

Descriptive document

European tendering procedure

Electrospinner 2025

TenderNed TN506306

Wetsus

Version 1.0

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Attachments:

1. ESPD (uea_506306_20250115100112.pdf)
2. Requirements: (Knock-out) requirements, Tender questions
3. Pricing Sheet
4. Draft agreement
5. General Terms and Conditions of Purchase Wetsus
6. Form holding statement

0. Introduction

0.1. Foreword

This tendering procedure can be cited as follows: '*Electrospinner 2025*'. The form of the procedure is a European public tendering procedure. With this award guideline, Stichting Wetsus, European Centre of Excellence for Sustainable Water Technology (hereinafter also referred to as Wetsus) invites suppliers to submit Tenders.

By submitting a Tender, a Tenderer is deemed to have unconditionally accepted the application of the Procurement Document. Tenders submitted must comply with the conditions set out in the Procurement Document, failing which the Tender will be rejected.

0.2. Main features of the contract

The contract concerns delivery of and maintenance services with regard to an electrospinner. The contract is not further subdivided into lots as the delivery and all services have a strong technical connection.

Given the content and scope of the assignment, the client has decided to enter into an agreement with one (1) party. The submission of variants within the meaning of the Public Procurement Act (Article 2.83) is not permitted.

0.3. Applicable law and legal protection

The Public Procurement Act 2012 applies to this procedure.

Any complaints about this tendering procedure can be submitted in accordance with 1.2 and 5.6 of this descriptive document. If a solution cannot be reached, the complaint can be submitted to the committee of procurement experts (<http://www.commissievanaanbestedingsexperts.nl/>). For more information about this complaints procedure, please refer to the aforementioned website.

Disputes between the contracting authority and the participants are settled by the Dutch courts. The District Court of The Hague has jurisdiction. See also chapter 5.6 for further details on a possible appeal.

0.4. Reading guide

In chapter 1 you will find practical information about Wetsus, the contact details for this tendering procedure and information about submitting the tenders. Furthermore, the procedure for asking questions is included here. Finally, you will find the schedule of this tendering procedure.

Chapter 2 describes the grounds for exclusion and suitability requirements for Tenders.

Chapter 3 contains further information about the contract

Chapter 4 describes the conditions that the Tenders must meet, including the conditions that apply after the contract has been awarded.

Chapter 5 indicates how the Tenders will be assessed.

Chapter 6 describes the other conditions that apply to this tender. Furthermore, the appendices mentioned in the table of contents are enclosed.

Chapter 7 contains the report of the market consultation.

Chapter 8 contains definitions.

1. Practical information

1.1. About Wetsus

Wetsus, European knowledge centre for sustainable water technology, is a facilitating intermediary for leading knowledge development. Wetsus creates a unique environment and strategic partnership for the development of profitable and sustainable state-of-the-art water treatment technology. The inspiring and multidisciplinary collaboration between companies and research institutes from all over Europe in Wetsus results in innovations that contribute substantially to the solution of global water problems.

Wetsus' scientific research programme is defined by the private and public water sector and is carried out by leading universities. Wetsus develops important enabling water technologies to promote a sustainable and fair society in a healthy and circular environment. To achieve this, Wetsus creates an innovation community through trust-based networks of companies, universities, and public bodies for generating, testing, and developing innovative ideas and science-based approaches within interdisciplinary PhD programs that shape innovations toward fruitful implementation, and where graduates become leaders. Wetsus is part of WaterCampus Leeuwarden, which, as the physical core of the Dutch water technology sector, has the ambition to play a sector-binding role for Europe and beyond.

For further information please visit www.wetsus.nl.

1.2. Contact details

Communication about this tendering procedure will only take place via and on the digital tendering system: www.TenderNed.nl. This means that information notices or changes to documents are also published via TenderNed. In this tender, Wetsus uses the functionality of TenderNed to ask questions; see 1.4 below. An account can be created at TenderNed free of charge, after which you will have access to the details of this tender.

