

# **Market Consultation Software Brokers**

**Contracting authority:**

The Netherlands Organisation for Applied Scientific Research (Nederlandse Organisatie voor Toegepast Natuurwetenschappelijk Onderzoek, TNO)

|                           |   |                                      |
|---------------------------|---|--------------------------------------|
| <b>Document reference</b> | : | <b>WS3042075569</b>                  |
| <b>Date</b>               | : | <b>27<sup>th</sup> of March 2026</b> |

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## 1. Introduction

In preparation for the multiple vendor tender for a Software Broker. TNO invites you to participate in this market consultation. Through this market consultation, TNO wants to gather more information from the market to form a better picture of the feasibility of the tender and solution directions. You will have the opportunity to share your knowledge and experience with TNO.

This document describes the TNO organization, content, objectives, planning, preconditions and procedural issues of the market consultation.

After the market consultation, TNO will start with the preparation of a European Tender.

### 1.1. Purpose

Before TNO prepares for the tender, TNO wants to consult the market on how this tender can (broadly) be designed. As part of this market consultation, specific advice is sought on how the potential market can meet the requirements of TNO. The market consultation will be sent to the known software brokers in the market.

The market consultation provides benefits for all parties involved. TNO investigates what is possible and what the perception of the market is. An additional advantage is that interested market players get an early view and a good picture of the assignment. Moreover, the answers you provide in the market consultation can influence the requirements that will be reflected in the tender. In this way, participants can contribute to the success of the tender.

The purpose of the market consultation covers the following aspects:

- Gaining insight into whether the market can meet the requirements of TNO;
- Gaining insight into the current options and choices in the market;
- Gaining insight into the market's visions, ideas and suggestions;
- Probing the interest in this possible procurement;

The results of the market consultation can be anonymously incorporated into the potential tender documents.

### 1.2. Contact details

Contact person for communication regarding the market consultation is:

|                  |   |                                           |
|------------------|---|-------------------------------------------|
| Name             | : | Yvonne Pas                                |
| Role             | : | Procurement Advisor                       |
| Department       | : | Procurement                               |
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| Visiting address | : | Anna van Buerenplein 1, 2595 DA, Den Haag |

In the event of absence, the Category Manager may be replaced by a designated alternate with equivalent authority.

|                |   |                      |
|----------------|---|----------------------|
| Name           | : | Hélène Bosman        |
| Role           | : | Category Manager     |
| Department     | : | Procurement          |
| E-mail address | : | Helene.Bosman@tno.nl |

### 1.3. TNO

The Netherlands Organisation for Applied Scientific Research TNO, hereinafter referred to as TNO, is a modern Unit-driven Research & Knowledge organisation and was established by law in 1932 to make scientific research applicable to companies, governments and civil society organisations and thereby strengthen innovative capacity. TNO is a public-law legal entity and operates under the ministerial responsibility of the Minister of Economic Affairs but as an organisation it carries out its tasks independently.

About 5.000 employees work daily to develop and apply innovative knowledge. TNO provides contract research and specialist consultancy, licenses patents and specialist software. TNO also sets up new companies to bring innovations to the market.

TNO's strength lies in combining diverse fields of science to create ground-breaking and sustainable solutions. TNO does this increasingly by working together with governments, industry, other knowledge institutes and civil society organisations, both nationally and internationally. Through its activities, TNO stimulates economic growth and social innovation.

TNO's mission is to create impactful innovations for the sustainable well-being and prosperity of society. How TNO fulfils this mission is described in the strategic plan 2026-2029. TNO focuses on four societal challenges; a safe society, a healthy society, a sustainable society and the digitalization of society and industry. TNO's goal is to connect, change and accelerate: 'Innovation for Life'

For more information about TNO, see: [tno.nl/en](https://tno.nl/en)

#### 1.4. Organisational structure TNO

With TNO's high ambition comes an organizational form that optimally facilitates it and a culture that challenges employees to innovate and collaborate. The TNO organization has a unit structure and looks as follows:

The 6 organizational units (units) are market-oriented and recognizable to TNO customers and partners. The units are spread throughout the Netherlands with a total of 23 locations/research facilities. The head office is located in The Hague which houses the central staff bodies (Shared Services Organization) and from where the entire TNO organization is supported and managed.



