Tender registration	X	X	X
Appropriate bank statements and/or proof of insurance against business risks and occupational risks	Op verzoek	X	X	
Elaboration Award Criterion (AC1 t/m AC4).	Tender registration	x	x	
Certificate of Conduct for Procurement	On request	X	X	X
Declaration of the receiving authority for taxes	On request	X	X	X
Extract from the trade register of the Chamber of Commerce	Tender registration	X	X	X

For the documents to be provided, some time is required to be obtained. For some documents an early request applies.

4 GENERAL PROVISIONS

This chapter outlines relevant conditions and provisions set by the Contracting Authority for your Tender. The procedure will be conducted fully electronically via the Tendered online tendering platform. Further information about the use of Tendered is available [here](#).

4.1 Notice, Tender and Tender Submission date

The Contracting Authority uses the Tendered platform to handle Tenders. Your entire Tender, including all requested information and documents, must therefore be submitted or uploaded to Tendered.

You may not alter the formats used by the Contracting Authority, and your Tender must remain valid for at least 120 days after the closing date. The Tenderer must be aware of the fact that the Tender submitted holds a one-time and final offer. The European Public procedure does not offer room for conducting negotiations. This means that:

- Any questions or suggestions regarding the Tender Documents, Terms and conditions and the contract must be posed during the Tender process, according to the process described in chapter 4.3 of the descriptive document;
- After the second Information Memorandum is published, the Contract, Terms and conditions are final.

The Contracting Authority shall endeavor to comply with the deadlines set out below, but reserves the right to adjust this schedule in the interim. With the exception of the minimum deadlines imposed by law, no rights can be derived from this planning. All times in the planning are indicated in local Dutch time.

Activity	Date
Publication of the tender via www.tendered.nl	Thursday, August 29, 2024
Closing date for submitting questions via www.tendered.nl (first round).	Thursday, September 12, 2024, 12:00 PM
Publishing the information notice 1 via www.tendered.nl .	Thursday September 19, 2024
Closing date for submitting questions via www.tendered.nl (second round).	Thursday, September 26, 2024, 12:00 PM
Publishing the information notice 2 via www.tendered.nl .	Thursday October 3, 2024
Closing date and latest receipt of tenders via www.tendered.nl .	Tuesday, October 15, 2024, 12:00 PM
Opening tenders via Tendered's digital safe.	Tuesday, October 15, 2024, 12:01 PM
Assessment of the tenders	Wednesday October 16, 2024 to Friday October 25, 2024

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Communication of the intention to award via Tendered, under the conditions stated in paragraph 3.5 of this Descriptive document.	Week 44 2024
Suspensive period (expiry period)	20 calendar days
Providing required documents (see section 3.6 of this Descriptive document)	Within 10 calendar days
Voorziene datum ondertekening van de Overeenkomst, datum van gunning.	Week 48 2024
Entry into force Framework Agreement	Wednesday, January 1, 2025

The closing date and deadline for receipt of your tender by the Contracting Authority is **Tuesday, October 15, 2024, 12:00 PM** (closing date and final receipt of tenders). The digital registrations are opened via Tendered's digital safe. You cannot be present at the opening.

NB! The closing date and time is a fatal date. No more registrations can be submitted after the deadline has passed. Any delay in uploading will be your responsibility.

4.2 Communicatie

All communication will take place via Tendered. The contact for this tendering procedure is also included in Tendered. Only in the event of technical difficulties with Tendered may this contact be contacted in a different way:

Ministry of Infrastructure and Water Management
First contact: Dave van der Kroft E: dave.vander.kroft@minienw.nl
Second contact: Victor van der Wal E: victor.vander.wal@minienw.nl

NB! During the tendering procedure, no personnel of the Ministry of Infrastructure and Water management or the Human Environment and Transport Inspectorate other than the aforementioned contact may be contacted in connection with this procedure, unless expressly stated otherwise in this Guide.

4.3 Information, Questions and Objections

If you have any questions about the Tender Documents, have identified any contradictions or would like to object to (parts of) the tender procedure, you must let this know as soon as possible, but no later than the date included in the schedule. This by using the questionnaire attached as Appendix J.

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Alleen vragen en opmerkingen die tijdig en op de juiste manier worden ingediend, worden beantwoord. Beantwoording gebeurt door een geanonimiseerde nota van inlichtingen die uiterlijk 10 kalenderdagen voor de sluitingsdatum van de inschrijving wordt gepubliceerd.

