



Ministerie van Infrastructuur
en Waterstaat

Project
Seismological Monitoring equipment for KNMI

Descriptive document European Public Tender Procedure	
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1 THE ASSIGNMENT

The Contracting Authority hereby invites you to tender for the procurement of **Seismological Monitoring Equipment** for the Royal Netherlands Meteorological Institute (KNMI) as Contracting Authority.

The procedure used is the open procedure under the Public Procurement Act of 2012.

The procedure is fully electronic via the online Tender Platform TenderNed. Further information on using TenderNed can be found [here](#).

1.1 Description and scope of the assignment

1.1.1 Assignment

The **Royal Netherlands Meteorological Institute (KNMI)** is legally mandated to monitor and analyse seismic activity in and around the Netherlands.

To fulfil this responsibility, KNMI operates a nationwide seismic monitoring network consisting of multiple monitoring stations. Each station is equipped with seismological instrumentation and a data logger that records measurement data and transmits it to KNMI's servers via a router. KNMI analyses these data to meet its statutory obligations, and the data are also made publicly available for (scientific) research.

To maintain and operate the monitoring network, KNMI requires reliable seismological instruments that perform accurate and consistent seismic measurements and are capable of delivering data to KNMI. As a contracting authority subject to public procurement legislation, KNMI is required to conduct a procurement procedure for the acquisition of these instruments.

The objective of this procurement is to award contracts to one or more suppliers for the supply of seismological monitoring equipment. In addition, the procurement aims to establish an effective long-term relationship between KNMI and the selected supplier(s) for the provision of instruments throughout the duration of the contract.

The seismological monitoring network requires measurement equipment for the following purposes:

1. To maintain the operational capability of the existing monitoring network.
2. To expand the existing monitoring network through the installation of new monitoring stations.

Objective of the European tender

KNMI intends to procure the required equipment with the following objectives:

- To acquire equipment that meets KNMI's technical specifications and requirements.
- To enable the ordering and purchase of equipment on demand, as and when required.
- To procure equipment at competitive prices.

1.1.2 Contracting Authority

The Contracting Authority is the State of the Netherlands, Ministry of Infrastructure and Water Management. The Tender will be carried by the Royal Netherlands Meteorological Institute (KNMI) as part of the the Ministry of Infrastructure and Water Management.

1.1.3 *Duration and scope of the contract*

Duration of the Framework Agreement

The framework agreement is concluded for a period of four (4) years, with the option to extend the agreement four (4) times by one (1) year. KNMI considers a framework agreement with a duration exceeding four years to be justified for this procurement due to the highly specialized nature of the seismological monitoring equipment and the need to ensure continuity, technical compatibility, and consistent measurement data across the national monitoring network.

The proposed contract term is consistent with the public procurement principles of proportionality, efficiency, and transparency. Given the long technical lifespan of the equipment, the limited number of specialized suppliers in the market, and the need to maintain consistent measurement data throughout the monitoring network, KNMI considers a longer contract duration to be both necessary and proportionate.

A shorter contract term would result in disproportionate technical, organizational, and validation costs and could pose risks to the continuity and comparability of measurement data.

KNMI therefore proposes a framework agreement with an initial term of four (4) years, followed by four optional extensions of one (1) year each, resulting in a maximum total duration of eight (8) years.

If the framework agreement reaches the specified maximum contract value earlier, the Contracting Authority has the right to terminate the framework agreement early.

Scope

The scope of this procurement consists of the supply of seismological monitoring equipment, including:

- Surface accelerometers with integrated data logger.
- Data loggers with 6, 12, or 16 channels.

Out of scope:

The installation and maintenance of the equipment to be procured are outside the scope of this procurement. The procurement is limited exclusively to the supply of the measurement equipment. Installation and any subsequent maintenance will be carried out by KNMI itself or by third parties contracted by KNMI.

Project Scope

The procurement covers the supply of equipment required for the replacement of existing instrumentation within the seismic monitoring network, as well as new equipment needed to expand the monitoring network.

The estimated contract value for this procurement is approximately **EUR 750.000,00 to EUR 7.500.000,00** excluding VAT, over the entire term of the agreement (maximum of eight (8) years; see also Section 1.7, *Framework Agreement*). This estimated value consists of a budget for the expansion of the monitoring network and a budget for the replacement and maintenance of the

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existing network. In particular, the latter remains highly uncertain, which explains the wide estimated range. No guarantee is provided regarding the actual volume of purchases. The procurement documents shall include a provision stating that the Framework Agreement (ROK) shall automatically terminate by operation of law upon the maximum contract value being reached.