For further information please see <https://www.tenderned.nl/cms/en/english/tenderned-dutch-governments-online-tendering-system>.

It is not permitted to approach Wetsus employees other than the contact person in the context of this tender.

1.3. Submission of Tenders

Your Tender must be in the possession of Wetsus no later than the date and time for submission of the registrations as indicated in TenderNed. Tenders submitted after this closing date will be rejected. See also paragraph 4.3 (conditions for registration).

1.4 Questions

Of course you can submit comments and questions about this tendering procedure if any ambiguities, contradictions and/or irregularities have been identified. Questions can be asked via TenderNed as described in 1.2 and according to the planning in 1.5. Wetsus calls on you to pass this on as soon as possible, so that it is able to adjust the tendering procedure accordingly in time. Asking questions in a timely manner (i.e. in accordance with the schedule in 1.5) is the responsibility of the Economic Operators.

It is not permitted to ask questions in any other way than via the question module in TenderNed. On TenderNed you can find an explanation of how to use the question module.

Questions must be asked in English before the deadline (for asking questions for the information notice). Questions and answers in any other language are not translated by Wetsus.

The questions received in time will be bundled anonymously and answered an information notice. The relevant dates are listed in section 1.5 of this guideline. Wetsus may, if questions give cause to do so, decide to publish additional information notices.

1.5. Schedule of tenders

The schedule of the award phase is shown in the table below

Milestone	Time indication ¹ (date/ week/ month)
Call for competition	10-02--2025
Submitting questions	24-02-2025
Publication of the information notice	13-03-2025
Deadline for submission of Tenders	24-03-2025 (12.00 hrs)
Sending contract award decisions	31-03-2025
Start of standstill period	01-04-2025
Last day of standstill period	21-04-2025
Start Factory Acceptance Test	22-04-2025
Start Site Acceptance Test	20-05-2025
Conclusion of the contract	09-06-2025

¹ The above schedule is indicative, subject to mandatory deadlines. Wetsus reserves the right to adjust the schedule in the interim.

1.6 Market Consultation

Wetsus has conducted a market consultation with respect to the delivery and maintenance of an electrospinner. The results of the market consultation are in Chapter 7.

2. Conditions of participation

In this section you will find the conditions for participation that Tenderers must meet in order to be able to compete for the contract. None of the exclusion grounds listed below must apply to you. You must also be registered in a European professional/trade register. In addition, minimum requirements (suitability requirements) are set for financial and economic capacity and for technical/professional competence.

When submitting the Offer, Wetsus is satisfied with a completed European Single Procurement Document (ESPD) in which Tenderers, or a combination of tenderers, indicate that the grounds for exclusion do not apply and that they meet the suitability requirements. Evidence for verification of the ESPD only has to be submitted after the intention to award the contract if Wetsus requests it, see also chapter 5.7.

2.1 Grounds for exclusion

Mandatory grounds for exclusion

Under the Public Procurement Act, Tenderers who have been convicted of serious forms of economic crime by a final judgment or judgment are excluded from participating in the tender (see ESPD chapters 3A and 3B). For overriding reasons relating to the public interest, the contracting authority may refrain from exclusion. In the case of combinations, these grounds for exclusion relate to the individual combinations.

Optional grounds for exclusion pursuant to the Public Procurement Act

Wetsus can exclude Tenderers who are in one of the circumstances referred to in ESPD, section 3C. In the event of a combination, the grounds for exclusion referred to therein relate to the individual combinations.

2.2 Professional qualification

Tenderers must be registered in a professional and trade register in accordance with the rules of the Member State in which they are established. To that end, tenderers in the ESPD must provide the registration number in the Trade Register of the Chamber of Commerce (Netherlands) or a similar register in the country of establishment.

Please note: The extract to be submitted in due course by the winning Tenderer (see chapter 5.7) must also demonstrate the legal validity of the signature (of the tender and of the ESPD)!