Only questions and comments submitted in good time and in the correct way will be addressed. Answers will be given by means of an anonymised Information Memorandum published no later than 10 calendar days before the closing date for Tenders. The Contracting Authority will organise **two (2)** sessions for questioning. The closing date for submission of the first round of questions is shown in the schedule on Tendered. The closing date for the second round of questions will be published in the first information memorandum. In the schedule on Tendered you will only find the date on which the final publication of the Information Memorandum will take place. The contracting Authority will try to answer questions as soon as possible after the closing dates.

If you wish to ask a commercial or confidential question, you may request that you ask your question individually. The Contracting Authority will then evaluate this request. If the Contracting Authority grants the request, the answer will not be published and will only be sent to you. If the Contracting Authority cannot or may not answer the question individually, you will be requested to ask the question by submitting the questioning form (Appendix J of this Descriptive document); your question will then be answered in the information memorandum.

Questions and text suggestions must be submitted by timely submitting a filled in Appendix J Questioning form in the messaging module of TenderNed. Questions or text suggestions that are not received in time (see schedule) or that are submitted in manners other than specified will not be taken into consideration.

NB! During the period set for that purpose, you are entitled to object to any shortcomings or ambiguities. You can no longer do this after this period has expired.

4.4 Assessment of Your Entity and Your Tender

Assessment of the Tenderer and the information/documents submitted by the Tenderer will take place in 5 stages.

1. Your Tender may be declared invalid, set aside and excluded from further assessment within this tendering procedure if one or more of the following situations arises:

- The Tender was not submitted via the TenderNed online tendering platform or in good time;
- The requested information and documents have not been provided, or have been provided incompletely, subject to approval, under conditions or incorrectly or variants are offered;
- The Tender has not been submitted with the correct forms or the Tenderer has altered the forms provided;
- The Tender and the accompanying forms have not been signed by the person authorised to do so;
- The requested information has not been submitted in the prescribed language.

If one or more of the above situations apply, and easy remedy is not permitted, your Tender will be declared invalid. An invalid Tender will not be assessed any further and will be set aside.

Legally signing the ESPD implies that the person (or persons!) who is/are signing this document must be registered as authorized representative(s) of the company. When two or more persons have a joint authorization, signatures should be placed by all company representatives. Restrictions in authorization should be taken into account. The representative(s) has to be financially (amount of the value of the contract) and legally authorizes to sign. Authorization must be evidenced by an extract from the Chamber of Commerce, a power of attorney or a document that serves a similar purpose when other documents apply in different countries. Any other documents to which the professional or trade register refers, in order to verify their authorisation, must be appended.

2. At the second stage, the Contracting Authority evaluates the Grounds for Exclusion and eligibility requirements. This is where we look at your eligibility as a Tenderer. If one or more of the grounds specified in Chapter 2 apply to your company (or consortium or subcontractor), the Tenderer and its Tender may be rejected. This also applies if you do not meet one or more of the Eligibility Requirements / selection criteria.

3. At the third stage, formal (knock-out) Requirements for award apply, which are set out in section 3.1. If your Tender does not meet these or the other Requirements specified in Chapter 3, it will be set aside.

4. At the fourth stage, your Tender will be assessed on the elaboration of the award criteria.

The Contracting Authority may ask you to clarify your Tender or give you the opportunity to remedy minor defects in the Tender. You will usually be given a period of up to 5 working days for this.

4.5 Language

All Tender Documents are in the English language. The language used in the Tender Documents, the tendering procedure itself and the performance of the agreement is English. Documents to be submitted by the Tenderers must be in the Dutch language or English language. If the requested information constitutes an official document that is not available in Dutch, or English an English translation must be submitted in addition to the original document. Translations must be arranged by Tenderer at it's own expense.

4.6 Suspension / Termination of the Tendering Procedure

The Contracting Authority reserves the right at all times to suspend or terminate the tendering procedure, without owing any form of compensation. One reason for termination may be, for example, that political support and/or financial budget is withdrawn. You will receive a notification from the Contracting Authority about any suspension or termination of the tendering procedure. Furthermore, the Contracting Authority reserves the right to terminate the Contract in the event of incorrect and/or incomplete information and/or inability on the part of Tenderer to fulfil what is has offered.

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4.7 Compensation for high costs of a Tender

The Contracting Authority will not compensate any costs related to the preparation and submission of the Tender.