These estimates are based on a minimum purchase volume for the expansion of the monitoring network, plus an annual purchase of **20 data loggers** and **20 accelerometers**. The annual quantities are not guaranteed and may vary from year to year. The estimate is based on the highest unit price and the most expensive configuration of the data loggers.

Lot	Description	Estimated (maximum) value over eight years excluding VAT
1	Surface accelerometers with integrated data loggers	€ 1.500.000,00
2	Data loggers (6-, 12-, or 16-channel)	€ 6.000.000,00
Total		€ 7.500.000,00

Explanation

The maximum value of the products required under **Lot 1** is **EUR 1.500.000,00** excluding VAT. The maximum value of the products required under **Lot 2** is **EUR 6.000.000,00** excluding VAT. The maximum value of the entire procurement, including all extension options, is **EUR 7.500.000,00** excluding VAT.

1.2 Lots

The contract will be divided into lots.

- Lot 1: Surface accelerometers with integrated data loggers;
- Lot 2: Data loggers (6-, 12-, or 16-channel).

You may submit a Tender for one or both lots. There is no limit to the number of lots that you can win. Tenders will be assessed separately for each individual lot and each lot will be awarded a contract separately after which an agreement will be made for that lot. Each Lot will be awarded to one supplier. Tenderers may submit a tender for one or more Lots. A supplier awarded Lot 1 may also be awarded Lot 2.

The Contracting Authority is entitled to amend this Framework Agreement during the term if technological developments give cause to do so and the amendment is necessary to maintain or improve the functionality, reliability, safety, compatibility or continuity of the agreed performance.

The changes referred to in the first paragraph may relate to, among other things:

- a. the replacement of Surface Accelerometers, Data Loggers and Data Loggers for Geophone Strings by successive generations or technically improved variants;
- b. changes to hardware components, interfaces, connectors, communication protocols, cabling, power supplies or other technical specifications that are necessary for the efficient execution of the

Assignment;

- c. changes to firmware, software, configurations, cybersecurity measures, or data processing methods related to the products provided;
- d. the implementation of amended or new industrial standards, measurement protocols, interoperability requirements or legal requirements that affect the performance of the Assignment;
- e. the realisation, modification or expansion of technical links, data exchange, monitoring or management facilities that are necessary for the use of the products supplied;
- f. additional deliveries and related services that are necessary to ensure the agreed functionality and performance during the term of the Framework Agreement.

Changes as referred to in this article are only permitted if:

- a. the change is directly related to the original subject matter of the Framework Agreement;
- b. the general nature of the Framework Agreement does not change;
- c. the modified products or services are at least equivalent to the originally agreed performance, or constitute a demonstrable technical improvement;
- d. the change does not affect the principles of the original tendering procedure; and
- e. any price adjustments are made in accordance with the price provisions included in this Framework Agreement or, if not provided for therein, on the basis of demonstrably market-based rates.

The Contracting Authority shall record any change pursuant to this article in writing, including the nature of the change, the reason for it and the justification that the conditions of this article have been met.

This article concerns a review clause as referred to in Article 2.163c of the Public Procurement Act 2012. Changes that lead to a material change to the Framework Agreement or to a change in the general nature of the Assignment fall outside the scope of this article.

1.3 Draft agreement and terms and conditions of the contract

The assignment is to be performed in accordance with the draft agreement as attached to this Descriptive document as Appendix 2. Only the ARIV 2026 shall apply to the contract as general terms and conditions. See Appendix 3.

The applicability of general delivery conditions of the Tenderer and third parties is explicitly excluded.

1.4 Functional and/or technical specifications

The functional and/or technical requirements for the performance of the assignment are described in the Schedule of Requirements Appendix 5 to this Descriptive document.

By submitting a Proposal, the Tenderer irrevocably accepts all requirements, terms and conditions stipulated in this Descriptive Document and all Appendixes associated with this Descriptive Document.

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Tenderer must ensure that there can be no misunderstandings regarding the Tender in relation to the price quoted.

Throughout the entire term of the Agreement, Tenderer must continuously comply with the Schedule of Requirements, the technical specifications, and all other applicable requirements, terms and conditions.