Figure 1: Organisational structure TNO

#### Procurement organisational unit

The Procurement department carries out procurement on behalf of TNO in close cooperation with Information Services Department (hereinafter 'IS'). Procurement, as part of the Finance, Procurement & Legal (FPL) department, is responsible for organizing and executing procurement processes and ensures that these processes are in line with the TNO objectives.

## 2. Proposed tender

### 2.1. Background information

For over eight years, TNO has maintained a stable relationship with its software broker under a framework agreement. This agreement was originally designed to provide predictable costs and streamlined procurement in a relatively static software market. However, the software market has evolved significantly in recent years, driven by cloud adoption, subscription models, and stricter compliance requirements. In addition to working with the designated reseller, TNO also collaborates with SURF for certain specialized licenses, as TNO is both a shareholder and a member of SURF.

TNO manages a diverse software portfolio:

- **The Microsoft Licenses.**
- **75–100 licenses** from major vendors for widely adopted tools in data analysis, modeling, and enterprise operations.
- **500–700 specialist licenses** for niche applications used by researchers and engineers.

#### Microsoft and Microsoft Contracting Model

The total Microsoft contract has a value of about € 5.000.000,-

TNO has an existing Microsoft Enterprise Agreement that is concluded via the Dutch central government framework (Rijksoverheid / Strategic Supplier Management Rijk). This arrangement provides TNO with predefined discounts on Microsoft list prices. As a result, the role of the software broker/reseller is limited to administrative order processing, including the annual True-Up and interim license expansions. Pricing negotiations and contract terms with Microsoft are not part of the broker's scope under this agreement.

#### Major Vendors

The major vendors (75–100) have a value of about € 5.000.000,- and include vendors like Ansys, Acrobat, Mathworks, Splunk, Entra, Gitlab, Matlab and Freshservice. The supplier is responsible for handling quotation and renewal requests, as well as processing software requests, in accordance with the agreed SLA. All requests must be completed within a maximum turnaround time of 5 business days. Additionally, the supplier must provide a complete and properly organized document set, including the End-User Agreement, License Agreement, Data Processing Agreement, Proof of Entitlement, Procurement documentation and Terms and Conditions in PDF format.

Additional the following work is requested:

- 1 **Legal and Sanctions Compliance Check** on all requests.
- 2 **Mandatory Notification** regarding GDPR-related components within data.
- 3 **Mandatory Notification** of any changes to license terms and conditions.
- 4 **Provide Advice** on licensing models where TNO is currently not purchasing optimally from a financial perspective.
- 5 **On-Demand Advice** on suppliers for various software solutions.
- 6 **On-Demand Consultancy** on different Software Asset Management (SAM) and software-related topics.

SAP licenses management is excluded from the broker. TNO buy's these licenses directly from SAP and management of these licenses are embedded with the strategic SAP partner.

#### Specialist licenses

The acquisition of specialist licenses requires careful assessment and professional handling due to their technical complexity, contractual impact, and potential data protection implications. Prior to purchase, it is essential that the supplier is thoroughly vetted, including verification of reliability, financial stability, contractual terms, and alignment with organizational and procurement policies.

In addition, the necessity and impact of data processing must be assessed, and advice must be provided regarding compliance with applicable data protection regulations, including the General Data Protection Regulation (GDPR). This includes evaluating data flows, data storage locations, access rights, and the need for data processing agreements or additional safeguards.

The process also involves providing expert advice on license models, usage rights, scalability, and long-term cost implications, as well as coordinating internal approvals and ensuring proper documentation and administrative handling. These activities require specialized knowledge and are critical to ensuring that the license acquisition is compliant, justified, and fit for purpose. The specialist licenses (500–700) have an estimated total value of approximately €3,000,000. Given this significant investment, the acquisition of specialist licenses requires careful evaluation of necessity, cost-effectiveness, and alignment with strategic and operational objectives.

## 2.2. Purpose tender

TNO plans to acquire a new software broker to support our goals.

