



Project:

Framework Agreement for Technical Support Services
relating to Licensing and Oversight in the Area of Nuclear
Security

Selection Guidance for European Public Procurement	
Type of Procedure	Restricted procedure, based on the Defence and Security Procurement Act
Contracting Authority	State of the Netherlands, Ministry of Infrastructure and Water Management Authority for Nuclear Safety and Radiation Protection (ANVS)
Reference Number	TN590387
Version	1.0
Status	Final
Date	10 June 2026

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

TABLE OF CONTENTS	PAGE
1 Scope of Work.....	4
1.1 Description of the Organisation	4
1.1.1 Ministry of Infrastructure and Water Management (IenW)	4
1.1.2 Authority for Nuclear Safety and Radiation Protection (ANVS).....	4
1.2 Description of the scope.....	7
1.2.1 Scope of work	7
1.2.2 Duration and scope of the framework agreement.....	9
1.2.3 Modification of the contract	10
1.3 Technical Specifications.....	11
1.4 General Security Requirements	12
2 REQUIREMENTS FOR POTENTIAL SUPPLIERS.....	13
2.1 One-time submission of an Request to Participate, independently or as a Consortium	13
2.1.1 Independent Request to Participate.....	13
2.1.2 Consortium	14
2.2 Subcontractors	14
2.2.1 Reliance on others’ capacities.....	14
2.2.2 Other subcontractors.....	15
2.3 Mandatory exclusion grounds.....	15
2.4 Optional exclusion grounds.....	16
2.4.1 General	16
2.4.2 Council Regulation (EU) 2022/576 on Russian entities.....	17
2.5 Selection criteria	17
2.5.1 Suitability to pursue the professional activity.....	17
2.5.2 Economic and financial standing	17
2.5.3 Technical and professional ability	19
2.5.4 Quality assurance	20
2.5.5 Information security.....	21
2.6 Exclusion or rejection of a Potential Supplier.....	21
3 REQUIREMENTS FOR THE REQUEST TO PARTICIPATE.....	22
3.1 Shortlisting criteria	22

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

3.2 Selection method and assessment if there are more than three non-excluded and non-rejected Potential Suppliers 22

3.3 Required documentation 24

3.4 Announcement of selection decision..... 25

4 PROCEDURAL PROVISIONS 26

4.1 Timelines 26

4.2 Communication..... 27

4.3 Language 28

4.4 Questions, complaints and information..... 28

4.5 Compensation..... 29

4.6 Confidentiality..... 29

4.7 Request to Participate..... 29

4.8 Award and subaward criteria 30

5 LEGAL PROTECTION 31

5.1 Contact person 31

5.2 Complaints procedure 31

5.3 Committee of Procurement Experts 31

5.4 Summary proceedings 31

ANNEXES:

Annex 1 List of terms

Annex 2 Technical Specifications

Annex 3 Format Reference Project

Annex 4 Model Guarantee

Annex 5 Declaration of Integrity for external staff

Annex 6 Integrity Code of Conduct for the Central Government

Annex 7 ARVODI 2025

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

1 Scope of Work

The Contracting Authority hereby invites you to submit a Request to Participate in the procedure for:

A framework agreement for the provision of Technical Support Services relating to nuclear security licensing and oversight for the period of mid-2026 to mid-2036.

The procurement process follows a restricted procedure in accordance with the Defence and Security Procurement Act (Aanbestedingswet op Defensie- en Veiligheidsgebied, ADV).

A maximum of three potential suppliers who meet all the requirements and the selection criteria described in Section 3 will continue on to a second round; the award stage (the actual bid). If fewer than three potential suppliers express an interest or remain after selection, the Contracting Authority reserves the right to continue the process with fewer potential suppliers.

The procedure is fully electronic and takes place via the TenderNed online tendering platform. For more information about the use of TenderNed, see this [link](#).

Once the shortlisted suppliers are invited to submit an initial bid, they also receive guidance with more information on the bidding stage.

1.1 Description of the Organisation

1.1.1 Ministry of Infrastructure and Water Management (IenW)

The Contracting Authority is the State of the Netherlands, Ministry of Infrastructure and Water Management. The procurement process is administered by the Finance and Procurement Directorate (FenI) on behalf of the Authority for Nuclear Safety and Radiation (ANVS).

The Ministry of Infrastructure and Water Management is committed to improving quality of life, access and mobility in a clean, safe and sustainable environment. The Ministry strives to create an efficient network of roads, railways, waterways and airways, effective water management to protect against flooding, and improved air and water quality. To achieve these goals, the Ministry creates, implements and enforces innovative policies. The Ministry of Infrastructure and Water Management stands for access, safety and liveability. For more information about the Ministry of Infrastructure and Water Management, see <https://www.government.nl/ministries/ministry-of-infrastructure-and-water-management>.

1.1.2 Authority for Nuclear Safety and Radiation Protection (ANVS)

The Authority for Nuclear Safety and Radiation Protection (ANVS) ensures compliance with the highest standards of nuclear safety and radiation protection in the Netherlands. To achieve this, the ANVS defines rules, issues licences, manages registrations and monitors and enforces compliance as needed. The establishment of the ANVS in 2015 brought together the knowledge and expertise

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

required to perform these duties. The ANVS became an independent administrative authority on August 1, 2017. That means it can take independent decisions.

'Continuous improvement in safety' is the guiding principle of the ANVS. The ANVS ensures that operators of nuclear facilities and companies that work with ionising radiation comply with the latest national and international laws and regulations on safety and security. The ANVS also oversees the transport of nuclear and radioactive materials. Licensees are primarily responsible for managing safety risks themselves. In the event that safety standards are not being applied correctly, the ANVS will intervene. The ANVS ensures that licensees and responsible parties implement improvements in a timely manner. In order to maintain the highest levels of nuclear safety and radiation protection, the Netherlands is a member of national and international organisations and closely monitors current developments.

ANVS areas of activity

The ANVS has five areas of activity:

1. Nuclear safety
2. Radiation protection
3. Radiological and nuclear emergency preparedness and response
4. Nuclear security and safeguards (fulfilment of non-proliferation obligations)
5. Policy, laws and regulations

Nuclear safety

Activities relating to nuclear safety are aimed at establishing appropriate conditions for the operation of nuclear facilities and ensuring licensees' compliance with these conditions. In this way, the ANVS works to achieve the best possible protection for workers, residents of the Netherlands and the environment against the risks posed by nuclear facilities. Such facilities are used for nuclear power generation, for research purposes, for the production of isotopes for medical and industrial applications, for the enrichment and storage of fissionable materials and the collection, processing and storage of radioactive waste. In order to demonstrate the safety of facilities, operators are obliged to produce and maintain detailed safety analyses. The ANVS reviews and assesses these analyses based on the latest national and international insights in the areas of nuclear safety and environmental impact.