Tenderer must submit an additional document with his Proposal, that includes the technical specifications. This document must specify not only that Tenderer meets the requirements (and wishes) of the Schedule of Requirements, but particularly how Tenderer meets them. This technical specification will be attached to the agreement to be concluded.

1.4.1 Brand names

If a specific brand or quality mark is mentioned in the Schedule of Requirements, this is only intended to be an example. In that case, the Contracting Authority means this brand or quality mark or equivalent.

1.5 Provisions regarding taxation, environmental protection, labour protection, and terms and conditions of employment

Tenderers can obtain information on obligations regarding taxation, environmental protection, labour protection, and terms and conditions of employment prevailing in the Netherlands on the website <http://www.rijksoverheid.nl> (under 'Ministeries'):

- Ministry of Finance with regard to taxation;
- Ministry of Economic Affairs and Climate with regard to environmental protection;
- Ministry of Social Affairs and Employment with regard to employment protection and working conditions.

By submitting a Tender, Tenderers guarantee that they comply with all obligations regarding taxation, environmental protection, labour protection, and working conditions prevailing in the Netherlands.

2 REQUIREMENTS FOR THE TENDERER

This section lists the grounds for exclusion and eligibility requirements that you, as Tenderer, must meet in order to qualify for the Tender. For each requirement it will be clearly stated which documents you must enclose as part of your Tender.

2.1 One Tender registration – independently or as a partnership

A company may only submit a Tender once. This can be done independently, as an individual company, or in a partnership, i.e. with one or more companies. A partnership will count as one Tenderer.

If a company submits a Tender both independently and as a member of a partnership, the Contracting Authority will only assess the Tender submitted by the partnership. The independent Tender will then be excluded from the Tender procedure.

Only one Tender may be submitted by a company or group unless the various Tenderers can demonstrate that they have prepared their Tenders for this assignment independently of each other. If this cannot, or cannot sufficiently, be demonstrated, then all Tenders of this company or group will be excluded.

2.1.1 Independent Tender

If you decide to submit a Tender independently, you must complete and submit a Tenderer's Declaration (also known as a European Single Procurement Document (ESPD)(UEA in Dutch), see Appendix 1). You must complete sections A and B of Part II, Part III, Part IV and Part VI of this declaration. You must also submit - upon written request by the Contracting Authority - the requested supporting documents.

2.1.2 Partnership

You can also submit a Tender with one or more other companies, as a partnership. If you are participating in the Tender procedure together with other companies, you must indicate this in the Tenderer's Declaration. You must also indicate what your role is within the partnership (e.g. corresponding author - which allows you to act as the responsible authorised person throughout the term of the agreement - or the person responsible for specific tasks).

Every participant in the partnership must complete and submit a Tenderer's Declaration. They must complete sections A and B of Part II, Part III, Part IV and Part VI of this declaration. Each participant must also submit - upon request by the Contracting Authority - the requested supporting documents.

The participants of the partnership are both jointly and severally liable for the implementation of the agreement.

Please note: It is not possible to change the partnership during the Tender procedure.

2.2 Subcontracting

2.2.1 Drawing upon resources of third parties

If, in order to meet the eligibility requirements, you wish to call upon the resources of a third party (the holding company of which you are a part, another legal entity or a natural person), you must indicate so in the Tenderer's Declaration. Your Tender must also show for which eligibility requirement you are enlisting the aid of a third party.

The third party being called in must also complete and submit a Tenderer's Declaration. This third party must complete sections A and B of Part II, Part III, Part IV and Part VI of the Tenderer's Declaration. This will show that the third party can be enlisted for the assignment and that there are no grounds for exclusion as referred to in Part III of the Tenderer's Declaration.

The main contractor (Tenderer) - upon request by the Contracting Authority - must provide the requested supporting documents, also on behalf of the subcontractor (third party).

If you call upon the expertise and experience of a third party for part of an assignment, this third party must actually perform this part of the assignment. By signing the Tenderer's Declaration, you are agreeing to this.

Collaboration with a subcontractor does not affect the liability of the Tenderer, as the main contractor, for the implementation of the assignment.

2.2.2 Other subcontractors

In addition to the third party/parties referred to above, other companies may also be engaged to perform part of the assignment during the term of the Framework Agreement or other agreement, after consent by the Contracting Authority. These are subcontractors that you do not have to call upon to meet the eligibility requirements.