Our goals are:

### 1. Cost Optimization

- Secure competitive pricing for both mainstream and specialist software.
- Reduce overhead by consolidating purchases and leveraging volume discounts.
- Ensure transparent pricing models for cloud and subscription-based services.

### 2. Compliance & Risk Management

- Guarantee full compliance with licensing terms (Microsoft True-Up, audits).
- To avoid both under-licensing and over-licensing.
- Provide clear reporting and documentation for government and internal audits.

### 3. Flexibility & Scalability

- Allow easy scaling up/down of licenses as TNO's needs change.
- Include options for short-term licenses for projects or research initiatives.
- Support hybrid environments (on-premise + cloud).

### 4. Service & Support

- Ensure responsive customer service and escalation paths.
- Offer training or guidance for internal teams on license management.
- Provide a single point of contact for all software-related queries.

### 5. Sustainability & Innovation

- Align with TNO's sustainability goals (e.g., energy-efficient solutions).
- Facilitate adoption of innovative tools that enhance research productivity.

This is a European tender procedure based on the contract period (including implementation and management).

TNO intends to conclude a framework agreement with one (1) supplier.

Intended for a four year contract term, with the optional extension of two extensions of two years each (2x2)  
Maximum duration: eight years in total. The tender strategy will be further developed after this market consultation.

## 2.3. Scope of the Tender

The intention of TNO is to tender for the same scope as mentioned in the background information.

## 3. Procedure market consultation

The market consultation will be conducted in a written part (both via e-mail and TenderNed) and on-site part, in the form of an interview. Through this document, TNO would like to invite parties to participate in this market consultation.

TNO intends to start drafting the tender documents after collecting information during the market consultation. The overall planning would be to be able to send out the tender documents in Q3 2026 so that TNO can award the contract to the winning party in Q4 2026 and start the implementation.

### 3.1. Information round

Participating parties can ask questions and/or make comments on the market consultation documents. Questions can be submitted via e-mail, by contacting the contact person as described in Chapter 1.2. Questions asked in any other way will not be answered.

### 3.2. Method of submission

TNO asks parties to upload the completed answer form (attachment A-01) in a PDF.file (.pdf).

The answers provided will not be assessed and are for information purposes only. No value judgements will be

made or communicated on the submitted answer form. The answers will not be shared with other market participants.

### 3.3. Interview

#### Organisation and implementation

TNO invites you to answer the questions by mail, ((1) questionnaire and (2) feedback on requirements) and participate in an interview.

Depending on the preference of the market party, it is possible to make the presentation in Dutch or English. The core team from TNO speaks both Dutch and English.

You can bring in total two participants to this Interview. TNO needs to receive the name, role, nationality of the participants to inform the reception, and security of visitors.

The Interview will take place at the Anna van Buerenplein 1 location in The Hague or via Teams meeting. When scheduling the Interview, we will try to take your availability into account as much as possible. The available dates for the Interview are on:

*Note: Visiting our location is subject to an identification requirement. We follow government policy that only a valid passport, Dutch drivers licence or identity are recognised forms of identification (a non-Dutch driving licence is not accepted).*

#### Interview duration

The explanatory interview lasts a maximum of one hours and consists of the following parts:

- Introduction, getting acquainted: 15 minutes
- Discussing questions: 45 minutes

### 3.4. Planning

| Date                  | Activity                                                  | TNO / Market Party |
|-----------------------|-----------------------------------------------------------|--------------------|
| 27 March 2026         | Market Consultation document published by TNO (per email) | TNO                |
| 9 April 2026 10:00am  | Final submission date for questions                       | Market Party       |
| 17 April 2026         | Mailing of the final Memorandum of Information            | TNO                |
| 23 April 2026 10:00am | Deadline for submitting your input                        | Market Party       |
| Week 21/22            | Interviews                                                | TNO/Market Party   |

## 4. Conditions and principles

TNO has prepared this document with great care. If you nonetheless find any inconsistencies or imperfections, you should report them during the information round. Your participation in the market consultation is not obligatory. If you do participate in the market consultation, the conditions and principles below apply.