Radiation protection

The ANVS's activities relating to radiation protection are aimed at ensuring the best possible protection of people and the environment against the potentially harmful effects of exposure to ionising radiation. In pursuit of these goals, the ANVS works closely with organisations such as the Ministry of Social Affairs and Employment and the Ministry of Public Health, Welfare and Sport, which are also involved in the protection of workers and patients. Exposure to ionising radiation can result from the use of X-rays or of radioactive materials in medical research or treatment. Radioactive or fissionable materials used in industry or research applications can be sources of radiation as well. Examples include medical isotope production for use in healthcare, the transport of radioactive and fissionable materials and the processing of radioactive waste. There are also naturally occurring radioactive materials that produce ionising radiation.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Nuclear security and safeguards

The ANVS oversees the security of nuclear facilities and radioactive material. Such security is aimed at preventing theft or sabotage of processes, information, materials and equipment at nuclear facilities or during the transport and handling of radioactive material. The ANVS's safeguarding duties ensure that nuclear energy, nuclear material and the associated information are used only for peaceful purposes. The International Atomic Energy Agency (IAEA) and Euratom play important roles in terms of oversight and control in this regard.

Together with various ministries, the ANVS is involved in the definition, establishment and enforcement of measures to secure nuclear materials and information. National and international non-proliferation agreements aim to promote the peaceful use of certain types of nuclear material and knowledge.

ANVS tasks

The ANVS undertakes the following tasks in its areas of activity:

- **Advice on policy, laws and regulations**
The ANVS advises on the development of policy, laws and regulations and issues executive orders.
- **Licensing**
The ANVS oversees and assesses authorisation processes and, if all regulatory conditions have been met, issues licences for e.g. the use of radiological equipment, the transport of radioactive materials and the construction or modification of nuclear facilities, and manages registrations. The ANVS also registers and assesses notifications. The ANVS further registers and accredits radiation protection experts and accredits training institutions. The ANVS assesses technical safety aspects at nuclear facilities and of radiation protection measures.
- **Oversight and enforcement**
The ANVS oversees and enforces the safe use of radiation, the transport of radioactive material, safety at nuclear facilities in the Netherlands, security and safeguards.
- **Emergency preparedness and response**
Together with various partner organisations, the ANVS works to ensure that the Netherlands is prepared for nuclear or radiological incidents to the fullest extent possible. The ANVS is involved in radiological emergency response co-ordination and advises on measures to be taken in the event of safety incidents. Exercises are held regularly and there is a 24-hour emergency response service. The ANVS also participates in national and international platforms for information exchange in the event of incidents with cross-border radiological consequences.
- **Public awareness**
The ANVS communicates transparently, proactively and factually with the general public, safety regions, local authorities, businesses and the media. It provides information on e.g.

licensing processes, laws and regulations and abnormal operational occurrences at nuclear facilities.

- **National and international co-operation**

The ANVS collaborates with various national and international authorities and organisations. Dutch activity at an international level focuses on active involvement in initiatives for the improvement of radiation protection and nuclear safety worldwide.

1.2 Description of the scope

1.2.1 Scope of work

This procedure concerns a framework agreement for nuclear advisory services (Technical Support Services) including inspections, assessments, consulting and training in the field of nuclear security during the period of 2026–2036.

Under the Dutch Nuclear Energy Act (Kew), the Authority for Nuclear Safety and Radiation Protection (ANVS) is responsible for overseeing nuclear safety, radiation protection and nuclear security. The ANVS's activities in these areas include inspections, advice to public authorities and assessments in support of licensing and approval decisions. Like many other nuclear regulatory agencies around the world, the ANVS relies on the support of so-called Technical Support Organisations (TSOs). TSOs support regulators in fulfilling their legal duties, for example through the provision of specialist technical advice or assistance with inspections.

The ANVS also has legal duties relating to nuclear security that are supported by TSOs. Examples of such activities include complex technical assessments of the adequacy of nuclear power plant designs to protect against sabotage or theft of nuclear materials.

The TSO must have the ability to (1) undertake inspections, (2) conduct assessments, (3) provide advice and (4) develop and provide training. These tasks are described by the ANVS in an annual work plan and formalised in a further contract once a year under the framework agreement. The work plan and further contract define the tasks the contractor must complete in that year. The ANVS's description includes at least the type of task (inspection, assessment, advice, training), the estimated scope, the subject matter, the required qualifications, locations and the deadlines for completion. The contractor's obligations are based on these annual plans. The ANVS may revise the annual plan in case of unexpected developments. The scope of each annual plan is strongly dependent on the progress in planning and building new nuclear power plants and other facilities in the Netherlands.

1.2.1.1 Inspections

The scope of work concerns assistance in preparing for and/or conducting inspections. Proven technical expertise and practical experience with carrying out inspections are essential.

Examples of relevant activities:

- Undertaking on-site inspections during the construction of a nuclear facility or the implementation of (nuclear) security systems. This requires a practical understanding of the installation and configuration of security systems.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

- Attending and evaluating Factory Acceptance Tests (FATs) of components intended for nuclear facilities. This requires a practical understanding of the relevant production and testing methods.
- Providing technical input on, or during inspections of, measures to improve security, for example to protect facilities and facility components against sabotage.

The TSO always acts in support of the ANVS inspector. The performance of fully independent inspections is not part of the scope.

Inspections may concern the design and production processes of components or systems intended for use at a nuclear facility. This requires relevant knowledge and experience with design and production quality control for complex components and systems.

1.2.1.2 Assessment

The scope of work includes the assessment of documents and analyses in the area of nuclear security. This includes expert advice and assistance in assessing documentation and analyses relating to both licensing and oversight.

The assessment framework consists of relevant national and international laws and regulations, international guidance such as the IAEA Nuclear Security Series, relevant (nuclear) standards and the current state of the art. The TSO may be asked to advise on specific parts of an assessment, to conduct all or part of an assessment independently and report the results to the ANVS or to provide an additional, independent point of view during assessments by the ANVS. How such reporting takes place will be agreed per activity and can take the form of a meeting, a presentation, a summary of findings or an assessment report. In all cases, the deliverables are advice, expert opinions or information intended for the ANVS. The ANVS remains responsible for all decision-making (based partly on the information supplied by the TSO).