It is not compulsory, but if you wish to state in your Tender that you intend to have one or more subcontractors carry out part of the assignment, you can indicate this in Part II D of the Tenderer's Declaration. In doing so, you must indicate which parts of the assignment this pertains to and, if known, which subcontractors you propose.

Collaboration with a subcontractor does not affect the liability of the Tenderer, as the main contractor, for the implementation of the assignment.

2.3 Compulsory grounds for exclusion

2.3.1 General

You declare in the Tenderer's Declaration that the grounds for exclusion as defined in Part III of the Tenderer's Declaration (Article 2.86 of the Public Procurement Act) are not applicable to your company. To do so, you must complete sections A and B of Part III of the Tenderer's Declaration.

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If you are eligible to be awarded the contract, you must submit the legal supporting documents within ten working days of the Contracting Authority's request to demonstrate that the grounds for exclusion are not applicable to you and, if applicable, your subcontractor.

For Dutch organisations, the legal supporting documents consist of:

Grounds for Exclusion	Evidence
A statement from the Tax and Customs Administration (Article 2.89 (3) of the PPA)	This statement may not be older than six months, from the time of submission of your Tender
Statement of Good Conduct regarding Tendering (Article 2.89 (2) of the PPA)	This statement may not be older than two years, from the time of submission of your Tender

Please note: The application and processing time for these documents may take some time. It is therefore recommended to apply for them in good time.

Supporting documents may differ from country to country. In [e-Certis](#) (a database of the European Commission), you can find an overview of the supporting documents in European member states.

However, if no equivalent document exists in the country in which the organisation is based, a statement under oath or a written declaration by a competent authority may also be submitted.

2.3.2 (EU) Council Regulation 2022/576 on Russian companies

The EU Council's fifth sanction package has resulted in Russian parties no longer being allowed to participate in European tenders. This measure was introduced by [\(EU\) Council Regulation 2022/576](#) dated 8 April 2022 and was directly applicable in member states.

This also means that your ability to rely on the financial capacity of a third party, or to make use of a third party from Russia, is very limited.

By submitting a Tender, you declare that you will not act in violation of the Regulation.

2.4 Optional grounds for exclusion

You also declare in the Tenderer's Declaration that the optional grounds for exclusion that apply as defined in Part III of the Tenderer's Declaration (Article 2.87 of the Public Procurement Act) are not applicable to your company.

You must first answer 'yes' or 'no' as to whether the grounds for exclusion are applicable to you as a Tenderer in Part III C of the Tenderer's Declaration. Depending on your answer, the relevant additional questions in this part of the Tenderer's Declaration must be answered.

If you are eligible to be awarded the contract, you must also submit these legal supporting documents within ten working days of the Contracting Authority's request to demonstrate that the optional grounds for exclusion are not applicable to you and your subcontractor, if you have one.

If the relevant optional ground for exclusion has been declared applicable, these supporting documents for Dutch organisations include:

Grounds for Exclusion	Supporting document	Explanatory note
Bankruptcy or liquidation (Article 2.87 (1)(b) of the PPA)	Extract from the trade register	This extract may not be older than six months, from the time of submission of your Tender
Optional grounds for exclusion: Serious professional misconduct and distortion of competition (Article 2.87 (1)(c) and (d) of the PPA)	Statement of Good Conduct regarding Tendering (also mentioned in Section 2.3)	This statement may not be older than two years, from the time of submission of your Tender
Optional grounds for exclusion: Payment of taxes or social security contributions (Article 2.87 (1)(j) of the PPA)	A statement from the Tax and Customs Administration (Article 2.89 (3) of the PPA) (also mentioned in Section 2.3)	This statement may not be older than six months, from the time of submission of your Tender
Other optional grounds for exclusion: breach of obligations based on environmental, social or labour law, ¹ conflict of interest, involvement in preparation, past performance and/or false statements, exerting influence on decision-making process (Article 2.87 (1)(a),(e),(f),(g),(h) and/or (i) of the PPA)	If applicable, you must submit supporting documents relating to the relevant optional grounds for exclusion. These supporting documents are form-free.	

Supporting documents may differ from country to country, see [e-Certis](#) for this. However, if no equivalent document exists in the country in which the organisation is based, a statement under oath or a written declaration by a competent authority to that effect may also be submitted.

¹You can obtain information on obligations for provisions regarding taxation, environmental protection, labour protection, and terms and conditions of employment prevailing in the Netherlands on the website <http://www.rijksoverheid.nl>

2.5 Eligibility Requirements

The following eligibility requirements are required:

1. Financial and economic capacity;
2. Technical and professional competence (references);
3. Professional competence.

You must declare in Part IV of the Tenderer's Declaration whether or not you meet the required eligibility requirements.

