



Memorandum of information European tender 'Soil and Ecological Expert support for Search area 6/7 in the Dutch Offshore Wind Farm Zone'

Date: 25th of March 2025

In this memorandum of information, the contracting authority provides answers to the questions asked and remarks posted in the context of the above-mentioned European tender. This memorandum of information forms an integral part of the tender document (with reference 202501025).

Question	Lot	Subject of the tender	Question	Answer
1.	Expert support on soil investigations	Multiple tenders?	Will it be possible for one company to win both this "Soil and Ecological Expert support for area 6/7" as well as the tender "Geological Desktop Study for areas 6/7 and 3". Or will one rule out the other?	Conflict of interest dictates that Lot 1 Soil and the Geological Desktop study of the same area cannot be won by the same party. Lot 2 Ecology and the Geological Desktop Study can be won by the same party.
2.	Expert support on ecological investigations	Lot 2: Afwijkingen mogelijk op ARVODI2018?	Is het mogelijk om afwijkingen op de ARVODI2018 af te stemmen, voornamelijk op eigenaarschap, publicatierecht en aansprakelijkheid?	You have had the chance to ask questions about this in this MoI.
3.	Expert support on soil investigations	Lot 1: Use of back up experts	In the various documents, there is mention of "back ups" or "flexible experts". They will not be assessed in the Annex 3a, but in the Project Plan. Can you please elaborate on how this will then be assessed? Will this be based on CV/knowledge or	Backups will be assessed as part of the Team organisation as described in section 5.2.2. for Expert support on soil investigations and section 5.3.2. for Expert support on ecological investigations. There is no need to send the CVs for the backups.

			will this be how they will be used to manage workload peaks and/or fill gaps in knowledge? It's not very clear what the assessment criteria are at the moment, so a bit more clarity would help.	
4.	Expert support on soil investigations , Expert support on ecological investigations	Tenderdocument 4.3.1.	This paragraph calls for the submission of a Holding Statement. Can you confirm that the 403 statement satisfies here?	This is confirmed.
5.	Expert support on soil investigations , Expert support on ecological investigations	Points for quality and experience of core project team	For Lot 1, a distribution of points is given for the 'quality and experience of the core project team' section. For Lot 2, there is no distribution for the 50 points; please indicate how those points are distributed for Lot 2.	The distribution is 25 points per assessment criteria.
6.	Expert support on soil investigations , Expert support on ecological investigations	TenderNed	For 'Gunningscriterium' 3 and 6, submit Annex 4a and 4b. In addition, the price has to be entered. Can you confirm that the price from cell B7 should be entered here?	Confirmed. For this award criteria, the submitted Annex will be reviewed.
7.	Expert support on ecological investigations	Lot 2; Annex 4 b:	Rates until 1st of January 2028. Contract (3.4) and Tenderdocument: rates are fixed at least until January 1, 2027. Can	Confirmed, the rates are fixed until 1 January 2027 for Lot 1 & 2. The reference date is set on January 2025. Annex 4a&b are updated and added to this MoI. The following sentences are added in the Annexes: Offers lower than € 120,00 excluding of VAT for Senior Experts and € 90,00 excluding