The area of expertise concerns physical and digital security at nuclear facilities and the interface between nuclear safety and security (sabotage analyses, load calculations for civil works, ventilation system design, shielding calculations, I&C, etc.). The TSO is also expected to provide expertise on current international benchmarks in these fields. Assessments unrelated to nuclear security are not part of the scope.

For certain assessments, the ANVS may find it useful to have the TSO perform independent calculations relating to various security analyses for a facility. That includes developing an analytical model (modelling of parts of the facility relevant to the security analysis by the TSO using appropriate software), performing analyses and reporting the results to the ANVS in plain language.

1.2.1.3 Advice and training

The scope of work includes the provision of advice and the development and delivery of training relating to nuclear security. These tasks involve the gathering of information on the current international technological or regulatory state of affairs or developments with regard to specific topics, possibly including international comparisons. That information is then used to advise ANVS

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

on the impact of new technologies or certain aspects of new regulations. The work also involves the gathering of information on how other regulators operate, implement improvements and manage risks to inform the ANVS's Regulatory Experience Feedback (REF).

Examples of information-gathering:

- Drawing up an overview of cybersecurity incidents in the past year at nuclear reactors comparable to the Borssele nuclear power plant, with lessons learned.
- Gathering information on international implementation of, or studies on, measures to build resilience against security incidents.
- The development and provision of training for new ANVS inspectors on the basic principles of nuclear security.

1.2.2 Duration and scope of the framework agreement

The Contracting Authority estimates the total value of the framework agreement as €9,100,000.00 exclusive of VAT over the framework agreement's full ten-year period. This value is based on expected licensing applications for the construction of two new nuclear power plants of the type Pressurized Water Reactor (PWR) during the contract term. It is assumed that proven technology is used for the construction of these reactors which has previously been successfully deployed within the last ten years, in a country with comparable regulatory requirements regarding nuclear safety and security, and that limited modifications to the chosen technology or design are required.

The framework agreement does not include a purchase obligation for the stated estimated value or quantity. The value is an estimate and the Contracting Authority is not obliged to spend or exploit it in its entirety.

The maximum value of the framework agreement is €11,375,000.00 exclusive of VAT. This maximum value is calculated as 125% of the estimated value. The maximum value takes into account minor uncertainties regarding choices with respect to the technical design, location and project progress of future nuclear power plants in the Netherlands.

The initial term of the contract is seven years, followed by three options to extend the term by one year each, up to a maximum term of ten years. The maximum term of ten years, including the associated extension options, deviates by three years from the maximum term of seven years for framework agreements under Article 2.129(3) ADV. This longer term is necessary for this contract for the following reasons.

First, the technical difficulties that a change of contractor may cause constitute an independent ground for the longer term. The contract requires in-depth and site-specific knowledge of complex nuclear technology, designs and legislation and regulations, including those relating to existing and new nuclear power plants and new technologies for SMRs. Building up this knowledge, including the associated training and onboarding time for the contractor's personnel, is time-intensive. More frequent changes of contractor therefore give rise to significant risks to the continuity and quality of the services.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Second, the expected lifetime of the installations and systems to which the TSO services relate justifies a further extension of the term. Nuclear facilities involve long-running construction and operational trajectories. It is necessary to avoid a situation in which the contract must be terminated and re-tendered at an inopportune moment — such as during a critical phase in the construction of a nuclear facility. The term and extension options provide the room and flexibility to align the duration of the contract with these trajectories, without the Contracting Authority being bound in advance to an end date that coincides with such a phase.

Given the critical importance of this contract to nuclear safety, a maximum term of ten years is proportionate and necessary to manage these risks.

1.2.3 Modification of the contract

During the term of the framework agreement, the Contracting Authority reserves the right to modify the contract in the manner described below. The contract is subject to ADV. However, the ADV does not contain a provision equivalent to the modification regime under Articles 2.163a to 2.163g of the Dutch Procurement Act 2012. Strictly speaking, therefore, only the rules derived from the *Pressetext* judgment apply (on the basis of which the aforementioned provisions of the Dutch Procurement Act 2012 were codified). In order to avoid any ambiguity as to the scope available to the Contracting Authority to modify the contract, the Contracting Authority sets out below the relevant grounds for modification. The Contracting Authority is at all times entitled to rely on the grounds for modification set out below.

1.2.3.1 Minor modifications (de minimis rule)

The contract may be modified without a new procurement procedure where:

- the value of the modification is below the applicable European threshold and below 10% of the value of the original contract for services; and
- the modification does not alter the overall nature of the contract.

Where the contract contains an indexation clause, the updated value shall be used as the reference value for the purposes of calculating the threshold. Where successive modifications are made, the value shall be assessed on the basis of the net cumulative value of those successive modifications.

1.2.3.2 Review clauses

The contract may be modified on the basis of the review clauses set out in the contract, including the price indexation arrangement.

1.2.3.3 Additional services

The contract may be modified where:

- additional services to be performed by the original contractor have become necessary;
- those additional services were not included in the original procurement documents;
- a change of contractor is not possible for economic or technical reasons and would cause significant inconvenience or substantial duplication of costs for the Contracting Authority; and
- any increase in price does not exceed 50% of the value of the original contract.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Where the contract contains an indexation clause, the updated price shall be used as the reference value for the purposes of calculating the price. Where successive modifications are made, the 50% limit shall apply to the value of each individual modification. The Contracting Authority shall not carry out successive modifications with the intention of circumventing the applicable procurement rules. A modification meeting the conditions set out in this paragraph shall be published by means of a notice on the electronic procurement system.

1.2.3.4 Unforeseen circumstances

The contract may be modified where:

- the need for modification results from circumstances which a diligent contracting authority could not have foreseen;
- the modification does not alter the overall nature of the contract; and
- any increase in price does not exceed 50% of the value of the original contract.

The provisions concerning indexation clauses, successive modifications, intention to circumvent and publication as set out under paragraph 3 shall apply *mutatis mutandis*.

1.2.3.5 Substitution of contractor

The contract may be modified without a new procurement procedure where a new contractor substitutes the contractor to whom the Contracting Authority originally awarded the contract as a consequence of:

- an unequivocal review clause as referred to under paragraph 2; or
- universal or partial succession into the position of the initial contractor, following corporate restructuring, including takeover, merger, acquisition or insolvency, by another economic operator that fulfils the originally established selection criteria, provided that this does not entail other substantial modifications to the contract and is not carried out with the intention of circumventing the applicable procurement rules.