2.5.2 Financial and economic capacity

The Tenderer's continuity must be sufficiently guaranteed.

By submitting a Tender, the Tenderer certifies that it meets the requirement(s) set out below, and, in the event that the Tender is submitted by a Combination, all members of the Combination (will) meet the requirement(s) provide the proof upon request within the term stipulated.

Requirement(s):

Required is a positive audit certificate to the annual statement of accounts pertaining to the total turnover over the last financial year available. The Tenderer's most recent audit certificate must not contain a so-called continuity paragraph (such as a paragraph in, for example, the annual statement of accounts expressing doubt regarding the continuity).

For companies that are not required to produce an annual statement of accounts, an assessment or compilation report will suffice.

By submitting a Tender, you declare that you (and your partner/subcontractor) meet these requirements.

Verification document(s) (these documents must be provided within 7 days upon first request from the Contracting Authority):

- Annual statement of accounts with aggregate turnover data of the last available financial year;
- An audit certificate without continuity paragraph, or an assessment report or a compilation report.

2.5.3 Technical and professional competence

References

The Tenderer must use the References statement to submit references to prove Tenderer possesses the appropriate Core Competencies. A single statement must be submitted for each reference; an assignment carried out for a single organization over a number of years is regarded as a single reference. One reference is requested for each core competency. Please note that the description of the References (using the specified template) must be added to the submission of the tender.

The Tenderer must provide a description of the work performed for the organisation giving the reference. This description must demonstrate the relevance of the reference(s). A relevant reference is a reference that is comparable to the Assignment under consideration in terms of nature and scope. The references must, as a minimum, meet the core competencies and requirements set down below.

References;

The Tenderer must submit 2 separate, unique references per Lot in order to demonstrate that it meets the following core competencies. Please make sure to provide the reference assignment-descriptions that belong to / are relevant for the Lots you wish to submit a Tender for.

Lot 1:

Tenderer has proven experience with the following core competencies:

- (1) Delivery of Surface accelerometer with associated data logger for use in Seismological monitoring and research within an organization which operates a FDSN**-registered Network;
- (2) The equipment is field-tested and the quality performance complies with the stated requirements by the Contracting Authority of the assignment.
- (3) The sensor has traceable calibration and has undergone standardized calibration tests by independent laboratories (e.g. Sandia National Laboratories). The evaluation report is publicly available.

Lot 2:

Tenderer has proven experience with the following core competencies:

- (4) Delivery of 6, 12 and 16 channel data logger for use in Seismological monitoring and research within an organization which operates a FDSN**-registered Network;
- (5) The equipment is field-tested and the quality performance complies with the stated requirements by the Contracting Authority of the assignment.
- (6) The datalogger has undergone standardized performance tests by an independent laboratory (e.g. Sandia National Laboratories). The evaluation report is available and will be provided.

**FDSN; (International Federation of Digital Seismograph Networks, please also see www.fdsn.org)

All references (regardless of the Lot it refers to) to be provided must, as a minimum, meet the following requirements:

- The references to be submitted have been performed / carried out during the past three (3) years (to be counted back from the publication date of this tender).
- The references have been completed, carried out in a timely, professional manner, to the satisfaction of the Contracting authority.

(!) Please note that the Contracting Authority requests 2 reference assignments in total per Lot that meet the core competencies (marked with "(1)" or "(2)"). This means one reference assignment that meets core-competence 1 and one reference that meets core-competence 2. In case the Tender relates to more Lots, 2 references per Lot have to be provided.

In addition, all references must meet the minimal requirements (marked with "•") mentioned above. These requirements are a "Knock-Out", which means that failure to comply with these requirements means exclusion from the tender and are not eligible for awarding of this tender.

The Contracting Authority reserves the right to request further information from the organization providing the reference (the Contracting authority) regarding the performance of the services. For that reason, it is advisable for the Tenderer to inform the contacts of the Contracting authority/reference(s) provided that they may be contacted by the Contracting Authority. It is not allowed to include the contact information of your own staff/employees in the mandatory forms. The Contracting Authority wants to be able to contact the Contracting Authority of the reference-assignment directly.

It goes without saying that the Contracting Authority will handle the information obtained with the utmost confidentiality.