2.3 Signature on the ESPD

The ESPD must be validly signed by a representative of the Tenderer who, according to the Trade Register or a corresponding register in the country of establishment, is authorised to represent the Tenderer. Tenderers must comply with this requirement under penalty of rejection of the Tender. If legal representation is by proxy the proxy must be signed by a legal representative.

For the ESPD, see Appendix 1. An explanation of the legally required ESPD can be found via this link: <https://www.pianoo.nl/nl/regelgeving/uniform-europees-aanbestedingsdocument/interactieve-pdf/ondernemers-en-het-uea>

3. Content of the assignment

3.2 Scope and duration of contract.

The scope of the contract has a maximum assignment value of € 405,000.00 excl. VAT based on a fully functioning system including maintenance and replacement parts for a period of 5 years including the optional nice to have features.

The following costs are included: maintenance, database, licenses, training and replacement parts. In short, all costs necessary to successfully deploy the electrospinner for a period of 5 years.

3.4 Requirements

The requirements are described in Attachment 2.

4. Terms and Conditions

4.1. Contractual conditions

In the event of an award, Wetsus will enter into an agreement in accordance with Attachment 4 (draft agreement) with the winning Tenderer. The General Terms and Conditions purchase Wetsus apply to this agreement. These are included as Appendix 4 to this award guideline.

Any suggestions for changes or additions can only be made in the question round, see chapter 1.4 for example. If Wetsus accepts several changes or additions, Wetsus will attach an addendum to the general terms and conditions of purchase with the last information notice.

By submitting a Tender, Tenderers unconditionally agree to the aforementioned conditions.

4.2. Conditions for registration

Only Tenders that meet the following conditions will be processed:

- a. The Tender is in the English language.
- b. The ESPD is legally signed (i.e. by an authorised signatory).
- c. The Tender meets all the conditions stated in the Procurement Document.
- d. The Tender is complete: all documents of which the award guidelines and accompanying appendices state that they must be submitted with the Tender have actually been submitted.
- e. Forms to be completed (including the ESPD) are correct and complete.
- f. The Tender is unconditional, and therefore contains no reservations.
- g. There are no costs for Wetsus to submit Tenders by Tenderers.
- h. The Tender has a validity period of 60 days (from the date on which the Tenders must be submitted).

Wetsus calls on you to wait with your registration until the publication of the last information notice. The information notice may contain explanations and adjustments to this guideline and/or its appendices. The provisions of the information notice take precedence over the provisions of this guideline. In the event of contradictions in several information notices, the most current information note takes precedence over previously published information notices.

Tenders can only be submitted in accordance with the tender conditions of these award guidelines, accompanied by the documents that are stated in these guidelines that must be included with the tender.

5. Assessment procedure

This chapter describes how to determine which Tender is the winning Tender.

5.1. Assessment

The evaluation of the Tenders will take place as follows

Step 1: completeness of the Tender

Wetsus checks whether the Tender has been submitted according to the procedure and before proceeding to assess requirements, it determines whether everything is complete. A Tender that does not meet all the criteria set will be rejected.

Step 2: determining the suitability of the Tenderer

On the basis of the ESPD submitted, Wetsus assesses whether the Tenderer meets all the requirements set out in Chapter 2 of this award guideline.

Step 3: Assessment of the requirements

In this phase, Wetsus assesses whether the Tender unconditionally meets all the requirements on the basis of the requirements listed in chapter 3 (tab 'Knock-Out'). A Tender that does not (unconditionally) meet all the requirements will be rejected.

Step 4: assessment of the other requirements

Wetsus then assesses the elaboration of the other requirements (tab 'Tender questions')

Step 5: FAT/ SAT

In this phase, the contract award decision is sent. If the contract has been awarded to your organisation, the electrospinner offered will be tested on the basis of the described performance characteristics. This is done by means of a Factory Acceptance Test (FAT). This will start no later than the date stated in the schedule for the start of the FAT.

After the FAT has been successfully completed, the equipment is installed at Wetsus as soon as possible but before the date stated in the schedule before the start of the SAT.