1.2.3.6 Non-substantial modifications

The contract may be modified where the modifications, regardless of their value, are not substantial. A modification is substantial where it renders the contract materially different from the one originally concluded. A modification shall in any event be considered substantial where:

- the modification introduces conditions which, had they been part of the original procurement procedure, would have allowed for the admission of other candidates than those initially selected, the award of the contract to another tenderer, or would have attracted additional participants to the procurement procedure;
- the modification changes the economic balance of the contract in favour of the contractor in a manner which was not provided for in the original contract;
- the modification extends the scope of the contract considerably; or
- a new contractor has replaced the contractor to whom the Contracting Authority originally awarded the contract in a case other than that provided for under paragraph 5.

1.3 Technical Specifications

The technical specifications applicable to the performance of the contract are described in Annex 2, Technical Specifications (TS).

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

1.4 General Security Requirements

The performance of this contract is subject to security requirements. These are described in Annex 2. The Dutch State classifies sensitive information, materials, goods and objects depending on the level of security required. For the performance of this contract, the highest applicable security classification is: State secret SECRET (TBB2, *Staatsgeheim GEHEIM*).

2 REQUIREMENTS FOR POTENTIAL SUPPLIERS

This section describes the exclusion grounds and selection criteria used to assess your eligibility for this procedure as a Potential Supplier. It also indicates which documents, if any, must be included along with your Request to Participate for each requirement. In accordance with Article 1(7) of the ADV, economic operators that do not have registered offices in the European Union (EU) or are not part of the European Economic Area (EEA) are excluded from participation in this procedure. This also applies to economic operators from other countries that have not signed the Government Procurement Agreement (GPA) and have not concluded a trade agreement with the EU.

2.1 One-time submission of an Request to Participate, independently or as a Consortium

An economic operator may not submit more than one Request to Participate. The Request to Participate may be submitted either independently, by a single economic operator, or by a Consortium of multiple economic operators. A Consortium counts as a single Potential Supplier.

If an economic operator submits an Request to Participate independently while also participating in an Request to Participate by a Consortium, the Contracting Authority will only assess the Consortium's Request to Participate. The independent Request to Participate will be excluded from the tender in that case.

Among members of a corporation or group, only one (1) Request to Participate may be submitted unless the various Potential Suppliers can demonstrate that their Requests to Participate in this tender have been drawn up independently of one another. If this cannot be satisfactorily demonstrated, all Requests of Participate by members of the corporation or groups will be excluded.

2.1.1 Independent Request to Participate

If you choose to submit an independent Request to Participate, you must fill in and submit a European Single Procurement Document (ESPD). You must complete sections A and B of Parts II, III, IV, V and VI of the ESPD. You must also submit the requested supporting documents at the Contracting Authority's written request.

Note:

To open and fill in the ESPD, you must use the special ESPD wizard in TenderNed. The submitted ESPD must be filled in by the Potential Supplier and signed by an authorised signatory. Include the file as a module along with your Request to Participate. For more information about the ESPD, see the European Commission website at: https://single-market-economy.ec.europa.eu/single-market/public-procurement/digital-procurement/european-single-procurement-document-and-ecertis_en

If you are participating independently and are not relying on other entities' capacity (see Section 2.2.1) to meet the selection criteria, you need only submit one ESPD. If you are relying on other

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

entities' capacities, you must submit ESPDs for each entity on which you are relying in addition to your own ESPD.

2.1.2 Consortium

You can also choose to submit an Request to Participate together with one or more other economic operators as a Consortium. If you are participating in the procurement procedure as a Consortium in partnership with other economic operators, this must be noted in your ESPD. Indicate your own role within the Consortium, for example if you are the lead supplier, allowing you to act as the authorised representative for the duration of the contract, or if you will be responsible for specific tasks.

Each Consortium member must complete and submit a separate ESPD. They must complete sections A and B of Parts II, III, IV, V and VI of the ESPD. Each participant must also submit the requested supporting documents at the Contracting Authority's written request.

Consortium members are both collectively and individually responsible for the performance of the contract.

Note: It is not permitted to modify a Consortium during the tendering procedure.

If your Consortium is relying on other entities' capacities as well (see Section 2.2.1), ESPDs are also required for each entity on which you are relying in addition to the ESPDs for the various Consortium members.

2.2 Subcontractors

2.2.1 Reliance on others' capacities

If, in order to meet the selection criteria, you wish to rely on the capacities of other entities such as your parent company, another legal entity or a natural person, this must be noted in your ESPD. It should also be clear from your Request to Participate for which selection criteria you are relying on the other entity's capacity.

The entity on which you are relying must fill in an ESPD as well, which you, the Potential Supplier, must submit via TenderNed. They must complete sections A and B of Parts II, III, and VI of the ESPD. This demonstrates the entity's suitability and the lack of relevant exclusion grounds as referred to in Part III of the ESPD.

The main contractor, or Potential Supplier, must supply all the required supporting documents at the Contracting Authority's request, including those for the other entity.

If you wish to rely on another entity for the financial and economic capacity requirement, this entity must also sign the model guarantee (Annex 4 or a holding company statement¹ (free format). This guarantees the entity's liability.

Note: If you will be relying on another entity's knowledge and experience for part of the work, this

¹ According to Article 2:403 paragraph 1 sub f of the Civil Code.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

other entity must actually perform that part of the contract. In signing the ESPD, the entities attest to their acceptance of this condition.

Collaboration with other entities does not affect the winning Tenderer's liability for performance of the contract as the main contractor.

2.2.2 Other subcontractors

In addition to the above entities, with the Contracting Authority's approval, you may also make use of other economic operators to perform parts of the contract during the framework period. These are subcontractors on whom you are not relying for the selection criteria.

While not mandatory, you can also indicate your intention to have one or more subcontractors perform part of the work in Part II D of the ESPD. Indicate the relevant parts of the contract and the proposed subcontractors, if known.

Wait for the Contracting Authority's request to submit an ESPD for any subcontractors. The subcontractor must complete sections A and B of Parts II, III, and VI of the ESPD. The main contractor, or Potential Supplier, must submit the subcontractor's ESPD and any other supporting documents on their behalf at the Contracting Authority's written request.

The contract may only be performed by the relevant subcontractors if there are no exclusion grounds as referred to in Part III of the ESPD and if the Contracting Authority has granted its approval.

Collaboration with a subcontractor does not affect the winning Bidder's liability for performance of the contract as the main contractor.