- In this market consultation, the general principles of European procurement law are observed. The principles are: transparency, non-discrimination, equal treatment and proportionality.
- This document is for market consultation purposes only.
- This market consultation is without obligation, both for participants and for TNO
- Market parties not participating in this market consultation are not excluded from participating in the possible tender. Nor are market parties participating in this market consultation in any way excluded or favored during the possible tender.
- Market parties that do or do not participate in this market consultation cannot derive any rights from it.
- TNO will not reimburse any costs for participation in this market consultation and will not accept any claims for damages.
- Participating market parties agree that the information provided by them may be processed anonymously in a summary of the results of this market consultation or in the tender documents.

- The information you provide becomes TNO property and is considered public, unless you explicitly indicate otherwise. The information provided is not subject to copyright or other proprietary rights.
- The information provided during the market consultation may differ from the information provided during the potential tender.
- TNO is in no way bound to apply the results of the market consultation.
- By submitting your response form, you unconditionally agree to the conditions and principles stated in this document.

TNO reserves the right:

- To modify the above planning.
- To stop the market consultation temporarily or permanently.
- To carry out the proposed procurement process in a different way than may have been communicated.

*Disclaimer:*

We greatly appreciate any effort to share information with us, and a presentation alone will be considered a valuable contribution. All input aimed at enhancing our understanding is sincerely appreciated.

This market consultation is entirely non-binding and does not oblige participants in any way. Participation does not imply any commitment to submit a tender or engage further.

## 5. Attachment A - 01

| 1. General company information |                                                                                                   | Answer |
|--------------------------------|---------------------------------------------------------------------------------------------------|--------|
| 1.1                            | Company name                                                                                      |        |
| 1.2                            | Name, role, email                                                                                 |        |
| 1.3                            | Do you cooperate with other suppliers in offering the product?                                    |        |
| 1.4                            | Do you have any experience with similar organizations? (i.e large long-tail & specialty software) |        |

| 2. Scope and Requirements |                                                                                                                                                                                                                                                                                                                                                                                                                                    | Answer |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 2.1                       | What is your organization's experience with Microsoft technologies and environments, and how is this experience applied within comparable client organizations?                                                                                                                                                                                                                                                                    |        |
| 2.2                       | How does your team's expertise in Microsoft products and services support and integrate with our operational processes?                                                                                                                                                                                                                                                                                                            |        |
| 2.3                       | Can you elaborate on (additional) services which you provide, like: <ul style="list-style-type: none"> <li>• Vendor specific support, like Microsoft licensing support or Broadcom licensing support</li> <li>• Providing EULA's and/or DPA-documentation as part of the quote</li> <li>• Alerts on acquisitions, (major) changes in (license) agreements</li> <li>• Assistance with contract negotiations with vendors</li> </ul> |        |
| 2.4                       | What reporting capabilities do you offer? Do you provide any tools or dashboards that give insight to TNO's orders?                                                                                                                                                                                                                                                                                                                |        |
| 2.5                       | Can you integrate with existing IT systems within TNO (i.e. SAP, SAM-tool, ITSM-tool)? What role can you play in ensuring accurate entitlement and contract records for TNO.                                                                                                                                                                                                                                                       |        |

| 3. Cost and Pricing Models |                                                                                                          | Answer |
|----------------------------|----------------------------------------------------------------------------------------------------------|--------|
| 3.1                        | How do you view pre-financing?                                                                           |        |
| 3.2                        | Please provide insight in your pricing model.                                                            |        |
| 3.3                        | Are there any additional costs for customisation, consultancy, support or maintenance? Please elaborate. |        |

| 4. Tender set up |                                                                                                                                                                                                                                                                                                                          | Answer |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 4.1              | TNO is considering two "lots". 1 main lot and 1 "challenging lot". The main lot consist of Microsoft and de major vendors and the challenging lot will consist of <b>specialist licenses</b> . All questions and remarks are requested.                                                                                  |        |
| 4.2              | Does your organisation apply digital sovereignty criteria as part of its software procurement procedures?<br>If so, please specify the criteria applied and outline how compliance with these criteria is assessed.                                                                                                      |        |
| 4.3a             | Does your organisation assess whether the software vendor, including any parent company, is legally established within the European Union and whether no entity outside the EU can exert influence over the service delivery?                                                                                            |        |
| 4.3b             | Does your organisation evaluate whether the software vendor can demonstrate full compliance with all applicable European laws and regulations—including, but not limited to, privacy, data-sharing, and security requirements—and whether the vendor cooperates with independent audits to substantiate such compliance? |        |
| 4.3c             | Does your organisation assess whether the software vendor adheres to open standards to ensure interoperability and data                                                                                                                                                                                                  |        |