When the offered device is installed at Wetsus, the electrospinner is subjected to a site acceptance test (SAT). The Tenderer agrees that the procedure will be cancelled at the expense of the tenderer if the SAT test is not met and no workable solution is available.

Step 6 Final award:

When the FAT and SAT have been successfully completed, the contract will be concluded. If the FAT and SAT have not been successfully completed, the award decision will be withdrawn and a new contract award decision will be taken in favour of the previous number 2. If no objection has been made, the equipment of the previous number 2 is then assessed on the basis of the FAT and SAT. If the FAT and SAT are not successfully completed either, the same procedure with the previous number 3 will be carried out, et cetera.

5.2. Assessment methodology

5.2.1 General

As an award criterion, Wetsus uses the "Most Economically Advantageous Tender based on the best price/quality ratio (MEAT)". To pay which tender is the winner, points are awarded for the sub-award criteria Quality and Price. These points awarded are added up to the Total Score.

5.2.2 Quality

The assessment of the sub-award criterion quality (the 'Tender questions' in Attachment 3) is based on the scores on the following quality criteria:

No.	Quality criterion (Tender Question)	Maximum score
1	Dosing speed for the pumps	250
2	High voltage power supplies	250
3	Gas volume/min during operation	250
4	Volume of the dosing liquid	250
5	Rotating speed drum collector	250
	Total points to be earned	1250

5.2.3 Assessment framework

The scores and the explanation of the quality criteria are further explained in Appendix 2.

PLEASE NOTE: apart from filling in the appropriate coloured fields, modifications to Appendix 3 are not permitted under penalty of rejection of your Tender.

5.2.4 Rating Price

Your price must be stated in Attachment 3 Pricing sheet. Wetsus strives to offer a realistic and market-based rate and does not allow manipulative tendering. Entry fees of 0 are not allowed under penalty of rejection of your Tender.

Please note that the prices of nice to have (optional) features will not be a part of the Price.

PLEASE NOTE: The Price may not exceed € 360,000 excluding VAT, under penalty of rejection of your Tender.

The number of points for the prize is determined according to the following formula:

Points for Price = $(LP/P)*400$ where

- LP = lowest Registration price of all tenders
- P = Price.

The maximum number of points for the Price is 400.

5.2.5 Calculation of the most economically advantageous tender

The entries with the highest Total Score are the winning entries. If two or more entries end in a tie, the ranking is determined by the entry with the highest number of points for quality. If this is still inconclusive, the price will follow.

5.4. Method

The Tenders will be assessed by an evaluation committee with 4 members. The committee members assess the Tenders individually on the basis of the quality criteria. One score is given per assessor for each of the quality criteria. Members have no information on the prices until the advice for award is issued.

The results of the individual assessment (the assigned scores) will be discussed in plenary. During (or if possible prior to) the plenary session,

Individual scores and motivations are exchanged. Members can revise their scores based on the arguments exchanged. The score on each quality criterion of each tender and its justification is determined by consensus by the scores of the members of the evaluation committee. The assigned scores are then entered into the award matrix and settled (via the weighting factors) into scores.

Finally, the ranking is determined by adding up the points for the elaboration of the quality criteria for each tender, calculating the points for the price and calculating the Total Score.

After the committee has determined the winning tender, the committee issues an advice, on the basis of which Wetsus takes an award decision. The award decision will be sent to all Tenderers involved via TenderNed's message module

5.6. Explanation and objection

Tenderers who wish to obtain an explanation of the award decision can contact the contact person of the tender with a request for further explanation (the contact details of this person will be included on the award decision). A date has been set for the provision of an oral explanation; see 1.5 Planning.

If unsuccessful Tenderers do not agree with the award decision, they can institute Summary Proceedings. If you decide to do so, you must submit your summary proceedings to the District Court of The Hague within a period of 20 calendar days, calculated from the date of dispatch of the award decision.