2.3 Mandatory exclusion grounds

In your ESPD, you self-declare that there are no exclusion grounds as stipulated in Part III of the ESPD (Article 2 (76) of the ADV) applicable to your company. To confirm this, you must complete Sections A and B of Part III of the ESPD.

If you qualify for selection, you must submit the legally required supporting documents demonstrating that there are no exclusion grounds applicable to you or to any subcontractors within ten business days of the Contracting Authority's request for these documents.

For Dutch entrepreneurs, the legally required supporting documents are as follows:

Exclusion ground	Evidence	Comments
Criminal conviction	Procurement integrity certification (Art. 2 (79), paragraph 2 of the ADV)	No more than two years old, calculated from the date of submission of your Request to Participate

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Note: Application and processing times for such documents can be lengthy. Be sure to request them in good time.

Documentary evidence can vary between countries. [e-Certis](#), a database compiled by the European Commission, provides an overview of the various forms of evidence used in European Member States. If no equivalent document exists for the country of establishment, you can also submit a declaration under oath or a written statement from a competent authority.

2.4 Optional exclusion grounds

2.4.1 General

In your ESPD, you further self-declare that the optional exclusion grounds declared applicable as stipulated in Part III C of the ESPD (Article 2 (77) of the ADV) do not apply to your company.

Note: In Part III C of the ESPD, you must first answer 'Yes' or 'No' to the exclusion grounds' applicability to yourself as the Potential Supplier. Depending on your answer, you must also fill in supplementary questions in this part of the ESPD.

If you qualify for selection, you must also submit supporting documents demonstrating that the optional exclusion grounds are not applicable to you or to any subcontractors within ten business days of the Contracting Authority's request for these documents.

The following optional exclusion grounds have been declared applicable, with examples of acceptable supporting documents for Dutch entrepreneurs:

Exclusion ground	Evidence	Comments
Bankruptcy or liquidation	Extract from Trade Register (Article 2 (79), paragraph 1 of the ADV)	No more than six months old, calculated from the date of submission of your Request to Participate
False statements	If applicable, you must submit supporting documents for the relevant optional exclusion ground. These supporting documents have a free format.	
Risks to national safety	If applicable, you must submit supporting documents for the relevant optional exclusion ground. These supporting documents have a free format.	

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Documentary evidence can vary between countries, see [e-Certis](#). If no equivalent document exists for the country of establishment, you can also submit a declaration under oath or a written statement from a competent authority.

2.4.2 Council Regulation (EU) 2022/576 on Russian entities

The European Council's fifth package of sanctions imposes a ban on Russian entities' participation in EU public procurement. This measure is laid down in [COUNCIL REGULATION \(EU\) 2022/576](#) of 8 April 2022 and is directly applicable in Member States.

This also means you can only rely on the capacity or make use of Russian entities to a very limited extent.

By submitting an Request to Participate, you declare that you are not acting in violation of this Council Regulation.

2.5 Selection criteria

In Part IV of the ESPD, you declare whether or not you meet the stated selection criteria.

The following selection criteria apply:

1. Suitability to pursue the professional activity;
2. Economic and financial standing
3. Technical and professional ability (reference project)
4. Quality assurance
5. Information security

2.5.1 Suitability to pursue the professional activity

You must be registered in a professional or business register and you must supply an extract from the Chamber of Commerce's Business Register along with your Request to Participate. Other countries have equivalent registers. This extract cannot be more than six months old, calculated from the date of submission of your Request to Participate.

If bidding as a Consortium, all members of the Consortium must supply the relevant extract.

Note! An electronically submitted, digitally certified extract is considered legal evidence. A printed or scanned copy of a digitally certified extract is also acceptable, as long as the original electronic document can be presented on request.

2.5.2 Economic and financial standing

You must demonstrate that you have the financial resources to perform the contract. The following documents may be used as evidence:

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Financial statements

To be able to assess your economic and financial standing, the winning Bidder must submit financial statements for the past three (3) financial years along with the associated audit report, at the Contracting Authority's request.

The most recent (consolidated) financial statements, published pursuant to Article 2:394 or 2:395, paragraph 1, of the Civil Code (for the Bidder or, if applicable, for their parent company), may not contain a section on business continuity and the audit report for these financial statements, as referred to in Article 2:393, paragraph 5 of the Civil Code, may not contain an adverse opinion as referred to in Article 2:393, paragraph 6 of the Civil Code.

If the winning Bidder's financial capacity is based on the parent company's economic and financial standing, the parent company must provide a written statement confirming that it accepts all liability for the performance of the contract and the Bidder's financial capacity.

The Contracting Authority reserves the right to exclude Bidders if the submitted information shows there is good reason to believe the Contractor does not have the financial resources to perform the contract responsibly. This is assessed by checking the financial statements for the presence of a section on continuity or audit report containing an adverse opinion.

Insurance

In light of the nature of the activities, the Contracting Authority considers it a requirement for the winning Bidder to either have general and professional indemnity insurance, or to be willing and able to obtain such insurance if awarded the contract.

You must have professional indemnity cover of at least €1,250,000.00 per claim. If you cannot meet this requirement yet, you must include a document (quote) from an insurer indicating their willingness to increase your cover to at least the stated amount.

Additionally, you must have professional indemnity cover of at least €2,500,000.00 per claim. If you cannot meet this requirement yet, you must include a document (quote) from an insurer indicating their willingness to increase your cover to at least the stated amount.

If you qualify for the contract award, you must submit a relevant bank statement and/or proof of general and professional indemnity insurance within ten business days of receipt of the written request.

If you will be relying on another entity's capacity for the financial capacity requirement, for example by relying on a group insurance policy, you must submit an ESPD for the other entity (parent company). Additionally, you must supply a model guarantee (Annex 4) or holding company statement (free format) within ten days of the Contracting Authority's written request.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

2.5.3 *Technical and professional ability*

Reference project

To be able to perform the contract, you must demonstrate your possession of the following core competencies:

Core competency 1:

The Potential Supplier must have demonstrable experience in carrying out security inspections at nuclear power plants regarding the physical protection and cybersecurity of nuclear facilities.

Core competency 2:

The Potential Supplier must have demonstrable experience in carrying out technical assessments of the physical protection of nuclear facilities.

Core competency 3:

The Potential Supplier must have demonstrable experience in carrying out technical assessments of the cybersecurity of nuclear facilities.

To demonstrate your experience with the stated three (3) core competencies, you must provide reference project(s). Each core competency is demonstrated using one (1) reference work. The same reference work may be used to demonstrate multiple core competencies. This means you must provide between one and three reference works, with the use of a single reference work only being possible if this past work demonstrates all three core competencies. The Contracting Authority wants you to include a brief description of the work (500 words max.) for each core competency (Annex 3). The description of the reference project must demonstrate the economic operator's possession of the requested core competencies.