In the event of a Combination or Subcontractor, the Tenderer must state clearly who has performed (which part of) the reference assignment.

Conditions for the submission of references:

- a. If the Tenderer uses a contract that has not yet been completed or fully completed, then only the actually completed results may be submitted for reference purposes. Projected results cannot be taken into consideration.
- b. The reference contract must not be older than (must not be completed more than) three years from the closing date of submission of the Tender.
- c. The reference contracts you submit have been completed satisfactorily, competently, timely and in a regular manner. The latter can be checked with the specified contact person.
- d. If you make use of a third party, you must state this under Section 4a of Appendix 7: Model Reference Contracts. The third party mentioned there **must** also be used in this assignment (see Section 2.2.1).
- e. If the reference contract was performed in a partnership, you must indicate which work activities were carried out by which party. You indicate this under Section 4b of Appendix 7: Model Reference Contracts. The reference contract must show that you, either independently or with the help of a third party, meet the requested core competency.

Reference contracts that do not meet the core or other competencies and conditions set out above, are invalid and will not be included in the assessment.

For each reference you must complete the Model Reference Contracts (Appendix 7) completely and submit them with your Tender. By submitting a reference, you authorise the Contracting Authority to verify the reference(s).

If the Contracting Authority is unable to check the reference (e.g. because access to the reference could not be obtained and you are unable to demonstrate the performance and completion of the reference contract by means of other documents), the reference submitted will not be included in the assessment.

2.5.4 Professional Competence

Requirement(s):

The Tenderer must be able to demonstrate that it is registered on the professional or trade register in accordance with the regulations of the member state of his domicile, or be able to provide a sworn statement or an affidavit. Within the Netherlands, an extract of the trade register of the Chamber of Commerce will suffice.

The proof must describe the current situation of the company and may not be older than six months at the time of tendering. In the event of cooperatives, the Combination or all the individual members of the Combination must be able to provide the proof upon request within the term stipulated.

This extract will also be used to verify who is authorised to sign the Tender or documents on behalf of the Tenderer. This pertains to a signature by an official/officials who, according to the extract from the professional/trade register, is authorised to represent the Tenderer or who has been provided with a written authorisation to represent which has been appended to the Tender. The authorisation must be signed by a person/persons who, according to the extract from the professional/trade register or according to the bylaws of the Tenderer's Company, is/are authorised to represent and bind the Company.

By submitting a Tender, you declare that you (and your partner/subcontractor) meet these requirements.

Verification document(s) (these documents must be provided within 7 days upon first request from the Contracting Authority):

- Extract from the trade register, statement or affidavit;
- Authorisation (if applicable).

2.6 Exclusion or rejection of a Tenderer

In principle, if one or more of the grounds for exclusion are applicable to you, a member of your partnership or your subcontractor, you will be excluded from participation in the Tender procedure. In that case, your Tender will be set aside.

You will first be given the opportunity to prove that you have taken sufficient measures and have adjusted your business operations with respect to this ground for exclusion. It is then up to the Contracting Authority to determine whether the measures taken and/or supporting documents are sufficient. The Contracting Authority may also refrain from applying the grounds for exclusion, if, for example, exclusion would be manifestly unreasonable.

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The opportunity to demonstrate reliability (also known as the proportionality test) does not apply to the 'False Statement' ground for exclusion. In that case, the Contracting Authority is entitled to set aside the Tender immediately.

You will also be excluded from participation in the Tender procedure if you do not meet one or more of the specified eligibility requirements. In that case, your Tender will be set aside and will not be further assessed.

Late or incomplete submission of the requested supporting documents may also result in the exclusion and/or rejection of your Tender. The table in Section 3.6 shows what must be provided and when.

3 THE TENDER

This section describes the methodology and criteria that will be used to assess the Tenders to determine which Tenderer has submitted the most economically advantageous Tender. A distinction is made between requirements that result in a direct knock-out of the Tender if the Tender does not comply with them, and the further award and sub-award criteria that will determine the ultimate ranking between Tenders.

3.1 Knock-out requirements

This paragraph specifies the Requirements to be met by the products and/or services to be provided.

All Requirements are described in **Appendix 5 – Program of Requirements**. This appendix includes a Requirements Check List, in which Tenderer confirms, by entering "Yes" that Tenderer meets the requirement without reservations for the entire term of the contract or the performance of the services.

This Annex also consists of several Desirables, to which a score is associated.