			you confirm the rates are fixed until 1st of January 2027?	of VAT for Experts are considered unrealistic and will be excluded from the Tender. Offers higher than € 190,00 excluding of VAT for Senior Experts and € 160,00 excluding of VAT for Experts are considered unrealistic and will be excluded from the Tender.
8.	Expert support on ecological investigations	Annex 6b	Detail: The end date in Annex 6b is 31 April 2028, which should be 30th we assume	That is correct.
9.	Expert support on soil investigations , Expert support on ecological investigations	In Annex 6 a and 6 b	"1.2.2 states 'the summary of Additional Information', can you confirm that this is the Memorandum of Information? And if not, would you please add the Memorandum of Information as second in ranking?"	This is confirmed.
10.	Expert support on soil investigations	Annex 5a	The addition of hours in Table 1 seems incomplete. The 'total amount' does not include optional hours. Can you confirm that the total here should be 20,000 hours, as described in 2.4 of the Tender document?	This is confirmed.
11.	Expert support on soil investigations , Expert support on ecological investigations	Price Sheet 4a and 4b	In Price Sheet 4a, an automatic points calculation is performed. This is not included in Price Sheet 4b, can it be added?	Annex 4b has been updated. The new price sheets are uploaded to TenderNed with this MoI.
12.	Expert support on soil	ARVODI 2018 – Artikel 15.2	"1. In the ARVODI 2018 – artikel 15.2, we are requested to submit a VOG of our employees to be	You are not requested to submit a VOG. Arvodi 2018 - 15.2 states that Contracting Authority may require the Contractor to provide a VOG. It is unlikely that a VOG will be

	investigations , Expert support on ecological investigations		deployed. In the context of the AVG, the submission of a VOG is not allowed without question. For this specific assignment, could you please indicate what legitimate reason you have for requesting the VOG, why it is necessary and confirm that the employee concerned will be properly informed beforehand and afterwards. 2. If it appears that the production of a VOG is legitimate and necessary: can you confirm that, if the employee has a VOG which shows that no objections have been raised, having it viewed will suffice? If not: please give reasons? 3. If you are of the opinion that the VOG should still be issued, where can employees go to exercise their rights and for how long will these records be kept?"	asked with respect to this Contract. If deemed necessary, this will be requested with a good reason and consequences concerning the AVG, which will be shared with Contractor.
13.	Expert support on ecological investigations	5.3.2 Award criteria relating to the quality of the Project Plan	Do you have a minimum font size for the text in the proposal?	It must be readable for A4. Size depends on the font, but for example Verdana 9.
14.	Expert support on ecological investigations	5.3.2 Award criteria relating to the quality of the Project Plan	Is Tenderer allowed to include A3 format pages and does RVO consider this to be equivalent to 2 A4 pages?	No A4 must be used for texts. But for example: GANTT charts or workflows may be in a A3 format. 1 A3 page will be equivalent to 1 page A4.

15.	Expert support on ecological investigations	5.3.2 Award criteria relating to the quality of the Project Plan	The Project Plan has an upper limit of 15 pages. Can you confirm that this is excluding the front page and table of contents?	This is confirmed.
16.	Expert support on ecological investigations	"Tender document: 5.3.2 Award criteria relating to the quality of the Project Plan Item 2. Efficiency"	"RVO asks for a ""Description and proposal(s) for efficient use of experts, i.e., quality vs hour consumption, including plan of hour consumption based on the SOW"". In paragraph 5.5 ""Award criteria relating to prices/rates"" under ""Lot 1 Soil"" it is mentioned that: ""Both types of experts are expected to be used during project execution in a 70/30% ratio"". In the SOW RVO defines a budget estimate per discipline. Can you please elaborate how you see our role in defining the efficient use of experts given that the total hours per discipline and split between senior expert and expert has been defined in the tender document?"	Total hours per discipline is a best estimate of the Contracting Authority. 70/30% describes the expected invoicing and workload split. The requested description of quality vs hour consumption means how does the Tenderer ensure high quality work is done with high efficiency in hour consumption.
17.	Expert support on ecological investigations	Tender document: 5.3.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	"The assessment criteria for Efficiency (2) state under sub-item 2. that ""The extent is feasible"" Can you please clarify what is meant with ""The extent""?"	The extent to which the described efficiency is feasible.