Conditions for reference projects:

- a. If using past contracts for goods or services that have not been (fully) delivered yet, only outcomes that have actually been achieved may be included; an anticipated outcome is not sufficient.
- b. The project must involve contracts for goods or services delivered within the previous five (5) years, calculated based on the closure date for the Request to Participate.
- c. The Potential Supplier must have performed the past contracts satisfactorily, competently, on time and regularly. The latter may be verified by contacting the named reference for the project.
- d. By submitting a reference, the Potential Supplier consents to the Contracting Authority contacting the contact person named for the performed contract for verification purposes, without intervention by the Potential Supplier
- e. If you will be involving a third party, this must be noted in part 4a of Annex 3. The other entity named **must** also be relied on for this contract's performance (see Section 2.2.1)
- f. If you performed a past contract as part of a Consortium, it must be clear who performed which activities. Indicate this in part 4b of Annex 3.
- g. The project must demonstrate your compliance with the requested core competency, either independently or through reliance on other entities. The assessment of your possession of the requested core competency considers the portion of the work you performed yourself

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

or, as the case may be, the portion of the work performed by another member of your previous Consortium, on condition that you are also including this economic operator in your Request to Participate currently.

- h. If the Potential Supplier will be relying on the technical ability of other entities (entities that aren't part of the Potential Supplier), after the award decision, the Potential Supplier must demonstrate having access to the resources required to perform the contract.

Note: If a reference fails to meet the stated conditions or the description does not satisfactorily demonstrate your possession of the requested core competencies, your Request to Participate will **not** be accepted.

Fully complete Annex 3 for each reference and submit these documents along with your Request to Participate.

If the Contracting Authority cannot verify a reference, for example if the named contact person cannot be reached and you cannot provide alternative documentary evidence of the past contract's performance and delivery, this reference will not be used in the assessment.

2.5.4 Quality assurance

The Contracting Authority requires quality management to be embedded in and applied by the Potential Supplier's organisation. The Potential Supplier does so according to a quality management system. This means the Potential Supplier must be able to provide at least the following information regarding their quality management system:

- a) A description of the quality management system, including the scope;
- b) A description of the objectives;
- c) A table of contents for the quality handbook(s) establishing protocols and standard operating procedures;
- d) A description of how periodic improvement will be achieved;
- e) A planned implementation date (at least one (1) evaluation cycle must have been completed already) and the contact person responsible for the execution within the organisation;
- f) Methods used to audit the system internally and externally, including data on completed and scheduled audits and on the external auditor.

In signing the ESPD, the Potential Supplier attests to compliance with this requirement.

If the Potential Supplier is a Consortium, the requirement applies to all Consortium members.

The Contracting Authority reserves the right to request additional information or evidence regarding the quality management system as part of the verification process.

Verification documentation:

- A description by the Potential Supplier of their quality management system (free format), including at least specifications of items a) through f) as described above. If the Potential Supplier has achieved ISO 9001:2015 certification for the relevant scope of work, this is considered sufficient.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

2.5.5 Information security

You must demonstrate that you have taken appropriate information security measures regarding classified information. Activities relating to the scope of work described in this guidance must be within the scope of the (information) security system. The Potential Supplier can provide at least the following information regarding their (information) security system:

- a) A description of the (information) security system, including the scope;
- b) A description of the objectives;
- c) A table of contents for the (information) security handbook(s) establishing protocols and standard operating procedures;
- d) A description of how periodic improvement will be achieved;
- e) A planned implementation date (at least one (1) evaluation cycle must have been completed already) and the contact person responsible for the execution within the organisation;
- f) Methods used to audit the system internally and externally, including data on completed and scheduled audits and on the external auditor.

The Contracting Authority reserves the right to request additional information or evidence regarding the information security of classified information as part of the verification process.

Verification documentation:

- A description by the Potential Supplier of their security system (free format), including at least specifications of items a) through f) as described above.

2.6 Exclusion or rejection of a Potential Supplier

If one or more of the exclusion grounds apply to you, to a member of your Consortium or to your subcontractor, you are excluded from participating in the tendering process in principle. In that case, your Request to Participate will be set aside.

You will be given the opportunity to demonstrate that you have taken adequate measures and have adapted your operations to address the exclusion ground. The Contracting Authority then decides whether it deems these measures and/or the evidence provided sufficient. The Contracting Authority may also refrain from applying an exclusion ground for other reasons, for example if this would be manifestly unreasonable.

A proportionality test cannot be used to protest the 'False statement' exclusion ground. In such a case, the Contracting Authority has the right to set aside the Request to Participate immediately.

If you fail to meet one or more of the stated selection criteria, this will also exclude you from participation in the tendering procedure. In such a case, your Request to Participate will be set aside and not be eligible for further consideration.

Failing to submit the requested supporting documents fully or in time can also lead to the exclusion or rejection of your Request to Participate. Section 3 includes a table indicating which items must be submitted at which times.

3 REQUIREMENTS FOR THE REQUEST TO PARTICIPATE

3.1 Shortlisting criteria

The Contracting Authority will only make a preliminary selection if more than three (3) Potential Suppliers comply with the formal requirements, exclusion grounds and selection criteria. Shortlisting criteria have been defined for this tender to enable the group of suitable Potential Suppliers to be reduced to a maximum of three (3) Potential Suppliers. The three Potential Suppliers with the highest scores will be selected to go on to the next stage. The following section describes the method by which this shortlist of Potential Suppliers is determined.

