

Algemene informatie

Aanbesteding: Zaaknr. 31195825 Advies over en onderzoek van het gedrag van scheepsbemanning vanwege een groter aantal windparken op zee
Aanbestedende Dienst: Rijkswaterstaat Water, Verkeer en Leefomgeving
Referentie: Zaaknr. 31195825

Toelichting:

Vraag en antwoord

Ref.nr. **Onderwerp:**
1 Appendix K - Requirement specifications Annex 02-01 section 4.1.6

Vraag:

Which tasks, authorities and responsibilities will the VTMon role have (for the simulation runs)? Is this the basis for the simulation runs?

Antwoord:

For the tasks, authorities and responsibilities of the VTMon role reference is made to the report "Vessel Traffic Monitoring VTM in en rond windparken" with English management summary at Noordzeeloket <https://www.noordzeeloket.nl/functies-gebruik/windenergie/scheepvaartveiligheid-moswoz/vessel-traffic-monitoring/>. The VTMon operator will execute the tasks as described on the webpage during the simulation runs as if they are on an actual watch. During the runs certain events will occur. Through i.e. observations, information can be gained about their actions and behaviors.

The tasks, authorities and responsibilities of the VTMon are not the basis of the simulation runs. The behavior and response of the VTMon person is part of the research. Where the VTMon is incorporated in the large simulation runs, the number of ships in the complete area to be monitored by the VTMon forms the basis of the VTMon performance.

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Ref.nr. **Onderwerp:**
2 Appendix K Requirement specs Annex 02-01, section 2

Vraag:

With regards to: ..." These situations allow for collecting information

regarding the crews choices, behaviour and actions. Where possible, culture-related information is also gathered. "

- How should cultural factors be considered in the simulation of crew behavior, and are there any specific guidelines or expectations?

Antwoord:

There are no guidelines, however research into cultural differences is widely available. Only those cultural aspects impacting on decisions taken by the crew should be identified and considered whether they have an impact on the outcome of the scenario. Certain cultural factors and possible findings depend on and are strongly related to the ship's crew and nationality selected for the simulation runs.

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Onderwerp:

Tender Guidelines v1.2, section 4.3.1

Vraag:

Can a Dutch company/partnership choose to draw up the tender in English?

Antwoord:

No, according to paragraph 4.3.1 section 1 of the Tender Guidelines the Dutch tenderer (or the joint venture of Dutch business owners i.e. consortium, as a general partnership), must submit the tender documents in Dutch. If the consortium is represented by a foreign business owner among foreign or Dutch business owners, the documents can be drawn up in English. Please understand that the members of the evaluation committee have equally good understanding of both languages.

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Onderwerp:

Tender Guidelines v1.2, §3.2 Geschiktheidseisen / _Appendix G EMVI-BPKV Criteria Table v1.1 Performance criteria /

Vraag:

How does client expect understanding of eligibility requirements/ performance criteria:
- the appendix G seems to indicate that four references are desired?

Antwoord:

Eligibility requirements (projectreferences) have been stated in paragraph 3.2 subsection 3 of the Tender Guidelines, and have to be filled in one or more appendices D.

Once the tender passed the tender committee who will take notice of the appendices D, the qualitative evaluation of the tenders will be done by the evaluation committee according to Appendix G. Preferences in appendix G relate to appendix 02-02 "English version RWS MOSWOZ drawing up simulation scenarios", f.e. section 4.1.

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Onderwerp:

Appendix D Data regarding technical competence / Tender guidelines v1.2 section 3.2

Vraag:

Appendix D refers to section 3.2 subsection 3.b1 and 3.b2. If these refer to the subsections of the Tender Guidelines v1.2: where are sections 3.b1 and 3.b2 mentioned in section 3.2 of the Tender Guidelines?

Does this refer to: "(1) the provision of services relating to human factor observations, analysis and reporting; (2) data analysis and reporting relating to observations comparable with this contract and/or by conducting comparable observations"?

Antwoord:

Correct. We apologies for this.

Paragraph 3.2 of the Tender Guidelines subsection 3 should be read as follows.

"3. The following eligibility requirements are stipulated with regard to technical competence:

a. During the period of three (3) years prior to the closing date for receipt of the tender, the business owner has implemented at least one contract relating to simulations in the field of sea shipping, and reporting on those stimulations, with an agreed amount (contract price) or invoiced amount equal to or larger than 20,000 euros (excluding turnover tax), in the course of which the business owner bore final responsibility towards the Awarding party for implementation of the contract.

The contract was implemented in an expert and regular manner and the

contract was handed over within the agreed term (including any granted postponement of completion) or an equivalent action took place.

b. During the period of three (3) years prior to the closing date for receipt of the tender, the business owner implemented at least one (1) contract in which knowledge was acquired of:

(1) the provision of services relating to human factor observations, analysis and reporting;

(2) data analysis and reporting relating to observations comparable with this contract and/or by conducting comparable observations"

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Onderwerp:
Tender Guidelines, paragraph 4.1.1

Vraag:

In paragraph 4.1.1 of the Tender Guidelines the subsections 6 and 7 are drawn up in Dutch. Please provide the English translation.

