

SUITABILITY REQUIREMENTS

As referred to in sections 2.90 through 2.98 of the Dutch Procurement Act and Part IV of the European Single Procurement Document (ESPD)).

In this section, you can find the requirements set by the Contracting Authority to determine whether particular Tenderers are suitable to complete the assignment and to be awarded the Contract. For this purpose, Exclusion Grounds and Suitability Requirements have been set.

By signing the European Single Procurement Document (ESPD) (which uses the term 'Selection Criteria' to refer to the Suitability Requirements), the Contractor declares that he complies with the Suitability Requirements as specified in this subsection of the Tender Document. These Suitability Requirements are further specified in the subsequent paragraphs in this section.

The following suitability requirements are addressed below:

- A. Financial and economic standing;
- B. Technical and professional competence - References;
- C. Technical competence and professional ability - Certification.

A. FINANCIAL AND ECONOMIC STANDING

The Contractor has a stable business of which continuity is guaranteed during the performance of the Assignment. By signing the European Single Procurement Document, the Contractor declares that he possesses sufficient financial and economic capacity to fulfil the contractual obligations.

If the Contractor has a duty of audit, the Contractor first of all declares, by signing the ESPD, that the most recent audit in the financial statements does not contain a paragraph with negative continuity expectations.

If the Contractor is not subject to an audit obligation, the Contractor declares -by signing the ESPD- that the financial and economic capacity of the enterprise is such that the continuity of the services during the term of the assignment is not expected to be jeopardized.

The Contracting Authority has the right to request the following documents that proof the Contractor's economic and financial standing:

- A copy of the financial statements and auditor's report and/or a review or composition statement and/or a statement of financial continuity.
- A statement, signed by a recognized organization auditor or bank, that the provider is solvent.
- Annual financial reports for the past 3 years, such as the presentation of financial statements or extracts from the financial statements, where publication of financial statements is required under the law of the country in which the economic operator is established. Or a statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available.

If the data of the Contractor's parent/holding company is used in relation to the aspect of financial-economic capacity, then the Contractor must provide a statement (Appendix 9 "Holding Statement") from the parent/holding company that specifies that the parent/holding company unconditionally acts as a guarantor for the obligations to be undertaken by the subsidiary company and any debts arising from the Contract incurred by the subsidiary company. The statement by the parent/holding company must be signed by a legally authorized representative.

The Contractor's tender complies with the following requirements regarding financial and economic standing. By signing the ESPD, the Contractor declares that he has the following supporting documents. The Contractor proves its financial and economic standing by means of the following supporting documents:

COVERAGE OF LIABILITY RISKS

By signing the ESPD, the Contractor declares that he has a sufficient level of professional and/or statutory liability insurance for the fulfilment of the Assignment and that in the event of the Agreement being awarded to him, will remain sufficiently insured throughout the duration of the Assignment(s). He has the following insurances:

- Company liability insurance covering damage to persons and/or property and consequential loss in the unlikely event of an incident occurring during the journey.
- Insurance against business risks covering possible damage during the performance of the Agreement. Liability for damages caused by the Contractor is covered up to 4 times the contract value per event and 6 times the contract value for each year or part of a year that the Contract has been in force.

These corporate liability requirements apply to the execution of the Assignment. Within 7 calendar days of receipt of the Award Decision, the Contractor shall submit the evidence pertaining to this requirement. If the Contractor involves a consortium, then every requirement is applicable for every member of this consortium and therefore every member of the consortium must provide the aforementioned evidence separately.

KNOW YOUR CUSTOMER

The Contractor who receives the Award Decision submits within 7 calendar days the KYC Information according to Appendix 11 and substance acceptable to the Contracting Authority.

B. TECHNICAL AND PROFESSIONAL COMPETENCE - REFERENCES

REFERENCE PROJECTS/ASSIGNMENTS

The Contractor shall submit one reference for each of the core competences described. Each reference must relate to similar competences demonstrated within the past 5 years. The Contractor must have been responsible for delivering these competencies in previous assignments of comparable scope and size. References must be provided using Appendix 2, 'Format Reference'

Core competences

1. ***Proven regional and local experience with feasibility studies***

The Contractor has proven experience with and has been responsible for at least one project in the maritime infrastructure sector regarding a full technical, financial feasibility in West Africa. This includes being responsible for analysing and advising on institutional setting (stakeholder management), financial arrangements, procurement and contracting. A project in another region could be considered as well, provided it concerned water transport in a comparable urban lagoon area, with attention to local partnerships and contextual sensitivity.