3.2 Selection method and assessment if there are more than three non-excluded and non-rejected Potential Suppliers

The reference projects you submitted are assigned scores as indicated below. In assigning scores for reference projects, the previously noted references for the selection criteria may be reused. Note all your references in Annex 3. Please explicitly indicate the relevant shortlisting criterion for each reference. All references must meet the following conditions:

- a. Reference projects used to demonstrate previous work do not need to have been fully completed. If using past contracts for goods or services that have not been (fully) delivered yet, only outcomes that have actually been achieved may be included; an anticipated outcome is not sufficient.
- b. The reference project must have been delivered within the previous five (5) years, calculated based on the closure date for the Request to Participate.
- c. If you performed a past contract as part of a Consortium, it must be clear who performed which activities. Indicate this in part 4b of Annex 3; Format for references;
- d. By submitting references, the Potential Supplier consents to the Contracting Authority contacting the contact persons named for the performed contracts for verification purposes, without intervention by the Potential Supplier

No.	Criterion	Max. points
S1	<p>The Potential Supplier must have demonstrable experience in carrying out nuclear security inspections at nuclear power plants regarding the physical protection and cybersecurity for nuclear facilities <u>for new build projects</u>.</p> <ul style="list-style-type: none">• Experience conducting physical protection, physical security or cybersecurity inspections during the design and construction of nuclear facilities (5 points).	5 points

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

S2	<p>The Potential Supplier must have demonstrable experience in carrying out technical assessments of the physical protection of nuclear facilities.</p> <p>Experience in assessing:</p> <ul style="list-style-type: none">• Blast resistance of structural elements (5 points)• Sabotage analyses for Pressurised Water Reactors (PWRs) (5 points)• Physical protection for new build projects (5 points)• Physical protection for nuclear facilities within Europe (5 points)	20 points
S3	<p>The Potential Supplier must have demonstrable experience in carrying out technical assessments of the cybersecurity of nuclear facilities.</p> <p>Experience in assessing:</p> <ul style="list-style-type: none">• Cybersecurity for reactor protection systems (5 points)• Sabotage analyses for Pressurised Water Reactors (PWRs) (5 points)• Cybersecurity for new build projects (5 points)• Cybersecurity for nuclear facilities within Europe (5 points)	20 points
	Total	45 points

Complete Part V of the ESPD for this section. The three (3) Potential Suppliers with the highest scores receive invitations for the award stage. If two or more Potential Suppliers have identical scores and this affects the determination of the three potential suppliers with the highest total scores, a higher ranking is assigned to the Potential Supplier(s) with the highest score for shortlisting criterion S1. If the scores for this additional shortlisting criterion are again identical, a higher ranking is assigned to the identically scoring Potential Supplier(s) with the highest score for shortlisting criterion S3. If the scores for this shortlisting criterion are again identical, a higher ranking is assigned to the identically scoring Potential Supplier(s) with the highest score for shortlisting criterion S2. If the scores remain identical for this shortlisting criterion, the highest-ranking Potential Supplier is determined by lot.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

3.3 Required documentation

The following table summarises the required documents and the associated deadlines.

What	When	Who		
		Potential Supplier	Consortium	Other(s) (Section 2.2) (Consortium/Potential Supplier submits documents on other entities' behalf)
ESPD completed and signed	Request to Participate	X	X	X (if relying on capacity)
Format for References	Request to Participate	X	X	
Registration in professional or business register	Request to Participate	X	X	X
Model guarantee or holding company statement	Final bid (if applicable)	X	X	X (if relying on capacity)
Financial statements	On request	X	X	
Written report by a chartered accountant (registeraccountant) or accounting consultant (accountant-administratieconsulent)	On request (if applicable)	X	X	
Procurement integrity certification (Gedragsverklaring aanbesteden (GVA))	On request	X	X	X
Appropriate bank statements and/or proof of business and occupational hazard insurance	On request	X	X	
Tax clearance certificate	On request	X	X	
Any supporting documents relating to other optional exclusion grounds	On request	X	X	
Quality assurance	On request	Individual(s) performing the activities for the contract execution		
Information security	On request	Individual(s) performing the activities for the contract execution		

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

3.4 Announcement of selection decision

All Potential Suppliers are informed of the Contracting Authority's selection decision at the same time. The announcement contains an explanation of the reasoning behind the selection decision and information on the standstill period. The selection decision is announced via TenderNed.

The Contracting Authority may decide to rescind or amend its selection decision at any time.

4 PROCEDURAL PROVISIONS

This section describes the relevant terms and conditions applicable to your Request to Participate imposed by the Contracting Authority. The procedure is fully electronic and will take place via the TenderNed online tendering platform. For more information about the use of this platform, see this [link](#).

4.1 Timelines

The Contracting Authority manages Request to Participate through the TenderNed platform. You must submit or upload your Request to Participate and all associated required information and documents in TenderNed.

The Contracting Authority aims to adhere to the timelines stated below, but reserves the right to make changes at any time. With the exception of legally imposed deadlines, no rights may be derived from these timelines. All deadlines are provided in local time for the Netherlands.

Date	Time	Activity
Selection phase		
11 June 2026		Publication of a Contract Notice
25 June 2026	17:00	Deadline for submitting questions (first round)
2 July 2026		Publication of clarification notes (first round)
10 July 2026	17:00	Closure date and final deadline for receipt of Request to Participate via www.TenderNed.nl .
13 July 2026		Opening of Requests of Participate via TenderNed digital vault.
17 July 2026		Assessment of received Request to Participate
20 July 2026		Announcement of selection decision
27 July 2026	23:59	End of the standstill period
28 July 2026		Invitation to participate in the tendering phase
Tendering phase		
11 August 2026	17:00	Deadline for submitting questions (second round)
19 August 2026		Publication of clarification notes (second round)
26 August 2026	17:00	Deadline for submitting questions (third round)

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

2 September 2026		Publication of clarification notes (third round)
23 September 2026	17:00	Closure date and final deadline for submitting a bid via www.TenderNed.nl .
24 September 2026		Opening of bids via TenderNed digital vault.
8 October 2026		Assessment of the bids
22 October 2026		Notice of award decision
6 November 2026	23:59	End of the standstill period
9 November 2026		Announcement of the winner
16 November 2026		Verification visit/interview
17 november 2026		Final award
1 December 2026		Signing of the framework agreement and start date of service

See the above table for the closure date and final deadline for receipt of your Request to Participate by the Contracting Authority. Opening of the digital Requests of Participate takes place via the TenderNed digital vault. You cannot be present for the opening.

Note: The closure date and time are final. Once this deadline has passed, it is no longer possible to submit an Request to Participate. You are accountable for any delays in uploading.

4.2 Communication

All communications in the selection stage take place via TenderNed. The contact person for this tender can also be accessed via TenderNed. Only in the event of a TenderNed malfunction may the contact person be contacted by other means:

Samet Aydin, samet.aydin@minienw.nl

Note: During the tendering procedure, it is not permitted to seek contact with other Contracting Authority employees than the designated contact person, unless expressly noted in the tendering documentation. This can be a ground for exclusion.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

4.3 Language

All Procurement Documents are drawn up in English. English is the language used for the Procurement Documents, during the actual procurement procedure and for the execution of the contract. Submitted documents must be provided in English or Dutch. If the information requested concerns official documentation not available in either of these languages, the original documents must be accompanied by a Dutch or English translation.