Any Requirement Tenderer has not completed or answered with "Yes" is a "Knock-Out" (K.O.) and when the answer is not "an unconditional "Yes", Tenderer does not meet the Requirement. **Note:** Tenders that do not unconditionally meet all the (K.O.) Requirements will be considered invalid.

Tenderer must observe the prescribed lay-out and shall add the completed Requirements Check List to the Tender. It is not allowed to make changes to this document in addition to the explicitly indicated entry fields.

Beside the Knock-Out criteria, the Program of Requirements also contains several 'Desirables' ('D' - desirable extra features or DO 'Desirable Open' in case a substantiation is requested), which are not mandatory, but will be awarded points to determine the Most Economic Advantageous Tender (MEAT). For contracting authorities, a Tender that meets more of the wishes is also of more value. If Tenderer conforms to more 'D'-criteria, a higher score will be given. For Desirables marked with 'DO', a substantiation is requested. Please read the instructions in the Program of Requirements carefully.

3.2 Award criterion

The Contracting Authority awards the contract to the Tenderer with the most economically advantageous Tender. The most economically advantageous Tender is determined by the following manner: the weighted factor method.

This paragraph specifies the sub award criteria that have been set down for the product and/or services to be provided.

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Paragrap h	Sub Award Criterion	Maximum points Lot 1	Maximum points Lot 2
3.2.1.	1. Quality	300 (30%)	300 (30%)
	SG1 - Environmentally conscious production process of the equipment	90 points	90 points
	SG2 - Service, Delivery and Warranty	210 points	210 points
3.2.2	2. Price	700 (70%)	700 (70%)

The winning Tender will be the one with the highest total combined score, based on the awarding criteria.

3.2.1 Sub award criterion 1, Quality

The knock-out criteria (K.O.) are set down in **Appendix 5 – Program of Requirements**

All K.O. marked criteria must be answered “Yes” for the Tender to be valid. Unanswered K.O.-criteria will be accounted as if answered “No” and will therefore render the Tender as invalid.. The Sub Award Criteria and the corresponding scoring methodology for Lot 1 and Lot 2 are described below.

For criteria where substantiation is requested, please refer to the table below, which describes how the assessment will be carried out.

The quality of the Tender will be assessed by members of an evaluation committee. The quality of the Tender will be assessed in accordance with the assessment framework set out below.

Lot 1 and lot 2 – SG1 Environmentally conscious production process of the equipment – Max. 90 points

The Tenderer shall describe the production process of the offered equipment and explain how environmental considerations are taken into account during its production.

The substantiation may, for example, consist of an ISO 14001 certification (or an equivalent environmental management system) and/or a description of the production process demonstrating the measures taken to reduce the environmental impact of the manufacturing process.

The assessment will take into account, among other things:

- the extent to which the production process is designed to be energy efficient;
- the extent to which components are replaceable or repairable;
- the measures taken to reduce CO₂ emissions during the production process.

To be submitted by the Tenderer

The Tenderer is requested to provide a substantiation of no more than two A4 pages describing how environmental considerations are incorporated into the production process. Please note that submissions longer than two pages will not be considered for assessment beyond the first two pages. Any content exceeding the two-page limit will be disregarded during the evaluation. Where available, the substantiation may be supported by relevant documentation, such as an ISO 14001 certificate (or an equivalent environmental management system), a description of the production process, sustainability reports, or other documentation demonstrating the measures described.

The absence of specific certifications or supporting documentation will not result in the exclusion of the Tender. The assessment will be based on the quality, relevance, and persuasiveness of the substantiation provided.

Lot 1 and Lot 2 – SG2 Service, Delivery and Warranty Max. 210 points

The Tenderer shall describe the services provided in relation to the offered equipment during the delivery phase and throughout its operational lifetime. The description shall explain how the Tenderer ensures the continuity and reliability of the services provided.

The substantiation shall, at a minimum, address:

- the guaranteed response time for malfunctions and how this response time is organised;
- the guaranteed delivery time for the offered equipment and how this delivery time is ensured;
- the warranty period offered and the services provided during the warranty period.

The assessment will take into account, among other things:

- the completeness and clarity of the substantiation;
- the extent to which the proposed services are described in a concrete and verifiable manner;
- the consistency between the described service organisation, delivery process and warranty arrangements;
- the plausibility that the proposed services can be delivered throughout the contract period.