18.	Expert support on ecological investigations	Tender document: 5.3.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	"The assessment criteria for Efficiency (2) state under sub-item 1. that ""The extent to which the use of experts fits the assignment"". This sub criterion appears to be quite similar to sub-criterion 1. under Team Organisation (1). Can you please clarify how RVO will apply both sub-criteria?"	In Team organisation the team is assessed, wherein the efficient use of the team members is assessed.
19.	Expert support on ecological investigations	Tender document: 5.3.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	"The assessment criteria for Team organisation (1) states under sub-item 3. that ""The extent to which the work will be carried out to satisfaction"". Can you please clarify how a future performance by a QES team will be assessed during the tender phase?"	The completeness and feasibility of the proposed approach to successfully carrying out the work.
20.	Expert support on ecological investigations	Tender document: 5.3.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	The table in paragraph 5.1 for Lot 2 ecology shows 20 points for Project Plan. The table in paragraph 5.3.2 shows 30 points. Can you please confirm that this should be 20 points? Can you please provide a split of points per sub-criteria matching the 20 points, for instance: 10, 6 and 4?	Confirmed, this award criteria should be 20 points. The first sub criteria (Team organisation) has a maximum scoring of 10 points. The second sub criteria (Efficiency) has a maximum of 6 points. The third sub criteria (Risk plan) has a maximum of 4 points.
21.	Expert support on ecological investigations	Tender document: 5.1	Lot 2 Ecology: The paragraph numbers in the table for Lot 2 Ecology don't match with the paragraphs in the tender document. Can you please confirm that this should be paragraph 5.3.1, 5.3.2 and 5.5?	This is confirmed.

22.	Expert support on soil investigations	Tender document: 5.1	Lot 1 Soil: Reference is made to 5.3. can you confirm that this should be 5.5 Award criteria relating to prices/rates (exclusive of VAT)	This is confirmed.
23.	Expert support on soil investigations	5.2.2 Award criteria relating to the quality of the Project Plan, Identified risks	"Op page 22 under Identified Risks, item 4, RVO states: ""Scope of work for geophysics, morphology, geotechnics and integrated ground model (quality and quantity of SOW, impact on innovation developer)"" What are the risks that RVO sees?"	The interface and impact between the different scopes.
24.	Expert support on soil investigations	5.2.2 Award criteria relating to the quality of the Project Plan	Do you have a minimum font size for the text in the proposal?	Please see answer to question 13.
25.	Expert support on soil investigations	5.2.2 Award criteria relating to the quality of the Project Plan	Is Tenderer allowed to include A3 format pages and does RVO consider this to be equivalent to 2 A4 pages?	Please see answer to question 14.
26.	Expert support on soil investigations	5.2.2 Award criteria relating to the quality of the Project Plan	The Project Plan has an upper limit of 15 pages. Can you confirm that this is excluding the front page and table of contents?	This is confirmed.
27.	Expert support on soil investigations	"Tender document: 5.2.2 Award criteria relating to the quality of the Project Plan Item 2. Efficiency"	"RVO asks for a ""Description and proposal(s) for efficient use of experts, i.e., quality vs hour consumption, including plan of hour consumption based on the SOW"". In paragraph 5.5 ""Award criteria relating to prices/rates"" under ""Lot 1 Soil"" it is mentioned that: ""Both types of experts are	Please see answer to question 16.

			expected to be used during project execution in a 70/30% ratio"". In the SOW RVO defines a budget estimate per discipline. Can you please elaborate how you see our role in defining the efficient use of experts given that the total hours per discipline and split between senior expert and expert has been defined in the tender document?"	
28.	Expert support on soil investigations	Tender document: 5.2.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	"The assessment criteria for Efficiency (2) state under sub-item 2. that ""The extent is feasible"" Can you please clarify what is meant with ""The extent""?"	Please see answer to question 17.
29.	Expert support on soil investigations	Tender document: 5.2.2 Award criteria relating to the quality of the Project Plan, Table: Assessment Criteria	The assessment criteria for Efficiency (2) state under sub-item 1. that "The extent to which the use of experts fits the assignment". This sub criterion appears to be quite similar to sub-criterion 1. under Team Organisation (1). Can you please clarify how RVO will apply both sub-criteria?	Please see answer to question 18.
30.	Expert support on soil investigations	Tender document: 5.2.2 Award criteria relating to the	"The assessment criteria for Team organisation (1) states under sub-item 3. that """"The extent to which	Please see answer to question 19.