4.4 Questions, complaints and information

If you have questions about the Procurement Documents, notice a discrepancy or wish to dispute all or part of the procurement procedure, you must make this known using the TenderNed 'Question and Answer' module as soon as possible and no later than the stated deadline. Do not submit your question in the form of a Word file or PDF. During the selection phase, you can only ask questions about the selection process. Questions regarding the content will be answered in the next phase.

To receive a response, questions and comments must be submitted within the deadline and according to the correct procedure in the TenderNed 'Question and Answer' module. Answers are provided by means of anonymised clarification notes.

If you have a commercial or confidential question, you can submit a request to ask your question separately. The Contracting Authority will assess your request. If the Contracting Authority decides to accept your request, the answer will not be published and will be sent to you and no-one else. If the Contracting Authority cannot or may not answer your question separately, you are given the option to either withdraw the question or to resubmit it as a general question using the TenderNed 'Question and Answer' module, in which case the answer will be included in the clarification notes.

In the event of discrepancies, ambiguities or deficiencies in the Procurement Documents, the contractor must report these as soon as possible and at least before the closure date for the final round of clarification questions. The Contracting Authority expects economic operators to be proactive, giving them a chance to actually correct the Procurement Documents. If an economic operator fails to report discrepancies, ambiguities or deficiencies or does not report these in time, they lose the right to file a complaint or initiate proceedings at a later date. If after receiving the clarification notes, an economic operator still believes there are discrepancies, ambiguities or deficiencies, they must file a complaint with the Contracting Authority. See the complaints procedure in Section 5.2. If an economic operator is not satisfied with the response to their complaint, they must initiate summary proceedings through the issuance of a subpoena to the Contracting Authority at least five calendar days before the closure date for submission of the Request to Participate, on penalty of forfeiture of the right to appeal.

By submitting an Request to Participate, you accept all the conditions and stipulations imposed by the procurement procedure and its associated documents.

In the event of any discrepancies between the clarification notes and this document (including annexes), the most recent clarification notes are decisive. The Contracting Authority reserves the right to suspend or cancel the tendering procedure at any time. Possible reasons include a lack of

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

political support or insufficient funding. You will be notified of the suspension or cancellation of the tendering procedure by the Contracting Authority. In exceptional cases, termination may entitle you to reimbursement of tendering costs. The Contracting Authority will contact you if this is the case.

4.5 Compensation

Tendering costs cannot be recovered from the Contracting Authority.

4.6 Confidentiality

Any information disclosed by the Contracting Authority as part of this procedure must be treated as confidential and may not be disclosed to third parties.

This does not apply to information that is already publicly available or information that must be made publicly available due to legal obligations. It is of course permitted to disclose confidential information to your own employees, advisors or contractors, with the imposition of a confidentiality clause if desired.

Conversely, the Contracting Authority will also treat your Request to Participate and any following bid as confidential unless legally obliged to disclose this information.

The duty of confidentiality as referred to in this section remains applicable, even if the tendering procedure does not lead to a contract being awarded.

Sharing and processing of personal data during procurement activities happens in accordance with the General Data Protection Regulation (GDPR).

Procurement Documents are the intellectual property of the Contracting Authority.

4.7 Request to Participate

The Potential Supplier and the information and documents submitted by the Potential Supplier are assessed in several stages.

1. In the first stage, the Contracting Authority determines whether any of the following circumstances apply:

- The Request to Participate was not submitted via the TenderNed online tendering platform, or not submitted in time.
- The requested information and documents were not submitted or were incomplete, submitted under reservations, subject to certain conditions or incorrectly.
- The Request to Participate was not accompanied by the correct documents or the Potential Supplier made changes to the documents provided.
- The ESPD was not signed by the correct authorised person(s). Please note, the undersigned's authority must be sufficient to cover the maximum value (€ 11,375,000.00 excluding VAT) of this tender.
- The requested information was not submitted in the correct language.

Ministry of Infrastructure and Water Management

Authority for Nuclear Safety and Radiation Protection (ANVS)

European restricted tender: Technical Support Organisation for Nuclear Security

Note: If any of the above circumstances apply, your Request to Participate will be declared invalid. Invalid Request to Participate will not be accepted for assessment.

2. In the second stage, the Contracting Authority assesses the exclusion grounds and selection criteria set out in Section 2.

3. The third stage concerns an assessment against the selection criteria set out in Section 3.

The Contracting Authority may ask for further clarification of your Request to Participate or give you the opportunity to correct minor deficiencies or apparent mistakes. You will generally be granted a maximum of five business days to make these corrections.

4.8 Award and subaward criteria

In the award stage, Candidates are invited to submit a bid. Bids are assessed against the value-for-money award criterion. The following (sub)award criteria and weightings apply:

- Quality: 70% of total score
- Cost: 30% of total score

5 LEGAL PROTECTION

If you disagree with the tendering procedure or the selection decision, you can submit a complaint in the course of the tendering procedure.

5.1 Contact person

Before filing a formal complaint, you must first notify the Contracting Authority's contact person of your complaint using the question module. If you are not satisfied with the Contracting Authority's response, you can file a formal complaint.

5.2 Complaints procedure

During the procedure, you can file a complaint by emailing klachten.inkoop@minienw.nl, with a CC to samet.aydin@minienw.nl

Clearly indicate to which specific aspect of the tender your complaint relates and include your reasoning. Please include the following details in your complaint:

- Your company name and contact details
The tender name and number
- A description of the complaint and your request, with a proposed solution
- Any applicable annexes

Your complaint will be addressed as soon as possible by an independent expert from the Ministry of Infrastructure and Water Management.

5.3 Committee of Procurement Experts

If you are not satisfied with the Ministry's response to your formal complaint, you can also submit it to the national Committee of Procurement Experts (Commissie van Aanbestedingsexperts). For more information about this committee (in Dutch), go to <https://www.commissievanaanbestedingsexperts.nl/english>.

5.4 Summary proceedings

If you do not agree with the selection decision, you can initiate summary proceedings within seven calendar days of the announcement of the selection decision. If you decide to initiate proceedings, you must provide the contact person for the tender with a copy of the actual subpoena. In that case, the Contracting Authority will suspend the tendering procedure until the summary proceedings have resulted in an interim judgment.

The seven calendar days are a limitation period. If you fail to initiate proceedings within this time limit, you lose your right to dispute the selection decision. If none of the Potential Suppliers initiate proceedings before the limitation period expires, the Contracting Authority is free to proceed to the next stage of procurement by making award guidance available to the selected Potential Suppliers.