The aforementioned 20-day period applies as an expiry period, i.e. after this period, unsuccessful Tenderers have forfeited their right to institute Summary Proceedings.

In the interest of rapid and proper progress, you are also requested to inform the contact person of Wetsus referred to in 1.2 of this immediately and send the draft summons to Wetsus.

After the expiry of the aforementioned objection period without any objection having been made, Wetsus may award the contract. If summary proceedings are instituted within the objection period, the award will not be made until after the court has ruled.

5.7. Evidence

In the first instance, the ESPD and the evidence that is stated in the guidelines must be submitted with the Tender are sufficient. In the award decision, the winning Tenderer will be asked to submit the following evidence to Wetsus for verification within a period of 7 calendar days.

NA. Requesting, obtaining and, upon request, submitting the aforementioned supporting documents to Wetsus in a timely manner is at your own risk and responsibility.

a. For parts 3A and 3C of the ESPD: a declaration of conduct for tendering, not older than 2 years at the time of submission of your registration, to be requested from the Justis service, see: <http://www.justis.nl/producten/gva/>. Non-NL registered Tenderers must submit a comparable certificate as issued by their local government.

b. For parts 2A and 6 of the ESPD: an extract from the Trade Register, not older than 6 months at the time of submission of your registration. Please note: The extract to be submitted by the winning Tenderer (see chapter 5.7 must also demonstrate the legal validity of the signature (of the tender and of the ESPD)!

c. For part 3B of the ESPD, a statement from the tax authorities, not older than 6 months at the time of submission of your registration, that you have complied with the legal provisions for payment of social security contributions and taxes. Non-NL registered Tenderers must submit a comparable statement as issued by their competent tax authorities.

6. Other conditions

6.1 Conditions and Reservations

- a. The costs of submitting a Tender are at your own expense and risk. Wetsus does not provide any compensation for this.
- b. By submitting a Tender, Tenderers unconditionally agree to the provisions of the tender documents.
- c. The application of general terms and conditions of delivery or other general terms and conditions of tenderers is expressly rejected.
- d. Conditional Tenders will be rejected. The use of standard letterhead in the Tender containing a standard provision for/about the applicability of the general terms and conditions will be regarded by Wetsus as an obvious mistake, and will also verify this as such with the Tenderer.
- e. Candidates and/or Tenderers undertake to report any ambiguities, contradictions and irregularities found in the Procurement Document provided to Wetsus to the official contact person of Wetsus as soon as possible, but no later than before the expiry of the deadline for submitting the Tender. If a Candidate or Economic Operator does not do so, this means that he or she has forfeited the right to object to the defects found in these documents.
- f. Wetsus reserves the right to enable Tenderers to repair Minor Defects in their Tender within a period of 3 working days after Wetsus has made a request to that effect. It is expressly a power, not an obligation of Wetsus. Tenderers cannot therefore derive any rights from this provision.
- g. The working language in this tendering procedure is English language.
- h. Both Wetsus and Tenderers are expected to handle confidential information appropriately.
- i. Wetsus reserves the right to stop or suspend the tendering procedure in whole or in part at any time and shall then decide if a compensation will be paid to Tenderers.
- j. Wetsus also has the right to terminate the agreement with the winning Tenderer with immediate effect and without any obligation to pay any compensation, if a competent court qualifies the award as unlawful.
- k. The validity period of your Tender is 4 months from the moment of submission of your Tender.

6.2 Conditions of competition

Register once

An Economic Operator may only register once, either independently or in combination.

Group relationships

Several subsidiaries and/or operating companies of one group can submit a Tender separately. If Wetsus suspects that those Tenderers influence each other's conduct, Wetsus may require those Tenderers to demonstrate that the relationship of dependency did not influence their conduct in the tendering procedure. If they fail to do so, Wetsus will in principle exclude them from the tendering procedure.

Holding statement

If your company belongs to or is part of a holding company you must enclose a Holding Statement, in which the authorised signatory of the holding company declares that it is willing to act as guarantor and to hold itself liable for obligations entered into by the subsidiary, see Appendix 6.