		quality of the Project Plan, Table: Assessment Criteria	the work will be carried out to satisfaction"""". Can you please clarify how a future performance by a QES team will be assessed during the tender phase?"	
31.	Expert support on soil investigations	Annex 4a	"An astrix ' * ' at Acquired points is explained as: "" *Only an indication, calculation contains errors and not enough if statements. Contractors are urged to double check the requirements and points total. Max 30 points"" The meaning of the statement is unclear to us and suggests the spreadsheet is incorrect. Can you please confirm that Annex 4 is correct?"	See updated Annex 4a. Formula in Tenderdocument is leading.
32.	Expert support on soil investigations , Expert support on ecological investigations	Tender document 3.6.5 / Annex 4a / Annex 4b	"The hourly rate range for senior experts is defined as between €120/hr and €190/hr (excl. VAT). For expert level staff this range is between €90/hr and €160/hr. We observe that compared to RVO's previous QES tenders the maximum rates do not keep trend with inflation figures presented by CBS Statline. For example, the maximum rate for a senior was €175/hr. Based on the CBS figures the inflation between the start of the IJ56 contract and January 2025 is 19.7%, which would result in a maximum senior rate of €210/hr. For an expert an inflation corrected	This will not be changed, RVO considers this a fair price for the experts.

			rate based results in a maximum expert rate of €173/hr. A similar results is achieved when hourly rates from VSA and DDW tenders are corrected for inflation. We want to ask RVO to reconsider the hourly rates to be more reflective of current market conditions and propose the following bandwidths: Senior Expert: min - max hourly rate: €150/hr and €210/hr (ex. VAT) Expert: min - max hourly rate: €90/hr and €150/hr (ex. VAT)"	
33.	Expert support on soil investigations	3.6.1 Requirements relating to the prices/rates	"It is stated that the hourly rates for Lot 1 Soil are fixed until 1 January 2028. This means that the hourly rates are fixed for over 2.5years. Given the recent history seen with out of trend hourly rates, and the current geopolitical situation we feel that this requirement places a disproportionate amount of risk on the tenderer. We ask RVO to reconsider the fixed rate requirement and propose that rates under the Lot 1 Soil contract to be fixed until 1 January 2027."	See question 7.

34.	Expert support on soil investigations , Expert support on ecological investigations	Tender document 2.3 Contract Period	"The tender document says: """"It is possible that works will be extended depending on developments in the Dutch Offshore Wind sector."""" Can you please define a maximum period for which such an extension is applicable?"	This period has a maximum of 2 years.
35.	Expert support on soil investigations , Expert support on ecological investigations	SROI	3. In de aanbestedingsdocumenten is een Social Return-verplichting opgenomen. De opdrachten die een opdrachtnemer op basis van deze overeenkomst verricht, betreffen de uitvoering van specialistische dienstverlening van intellectuele aard. Het is bekend dat de inzet van mensen met een afstand tot de arbeidsmarkt daarbij moeilijker is. Wij willen u daarom verzoeken ook stagiairs van HBO en WO instellingen op te mogen voeren binnen de Social Return-verplichting. Kunt u daarmee instemmen?	Not agreed, interns with a University degree/study do not match this requirement.
36.	Expert support on soil investigations , Expert support on ecological investigations	SROI	2. Wij beschikken over een PSO-certificaat en we merken steeds vaker dat de aanbestedende diensten deze certificering waarderen door korting te geven op de SROI-waarde; zelfs 100% bij trede 2. Bij deze aanbesteding is ook SROI van toepassing. Kunt u het PSO-certificaat waarderen en zo ja, hoe?	RVO values a PSO certificate. This valuation leads to a 25% discount on the social return value.
37.	Expert support on	SROI	1. In de aanbestedingsdocumenten is een Social Return-verplichting	The fulfillment must have a connection with the assignment. After the contract has started a meeting with Contractor and

