

SUITABILITY AND MINIMUM REQUIREMENTS LEGAL

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))

INTRODUCTION

This document sets out the requirements imposed by the Contracting Authority for all Lots to determine whether a Candidate is eligible for admission to the DAS. To this end, Suitability Requirements are applied.

SUITABILITY REQUIREMENTS:

1. Professional Experience

The Candidate must demonstrate that it can deploy legal professionals who meet all the following minimum requirements:

- At least 5 years of relevant professional experience in the legal field;
- Proven experience in providing legal advice and support within one or more of the following areas:
 - Corporate Law, Commercial Law or corporate governance matters;
 - Administrative Law
 - Public Law (including the *Wet open overheid*);
 - Procurement and Tender law;
 - Labour law;
 - Privacy and Data Protection Law;
 - State Aid Law;
 - Tax Law;
 - Complaints or Litigation;
 - M&A advisory, including advice on private equity or venture capital transactions, investments, partnerships, and transaction and corporate structures;
 - Review and amendment of financing arrangements, security interests and guarantees, including (LMA-style) loan documentation;
 - FR&R-related legal matters (including insolvency law or enforcement of security).

2. Organisational Context Experience

The Candidate must demonstrate experience with legal assignments performed in at least one of the following contexts:

- Public or Semi Public Organisations;
- State-Owned Enterprises;
- Financial Institutions or Development Finance Institutions;
- Organisations operating in an international or cross-border context.

MINIMUM REQUIREMENTS

3. Language Proficiency

Legal professionals deployed under this category must have:

- Professional working proficiency in English (spoken and written);
- Knowledge of Dutch is an advantage but not mandatory, unless explicitly required in a Specific Assignment.

The suitability requirements may be verified at a later stage, including as part of a Specific Assignment in Phase 2.

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