|      |                                                                                                                                                                                                                                                                                                                        |  |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|      | portability?                                                                                                                                                                                                                                                                                                           |  |
| 4.4a | When procuring SaaS solutions, does your organisation assess whether the cloud infrastructure, data storage, and data-processing activities are physically located within the EU?                                                                                                                                      |  |
| 4.4b | Does your organisation evaluate whether the SaaS provider implements strict data-security measures and ensures that the customer (TNO) maintains full control over its data at all times?                                                                                                                              |  |
| 4.4c | Does your organisation assess whether no unauthorised access to customer data is possible, either by the SaaS provider or by any third parties?                                                                                                                                                                        |  |
| 4.4d | Does your organisation evaluate whether the SaaS provider guarantees full operational independence from non-EU entities, including with respect to hardware, support services, and any other components that may influence service delivery?                                                                           |  |
| 4.4e | Does your organization assess tools with regard to the use of open-source software? This is part of whether open-source components are included in the solution and have identified the applicable open-source licenses under which these components are provided when bundled with the vendor's proprietary software. |  |

| 5. Implementation and Integration |                                                                                                                                                                         | Answer |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 5.1                               | What could be the main factor affecting the lead time of an implementation process? Would you be able to share a planning?                                              |        |
| 5.2                               | What experience do you have with registering and processing software orders, and how could this be supported within a single shared tool to avoid duplicate data entry? |        |

| 6. Compliance and Security |                                                                            | Answer |
|----------------------------|----------------------------------------------------------------------------|--------|
| 6.1                        | How does your software comply with relevant regulations and standards?     |        |
| 6.2                        | What security measures and data protection protocols do you have in place? |        |

| 7. Sustainability |                                                                                          | Answer |
|-------------------|------------------------------------------------------------------------------------------|--------|
| 7.1               | How does your company contribute to reducing the environmental impact of its operations? |        |

| 8. Support |                                                                                                                                     | Answer |
|------------|-------------------------------------------------------------------------------------------------------------------------------------|--------|
| 8.1        | Which software vendors do you have direct partnerships with?                                                                        |        |
| 8.2        | Which major vendors are you authorized for? (E.g. Microsoft, Oracle, Adobe, SAP, etc.)                                              |        |
| 8.3        | How do you stay updated on vendor licensing changes and new offerings?                                                              |        |
| 8.4        | Please provide information on how your support team is organized. (E.g. Dedicated team? Dedicated Account management?)              |        |
| 8.5        | How is continuity of the support team ensured?                                                                                      |        |
| 8.6        | What is your regular support window? Do you provide different support levels? (e.g., standard and urgent orders/software requests?) |        |
| 8.7        | From which geographical locations (EU and/or non-EU countries) do you provide support, and how is this organized in practice?       |        |

| <b>9. Future developments</b> |                                                                                                             | <b>Answer</b> |
|-------------------------------|-------------------------------------------------------------------------------------------------------------|---------------|
| 9.1                           | To what extent do you use AI for customer support (e.g. chatbots, automated responses, AI-assisted agents)? |               |
| 9.2                           | What innovations or trends do you foresee?                                                                  |               |

| <b>10. Feedback and suggestions</b> |                                                                            | <b>Answer</b> |
|-------------------------------------|----------------------------------------------------------------------------|---------------|
| 10.1                                | Do you have any feedback or suggestions for improving our tender document? |               |
| 10.2                                | Are there any additional insights or considerations we should be aware of? |               |
| 10.3                                | Do you need any more information from us?                                  |               |
| 10.4                                | Have you become interested in participating in this tender?                |               |