	soil investigations , Expert support on ecological investigations		opgenomen. De opdrachten die een opdrachtnemer op basis van deze overeenkomst verricht, betreffen de uitvoering van specialistische dienstverlening van intellectuele aard. Het is bekend dat de inzet van mensen met een afstand tot de arbeidsmarkt daarbij moeilijker is. Mogen wij de SROI-verplichting ook buiten de opdracht invullen?	RVO can be scheduled to explore the possibilities for the fulfillment of social return.
38.	Expert support on soil investigations , Expert support on ecological investigations	Tender document - section 3.6.1 - Indexation	Section 3.6.1. of the tender document states "The agreed rates are fixed at least until January 1st 2028 for Lot 1 and until January 1st 2027 for Lot 2. Requests for indexation can be submitted only once a year, exclusively in the month of October." We understand that this means that the first time a request for indexation can be submitted is October 2027 for lot 1 and October 2026 for lot 2, with the indexation taking effect on the 1st of January thereafter. Is our understanding correct?	See answer to question 7 and 33. Indexation can be requested in October and will go into effect January the following year.
39.	Expert support on ecological investigations	Annex 4b Eco_rates expert support - Wrong file	The file "Sa67_202501025_Annex 4b Eco_rates expert support" available on tendered is the same as as Annex 4a for soil. The title in the excel of Annex 4b is also "rates expert support soil". Please provide the right file to submit the rates for the ecological support and allow for questions on this file after it has been provided.	Annex 4a and 4b has been updated.

40.	Expert support on ecological investigations	Tender document - section 3.9 - SROI	Section 3.9 states that "the Pilot project must have value of 2% of the contact value". The expected scope of lot 2 means that this will result in a relatively small SROI value. Moreover, the exact value is uncertain at the start of the project as the scope may change (see section 2.5 of the Tender Document). Given this, can you clarify further your expectations on fulfilling the SROI obligations for lot 2?	The requirement regarding SROI will be waived for Lot 2.
41.	Expert support on soil investigations , Expert support on ecological investigations	Tender document - section 3.5 - SROI	"Do we understand correctly that clause 3.5. prohibits us from working with any developer on the preparation of a bid (pemit tender) for the development of the wind parks in both Search area 6/7 and Doordewind for the duration of the contract? If the answer to the previous question is yes, can you agree to allow different staff members then those working on this assignment, but from the same company, to work on future bid preparation assignments for developers if we have an interest projection plan and after approval of that plan by the Contracting Authority?"	Experts can provide expert support for RVO and a Contractor or Developer in different wind farm zones only. RVO notes the numbering is confusing. 3.5 should read the following: <i>"The Contracting Authority regards as possible conflict of interest-situations (but not limited to):</i> <i>1. Involvement in (preparing) applications for the permit tenders for the Search Area or defined Wind Farm Zone that is subject of the site study for which expert support is requested.</i> <i>2. Any involvement in any other relevant site study outside the works in this agreement within the defined Search area or Wind Farm Zone. This means that (sub)contractor (and all relevant staff) currently performing site study cannot provide expert support (this Tender), and the Contractor cannot apply for any site studies within the Search area or defined Wind Farm Zone.</i> <i>3. <u>Involvement in the execution of site studies in any of the other designated Dutch Wind Farm Zones.</u> This means that any site study Contractor (and all relevant experts) currently executing a site study for RVO at any site cannot apply for this Tender. Conversely, a party providing expert support under</i>