2. ***Proven experience with projects funded by international development finance institutions***

The Contractor has proven experience with and has been responsible for at least one project funded by an international development finance institution, such as the Dutch DRIVE programme, the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD), other European finance institutions or the World Bank.

3. ***Proven experience with impact assessment of Public water transport***

The Contractor has proven experience with and has been responsible for social, economical, and environmental impact of Public water transport both positive as well as (possible) negative impact (and formulating mitigation measures) according to IFC/WB standards.

4. ***Proven experience with designing and assessing Public Transport Projects in developing countries/regions***

The Contractor has proven experience with and has been responsible for at least one public transport project (small or larger busses, RTS, train, ferries), especially in field of relations between

quality of transport, travel time, ticket prices, willingness to pay and ability to pay and how this is included in economic/financial analysis.

5. ***Proven experience with (mainly passenger) water transport projects***

The Contractor has proven experience with and has been responsible for at least one water transport project including issues as vessels, route planning, docking/jetties, safety, operation and maintenance, sustainability, cost.

Explanation

The Contracting Authority aims to verify that the Contractor demonstrates proven experience with the core competencies required for the successful execution of this assignment. Due to the complexity of the contract, the Contracting Authority considers it proportionate to require more than 3 core competences.

The Assignment was satisfactorily executed at the referent. This means that agreements have been met during the performance of the services. Further evidence does not need to be submitted. However, the Contracting Authority may check references, whether by means of random checks, also directly with the referent. If a possibly checked reference gives good reason to do so, including any substantial and substantiated dissatisfaction, the Contracting Authority may exclude the Contractor. The Contracting Authority will not do so without giving the Contractor the opportunity to express his views on the reference.

Conditions

The references must be in line with the relevant core competencies and must comply with the conditions set out below, on pain of exclusion from the Tendering Procedure. If these conditions are not met, there is an invalid Proposal, and your Proposal will be set aside. The following conditions apply to all references:

- The Contractor shall attach a maximum of 1 reference per key competence. If the Contractor wishes to use the same reference for several core competencies, the Contractor shall submit this reference separately for the relevant core competencies. No more than one reference per key competence will be assessed. In total, the Contractor therefore submits a maximum of 5 reference forms with his Proposal.
- The Contractor may invoke the technical capacity of other legal entities. In that case, the Contractor must actually and irrevocably deploy those other legal entities in the performance of the Assignment, insofar as it concerns the parts to which the technical capacity relates. If the Assignment is awarded to the Contractor, the Contractor is obliged to use these entities in the execution of the assignment.
- The references will be submitted by using the 'Format Reference' in appendix 2.
- For the submitted references, the Contractor acted as the main Contractor or the party with final responsibility.
- If the Contractor performed the reference(s) in consortium, only its share in the reference(s) will count towards the Assessment of whether the key competence is met.
- The references must have been performed or be in the process of being performed in the previous 5 years, counting from 5 August 2025. For the reference(s) that are still in progress, this reference must have been started at least 1 year prior to 5 August 2025.
- The references have been carried out to the satisfaction of the reference (client).
- The references will be submitted with the Proposal.
- References do not need to be signed by the client when submitting the Proposal. However, the Contractor awarded the contract will be required to provide the same references, this time signed by the client.
- The reference (client) who signs the relevant reference is a management team member or with a comparable position. He/she is a person who still works there and can state that he/she is satisfied with the performance of the Assignment and that the Assignment was executed by the Contractor in accordance with what the Contractor stated on the 'Format Reference (Appendix 2)'.
- The references of the Contractor have been duly signed by an authorized representative of the Contractor. In case of a consortium, the coordinator of the consortium will sign the references in a legally valid manner.
- The Contracting Authority reserves the right to check the reference(s) for accuracy. Inaccuracies or incompleteness regarding the references provided may lead to exclusion of the Tender Procedure.

- If the Contractor registers as a consortium, the above minimum requirements will be met jointly.