Antwoord:

6. With his tender, the tenderer must also enclose a declaration according to Appendix H, in which he indicates to have taken into account the obligations in the fields of environmental, social and labour law by virtue of the laws of the European Union, national law or group employment contracts or by virtue of the provisions about international environmental, social and labour law set out in Schedule X to Directive 2014/24/EU.

This document must be signed by the tenderer - and in the case of multiple tenderers: by all tenderers.

7. With his tender, the tenderer must also enclose a declaration according to Appendix N, in which he indicates to have taken into account one or more of the formulated regimes regarding international social conditions.

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Onderwerp:
Appendix G EMVI-BPKV Criteria Table v1.1

Vraag:

In the EMVI-criteria the total quality value of quality criteria A is set on €1.025.000,- No value is added to the quality value of performance criteria B. What is the maximum contract sum budgeted by Rijkswaterstaat?

Antwoord:

Apart from the quality criteria (A), no performance criteria have been defined, consequently no added value related to criteria B will be added to the total sum.

The maximum contract sum budgeted by Rijkswaterstaat cannot not be published.

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Onderwerp:
Annex 02-01 of Appendix K

Vraag:

Er wordt vereist om 3 FMB simulatoren beschikbaar te hebben maar in de beschrijving van de 8 simulaties worden hooguit 2 FMB simulatoren ingezet. Kan deze eis vervallen?

Antwoord:

Contrary to the requirement specifications, Appendix K only 2 FMB simulators will be required.

A higher EMVI-BVfM score however can be obtained through the criteria 1.2 (regarding downtime) and 1.3 (computing capacity).

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Onderwerp:
Sectie 3.6 uit bijlage K Vraagspecificatie

Vraag:

Er wordt gevraagd om alle brondata digitaal per simulatierun aan te leveren aan de opdrachtgever. Als gedurende de simulatieruns fysiologische data

verzameld wordt van participanten valt dit ook onder de noemer “data”. Dit betreft privacygevoelige data. Staat de opdrachtgever er open voor om voorafgaand aan de simulaties een keuze te maken tussen welke ruwe data opgeleverd wordt en welke data alleen in geproceste vorm wordt aangeleverd? Ter achtergrond: als opdrachtnemer gaan wij een overeenkomst aan met participanten waarbij wij hun privacy willen waarborgen (conform AVG). Het opleveren van fysiologische ruwe data kan daar strijdig mee zijn. (sectie 3.6 uit bijlage K Vraagspecificatie)

Antwoord:

After awarding the contract the issue of which physiological source data should be provided, raw and/or anonymized, will be mutually agreed. Raw data has no added value for the contracting party without the appropriate viewing software. It is important that the tenderer is transparent which data and analyses have been used during the project, moreover which anonymization or pseudonymization according to the GDPR has been applied.

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Onderwerp:
Artikel 7.6 van Bijlage L Overeenkomst concept v 1.1.

Vraag:

Met verwijzing naar artikel 7.6 van Bijlage L Overeenkomst concept v 1.1. Is het mogelijk om dit artikel als volgt aan te passen. Nu staat er in artikel 7.6 van de overeenkomst:

7.6 In aanvulling op artikel 21 van de ARVODI-2018 vrijwaart Opdrachtnemer Opdrachtgever tegen eventuele aanspraken van derden op vergoeding van schade als gevolg van het tekortschieten als bedoeld in artikel 21.3 van de ARVODI-2018. De staffel inzake aansprakelijkheid opgenomen in artikel 21.3 van de ARVODI-2018 is van overeenkomstige toepassing.

Voorstel:

7.6 In aanvulling op artikel 21 van de ARVODI-2018 vrijwaart Opdrachtnemer Opdrachtgever tegen eventuele aanspraken van derden op vergoeding van schade als gevolg van het tekortschieten als bedoeld in artikel 21.3 van de ARVODI-2018. De staffel inzake aansprakelijkheid opgenomen in artikel 21.3 van de ARVODI-2018 is van overeenkomstige toepassing waarbij partijen uitdrukkelijk overeenkomen dat de

aansprakelijkheid in dit document en in artikel 21 van de ARVODI-2018
beperkt wordt tot de waarde van de opdracht tot een maximum van €500.000,

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Antwoord:

The Contracting party will not agree with the proposed adjustment and adheres to the principle of article 21.3 (of the ARVODI 2018) to the effect that the liability is limited to three times the contract value. This with reference to page 8 of the public explanation of the ARVODI 2018. Nevertheless the amount of € 3.000.000,- in article 21.3 (of the ARVODI 2018) should be read as € 2.500.000,- in case the contractvalue fits in the range € 150.000-500.000,-, as a result of which this suits better with the standard of the particular industry. In the same way the amount of € 3.000.000 and € 5.000.000,- should be read as € 2.500.000,- in case the contractvalue fits in the range higher than € 500.000,-.

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