				<i>this Agreement cannot apply for a Tender for a site study in another Wind Farm Zone."</i> Contracting authority will assess case by case what is considered conflict of interest depending on mitigation measures taken by the expert supports.
42.	Expert support on soil investigations	Tender document - section 7.3.17 - Subcontractor	Team of experts: is there a limit on the number of sub-contractors or freelancers for the pool of (back-up/senior) experts?	No, there is no limit but interfaces and team composition needs to be clear described in the Project Plan and the execution.
43.	Expert support on soil investigations	Annex 5a SoW Soil expert - 2 Roles and Responsibilities - Meetings	What's the expected estimated time, or workload in hours per month, of additional meetings outside the regular weekly meetings?	This can be very variable and depends on the stage and the development of the specified project .
44.	Expert support on soil investigations	Annex 5a SoW Soil expert - 2 Roles and Responsibilities - Meetings	Will the meetings take place online, or on location? And if not online, where will the meetings take place? And in case of multiple locations, please indicate frequency for each location.	The majority of the meetings will take place online. But in some occurrences a live meeting will take place, for example a kick off meeting. The location can be vary, this could be in the RVO office in Utrecht or at the location of the Contractors.
45.	Expert support on soil investigations , Expert support on ecological investigations	Tender document - section 3.6.5 - Hourly rate	Rate of Expert cannot be higher than the rate of Senior Expert, how about experts from different disciplines, within and between the different lots, from different countries or various contractors? it might be possibility that due to different ratings an expert of one discipline is higher than the senior expert of another discipline or subcontractor.	The decision by the Contracting Authority is to only allow two rates for the experts. The Lots are separate tenders, so the rate of a senior expert in Lot 1 will not be compared with the rate of an expert in Lot 2.
46.	Expert support on soil investigations	Tender document - section 3.6.6 - Per diem rates	The link regarding the EC per diem rates is not functioning, can you send the correct link?	https://international-partnerships.ec.europa.eu/document/download/167fc5d8-015b-4a51-85b1-266891fbcc21_en?filename=per-diem-rates-20241108_en.pdf

	, Expert support on ecological investigations			
47.	Expert support on soil investigations	Annex 5a SoW Soil expert - 2 Roles and Responsibilities - Hour estimation	Will the winning tenderer be compensated from the allocated optional hours, or does it require a renegotiation phase in the event of exceptional subsurface conditions, thus leading to the creation of an extremely complex soil model, and related workload of expert support by the winning tenderer?	No, it does not need a negotiation phase. The estimated hours are also including the optional hours. The same terms from the agreement continue to apply when the optional hours are used.
48.	Expert support on ecological investigations	Tender document - section 3.5 - SROI	We are currently preparing a proposal for the assignment "opstellen van een milieueffectrapportage (MER) voor windparken op zee in windenergiegebied Doordewind" (202501015) for the Ministry of Climate Policy and Green Growth. Can you confirm that the MER Doordewind project is not covered by clause 3.5 and that staff can therefore work both on the expert support offshore wind - area 6/7 and the MER Doordewind simultaneously?	This is confirmed, because it does not fall under the specifications as laid out in section 3.5 of the tender document and adjustments made in question 41 in this MOI.
49.	Expert support on soil investigations	Annex 5a SoW Soil expert - 2 Roles and Responsibilities; subject: responsibilities	Can we assume that ground investigation will have one main GI contractor responsible for the correct and consistent delivery of GI results, to deal with by the geotechnical expert.	It is not clear what is meant with the ground investigation. If this relates to all soil studies the expectation is that there will be multiple contractors performing the ground investigation studies within a wind farm zone.
50.	Expert support on	Annex 4a and Tender	QUOTE "The rates must be "all-in": this includes e.g.: travel and	For the amount of meetings please see answer to question 44. To be clear the international travel costs up on RVO's