4.8 Confidentiality

All information you receive from the Contracting Authority during this procedure must be treated confidentially and may not be disclosed to third parties. This does not apply to information that is already publicly available or to information that must be disclosed due to a statutory obligation. You may of course provide confidential information to your employees, advisers or subcontractors, if necessary subject to a confidentiality clause.

Conversely, the Contracting Authority will treat your Tender confidentially, unless the information must be disclosed pursuant to a statutory obligation.

The confidentiality obligation as referred to in this section will also be maintained if the tendering procedure does not lead to the conclusion of an agreement.

Exchange and processing of personal data during the tendering procedure will take place in accordance with the General Data Protection Regulation (GDPR).

The intellectual property of the Tender Documents is vested in the Contracting Authority.

5 LEGAL PROTECTION

You can submit a complaint during the course of the tendering procedure when you have objections to the award decision or the tendering procedure.

5.1 Complaints Department / Committee of Tender Experts

Throughout the procedure complaints may be submitted to the Tender Complaints Committee at klachten.inkoop@minienw.nl with in CC an email to dave.vander.kroft@minienw.nl and victor.vander.wal@minienw.nl. In doing so, you should provide a clear and reasoned explanation of the aspect of the tendering procedure to which your complaint relates. The complaint will be dealt with as soon as possible by an independent expert within the organisation of the Ministry of Infrastructure and Water Management.

You should first use the Question & Answer procedure before lodging your complaint. If you find the Contracting Authority's response unsatisfactory, you can lodge a complaint with the complaints department.

If you disagree with the complaints department's handling of the complaint, you can submit the complaint to the Committee of Tender Experts. For further information about how the Committee works, please visit www.commissievanaanbestedingsexperts.nl.

5.2 Preliminary Relief Proceedings

If you have objections to the award decision, you must institute summary proceedings ("kort geding procedure") within 20 calendar days of the notification of the selection decision. This must be evidenced by sending a copy of the writ of summons to the contact for this tendering procedure. In that case, the Contracting Authority will not proceed to select participants before the judgment in summary proceedings has been rendered.

The 20-calendar-day period is strictly applied. If you do not institute summary proceedings during this period, your rights to challenge the selection decision will lapse ("verval termijn" or expiry term). If no Tenderer has instituted summary proceedings within the aforementioned period, the Contracting Authority will be at liberty to enter into an agreement with the successful Tenderer(s).

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ABBREVIATIONS AND GLOSSARY**Contracting Authority**

The State of the Netherlands, Ministry of Infrastructure and Water Management, Human Environment and Transport Inspectorate;

Tender documents

Alle documenten in een aanbestedingsprocedure die door de Aanbestedende dienst in de procedure zijn gebracht;

European procurement act 2012

Act of 1 November 2012, containing new rules regarding procurement, Stb. 2012, 313, as last amended on June 22, 2016, Stb. 2016, 241 (i.w.tr. 01-07-2016);

Self-Declaration

A statement as referred to in Article 2.84, first paragraph AW;

Tender

A Tender submitted by an entrepreneur based on the Tender Documents as published on Tendered;

Tenderer

An entrepreneur who has submitted a Tender

.

AFKORTINGEN

AW European procurement act 2012

UEA / ESPD Uniform Europees Aanbestedingsdocument / European Single Procurement Document (Self-Declaration form as in art. 2.84, eerste lid AW).

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- APPENDIX A DRAFT FRAMEWORK AGREEMENT

The draft agreement is included in a separate PDF file.

- APPENDIX B GENERAL TERMS AND CONDITIONS

The general terms and conditions ARVODI 2018 are included in a separate PDF file.

- APPENDIX C REQUIREMENTS

The Schedule of Requirements is included in a separate PDF file.

- APPENDIX D SELF-DECLARATION

The Self-declaration (ESPD) is provided in a separate PDF file that can only be opened and filled out using Adobe Reader.

- APPENDIX E MODEL REFERENCES

This Appendix is included as a separate Word file.

- APPENDIX F MODEL GARANTUEE

This Appendix is included as a separate Word file.

- APPENDIX G PRICE SHEET

This Appendix is included as a separate Excel file.

- APPENDIX I RISK ASSESSMENT

This Appendix is included as a separate PDF-file.

- APPENDIX J QUESTIONING FORM

This Appendix is included as a separate Excel file.