C. PROFESSIONAL ABILITY AND CERTIFICATION

QUALITY ASSURANCE ISO-9001 AND ISO-27001 OR EQUIVALENT

The Contractor is ISO certified. If he is not ISO certified, he is requested to submit a planning in which he expects to obtain this or a comparable other quality system (at least equivalent to the NEN-EN-ISO standard) with which he can prove that the objective is guaranteed in his operational management:

- ISO 9001:2015 (management);
- ISO 27001:2013 (information security).

The Contracting Authority considers the other (own) quality management system as equivalent to the NEN-EN-ISO standard, if this quality management system contains at least the following aspects:

- A policy statement by the management, from which it follows that the quality policy is known to all employees, that it is suitable for the organization and that it is assessed on a regular basis;
- SMART objectives to deliver quality services/products;
- (Where relevant) Job descriptions (competence requirements, responsibilities and competences) for staff carrying out activities that affect the quality of the services/products to be delivered;
- An internal communication structure (management and the rest of the organization) and an external communication structure (with the external customer);
- The controlled conditions under which the production process takes place/services are provided and the associated procedures and work instructions;
- Criteria for assessment, approval and delivery of the products/services;
- The purchasing process with corresponding purchasing specifications and approved suppliers/service providers;
- A complaints procedure that ensures that complaints are resolved in such a way that they will not occur in the future;
- The way in which documents are managed at the Contractor.

The Contracting Authority considers the other (own) information security system as equivalent to the NEN-EN-ISO standard, if this information security systems contains at least the following aspects:

- Policy-related (management is involved);
- Organizational (the responsibilities);
- Assets (infrastructure, network, systems and other assets);
- Staff (house rules, mistakes, theft, fraud, abuse);
- Physical (locks, fire protection);
- Communication and operations (management of systems, processes and procedures);
- Access control (password, biometrics);
- System and software development and maintenance (documentation, processes);
- Continuity (contingency provisions);
- Regulation (Computer Crime Act, Personal Data Protection Act).

Within 7 calendar days of receipt of the Award Decision, the Contractor shall submit a copy of the ISO 9001:2015 and the ISO 27001:2013 certification or the requested documents as evidence pertaining to this requirement.

SUSTAINABILITY

The Contractor submits his Sustainability or ESG Policy within 7 calendar days of receipt of the Award Decision. In the event that the Contractor involves a consortium, then every member of this consortium must provide the aforementioned evidence.

SUSTAINABILITY CODE OF CONDUCT

The Contractor declares that in performing its work he will comply with the rules as described in Appendix 13: 'Sustainability Code of Conduct'. The Contractor shall complete Appendix 13a 'Assessment Form Sustainability Code of Conduct' for this purpose. If the Contractor involves a consortium, then every member of this consortium must provide the aforementioned evidence (Appendix 13a) separately. The completed assessment form shall be submitted with the registration.

PROFESSIONAL COMPETENCE – REGISTRATION NATIONAL PROFESSIONAL OR TRADE REGISTER

The Contractor certifies that he is registered in the national professional or commercial register of the country of origin according to the requirements of the country where he is located.

The Contracting Authority expects the Contractor to be authorized to practice his trade. For this reason, the Contracting Authority requests the Contractor to prove that he is registered in the professional register or in the trade register referred to in Annex XI of EU Directive 2014/24/EU in accordance with the regulations applicable in the country in which he is established.

It is also vital that the signed documents included in the Proposal have been signed by a legally authorized representative of the Contractor. For the Contractor, Alliances and Third Parties, the legal entity mentioned in the statements must be equal to the legal entity that participates and has submitted an ESPD for that purpose.

To establish the legal validity of the signed statements, declarations, and other evidence, a recent and up to date (**max. six months old**, counted from the time of submission of the Proposal) extract from the professional register or trade register must be provided in compliance with the provisions stipulated in Section 2.98 of the Public Procurement Act. The extract must demonstrate the legal authorization of the signatory.

If the signatory of the statements, declarations and other evidence is not featured on the extract, then authorization of the signatory must be provided by one of the parties featured on the extract, in the form of a statement (the power of attorney) declaring that the signatory was authorized to legally bind the Contractor at the time that he signed the documents.

You are requested to submit the following documents:

- Proof of registration in the Commercial Register (copy of a recent extract from the Chamber of Commerce) not older than six months;
- And, if applicable, one (or more) power of attorney(s).

If the Contractor involves a consortium, then every member of this consortium must provide the aforementioned evidence separately.

Let's build the sustainable markets of tomorrow together.

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