	soil investigations	Document section 3.6.1	accommodation expenses, etc.)" UNQUOTE. Could RVO inform how many in-person meetings are to be expected during the assignment and if possible where the meetings will be held?	request and described as in section 3.6.6. can be reimbursed by RVO.
51.	Expert support on soil investigation, Expert support on ecological investigations	GTC18 section 3.1	Please confirm that the Contractor is obligated to use a reasonable degree of skill, care, and diligence in providing the services.	This is confirmed, as long as the requirements are met.
52.	Expert support on soil investigations	GTC18 section 4.5	Please confirm that the Contracting Authority's acceptance cannot be unreasonably withheld.	This is confirmed.
53.	Expert support on soil investigations	GTC18 section 13	Please confirm that the confidentiality obligation shall remain in effect for a maximum period of 5 years from the date of the last disclosure or the termination of the contract, whichever occurs first. Otherwise, please specify the term of this obligation.	This is confirmed.
54.	Expert support on soil investigations	GTC18 13.3	Please confirm that the (potential) conditions must be reasonable	Not agreed, this will not be changed.
55.	Expert support on soil investigations	GTC18 section 13.5	Please confirm the deletion of the penalty.	Not agreed, after contract award a non-disclosure agreement must be signed.

56.	Expert support on soil investigations	GTC18 section 15.2	Please clarify what is meant by "certificate of conduct" and if there are any acceptable alternatives.	Please see answer 12.
57.	Expert support on soil investigations	GTC18 section 16.2	Please confirm that, in the event of a contract variation, the Contractor is entitled to an additional fee and an extended execution term.	Not agreed, a contract variation will not automatically lead to an additional fee and/or an extended execution time. This depends on the type of variation.
58.	Expert support on soil investigations	GTC18 section 17.3	Please clarify whether the rates include travel and accommodation expenses.	Please see section 3.6.1. of the Tender document and see answer to question 50 for more details about the travel costs.
59.	Expert support on soil investigation, Expert support on ecological investigations	GTC18 section 19	Please confirm that this clause is not applicable as no advance payment is foreseen.	The Contracting Authority will exercise restraint in making a payment for Services not yet delivered. Given the nature of the Services, it is not expected that this will be used.
60.	Expert support on soil investigations	GTC18 section 21.3	Please confirm the exclusion of liability for indirect and consequential damages. Please confirm the use of "per claim" instead of "per event" to align with our insurance policy.	This is not confirmed. Under the law, parties are in principle unlimitedly liable for damages they cause. Damage is understood to mean property damage and other disadvantage (immaterial damage, insofar as the law entitles to compensation thereof). The law makes no distinction according to types of damages (such as direct, indirect or consequential damages). Consequently, the State does not make this distinction either. Moreover, liability is limited under Article 21 paragraph 3 ARVODI-2018. The State does not consider it appropriate to further limit liability. After all, the limitation of liability based on the graduated scale entails that the State must bear part of the damage caused by the Contractor itself and/or pay for it with public funds.

61.	Expert support on soil investigations	GTC18 section 24.2	Please confirm that only the foreground Intellectual Property Rights will be transferred to the Contracting Authority, while the Contractor will retain its background IPR and know-how.	This is confirmed.
62.	Expert support on soil investigations	GTC18 section 26.2	Please confirm that an insurance certificate is sufficient.	This is confirmed.
63.	Expert support on soil investigations	Contract Agreement section 3.3	Please provide clarification on the definition of "materials."	See section 3.6.1. of the Tender Document. This includes all items required to perform the requested works (e.g. physical equipment, materials, hardware, software, etc.)
64.	Expert support on soil investigations	Contract Agreement section 6	Please amend the clause to include the general standard of execution of the contractor to perform the services under the agreement (reasonable skill, care, and diligence)	Not agreed.
65.	Expert support on soil investigations	Contract Agreement section 6.2	Please confirm the deletion of the penalty stated in article 6.2 as it is contrary to our internal policy on penalties.	Not agreed.
66.	Expert support on soil investigation, Expert support on ecological investigations		The tender asks for experts who can contribute and think about the execution of the various studies. At the end of this period, these experts will help in hiring companies for the final execution of the studies. The question is as follows: Can these experts also hire their own company to carry out the fieldwork for the studies? We do have experts who are suitable for this tender, but we would prefer to	No, in this case this will be seen as a conflict of interest. Please refer to question 41.

			contribute to the execution of the various studies.	
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