Please note! The holding company must also demonstrate that this statement has been signed by a person who is authorised to do so, for example by submitting a (if necessary complete) up-to-date extract from the Trade Register.

Partnerships

Several candidates can jointly register as a partnership (combination). After registration, it is not allowed to change the composition of the combination without the express permission of Wetsus. After award, there can be no question of such changes at all. This permission will not be refused on unreasonable grounds.

Partnerships are not subject to any further conditions; they are treated as a single tenderer. The combination as a whole must meet the criteria as stated in this descriptive document. However, each individual Tenderer must complete the ESPD and provide it with a legally signed signature.

Subcontracting

Economic Operators who are unable to qualify independently may call on third parties with regard to the required financial and economic capacity and technical competence. After registration, it is not permitted to change subcontractors or to abandon subcontracting altogether without the express permission of Wetsus. This permission will not be refused on unreasonable grounds.

In the event of an appeal to third parties, conditions apply: parts 2c and 2d of the ESPD must be followed.

6.3 Conditions regarding Russian involvement

By submitting a Tender, the Tenderer declares that:

(a) there is no Russian involvement in the implementation of this Agreement exceeding the thresholds set out in Article 5k of EU Regulation (EU) 833/2014 of 31 July 2014 concerning the restrictive measures concerning in view of Russia's actions destabilising the situation in Ukraine, as amended by Regulation 2022/578 of 8 April 2022.

b) The Tenderer and any joint ventures are not (legal) persons with a Russian nationality and these (legal) persons (natural persons, companies, entities or bodies) are not established in Russia;

b) The Tenderer and any joint tenderers are not legal entities (established in Russia or another country) that are more than 50% owned by a Russian party as referred to in (a) above;

c) Tenderer is not a (legal) person (established in Russia or another country) acting in the interest of or at the direction of a Russian party, as referred to in subparagraphs (b) and (c);

(d) there are no subcontractors, suppliers or undertakings whose capacity is invoked by the tenderer and which have a share of more than 10% of the contract value in which a situation such as points (b) to (d) arises.

7 Market Consultation

Wetsus has, as a preparation for this tendering procedure, conducted a market consultation. The market consultation has been announced on TenderNed/TED and Wetsus has invited 8 potential suppliers of which 5 are EU based and 3 non-EU based.

3 Economic Operators have answered the questions in the market consultation document (Appendix ?)

Based on the answers Wetsus draws the following conclusions:

- There is a limited choice of possible suppliers.
- It is extremely important to formulate the requirements in such a way that suppliers understand the requirements.

8 Definitions

Candidate

An Economic Operator that is (possibly) interested in this tendering procedure.

Economic Operator

Any natural or legal person or public entity or group of such persons and/or entities, including any temporary association of undertakings, which offers the execution of works and/or a work, the supply of products or the provision of services on the market.

Minor Defects

Wetsus means manifest errors and omissions whose rectification does not change the Tender and which are not sanctioned with rejection of the Tender or exclusion from the tendering procedure.

Procurement Document

Any document produced or referred to by the contracting authority to describe or determine elements of the procurement or the procedure, including the contract notice, the prior information notice where it is used as a means of calling for competition, the technical specifications, the descriptive document, proposed conditions of contract, formats for the presentation of documents by candidates and tenderers, information on generally applicable obligations and any additional documents.

Public Procurement Act 2012

Aanbestedingswet 2012, the NL implementation of directive 2014/24/EU.

Summary Proceedings

In summary proceedings, the judge does not give a final judgment of the case. It is always a preliminary judgment: a judge deciding on the proceedings on the merits can decide very differently. This means that in summary proceedings no legal status can be definitively established.

Tender

A written or formal offer to supply goods and/or render a service for an agreed price.

Tenderer

An Economic Operator that has submitted a tender.

Trade Register

The trade register of the Chamber of Commerce in the Netherlands.