To be submitted by the Tenderer

The Tenderer is requested to provide a substantiation of no more than two A4 pages describing the above aspects. Please note that submissions longer than two pages will not be considered for assessment beyond the first two pages. The substantiation shall, at a minimum, state the guaranteed response time, the maximum delivery time and the warranty period offered. Where available, the substantiation may be supported by relevant documentation, such as a service description, Service Level Agreement (SLA), warranty conditions or other documentation demonstrating the proposed services.

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The absence of supporting documentation will not result in the exclusion of the Tender. The assessment will be based on the quality, relevance and persuasiveness of the substantiation provided.

For the qualitative award criteria marked with D that require a substantiation to be added to the Tender, the following assessment scale will be used to determine the percentage of the maximum score awarded for the respective Desirable criterion.

Your elaboration of the sub-award criteria will be assessed based on the following aspect:

Content: is the answer convincing in terms of content, sufficiently focused on the Contracting authority's situation, and does it achieve the Contracting authority's objective and requirements?

Ambitious and feasible: does the answer show that you are ambitious for now and in the future regarding the sub-award criterion, and has it been made plausible that these ambitions will actually be realized?

Insightfulness: does the elaboration of the award criterion have a clear outline, combined with good verifiable performance information underpinning the commitments? **Completeness:** The extent to which all stated requirements, wishes and questions are elaborated in the response.

Concreteness, brief and concise: The extent to which you have described your substantiation concretely, briefly and concisely.

Very good	The substantiation is comprehensive, exceptionally clear, fully consistent, and highly relevant. It provides a compelling and well-founded description of the proposed approach, convincingly demonstrates clear added value in relation to the award criterion, and exceeds expectations	100% score
Good	The substantiation is complete, consistent and relevant. It clearly describes the proposed approach, is convincing and demonstrates clear added value in relation to the award criterion.	70% score
Sufficient	The substantiation adequately addresses the award criterion and is generally consistent and relevant. The proposed approach is reasonably convincing but provides limited added value.	40% score
Poor	The substantiation only partially addresses the award criterion and contains notable shortcomings in completeness, consistency, or relevance. The proposed approach is insufficiently convincing and demonstrates little added value.	10% score
Insufficient	The substantiation is incomplete, inconsistent or insufficiently relevant. It is not convincing and does not demonstrate that the proposed approach adequately fulfils the award criterion.	0% score

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3.2.2 Sub award criterion 2: Price

The Tender price will be assessed based on the completed Pricing Sheet (Annex 5).

To ensure equal treatment of all Tenderers and to enable an objective comparison of Tenders, all Tenderers shall submit their prices on the same basis. All prices shall be quoted in euros (€), excluding VAT.

The Tender price shall include all costs necessary to fulfil the delivery obligation to the designated delivery location in the Netherlands. This includes, but is not limited to, packaging, transportation, insurance, export and import formalities, customs clearance, customs duties, import-related charges and any other costs associated with the delivery.

Tenderers are free to determine their own delivery arrangements and applicable Incoterms, provided that the Contracting Authority incurs no additional costs in connection with the importation or delivery of the goods to the designated delivery location in the Netherlands.

Determination of the Offered Tender Price

For both Lots, the Tenderer shall fill in the Pricing Sheet provided in Annex 4 completely.

Price Evaluation Lot 1

For Lot 1, the Offered Tender Price (O) is the total price for a reference order of five (5) Surface Accelerometers, including the associated data logger, cables and all required accessories.

Price Evaluation Lot 2

For Lot 2, the Tenderer shall provide separate unit prices for the 6-channel, 12-channel and 16-channel Data Loggers. For each configuration, the total price for a reference order of five (5) units shall be determined. The Offered Tender Price (O) is subsequently calculated as the weighted total price using the following weighting factors:

The assessed Tender price will subsequently be determined by applying the following weighting factors:

- 6-channel Data Logger: 15%
- 12-channel Data Logger: 70%
- 16-channel Data Logger: 15%

The unit prices submitted shall remain within the minimum and maximum prices specified in the Pricing Sheet.

A Tender containing one or more unit prices outside the applicable price range will be considered non-compliant and will be excluded from further evaluation.

Price Evaluation

The Pricing criterion will be evaluated using an absolute scoring method.

The score will be calculated using the following formula:

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$$M * \frac{(C - O)}{S} = A$$

Where:

- A = Awarded score;
- M = Maximum score available for the Pricing criterion;
- O = Offered Tender price;
- C = Financial ceiling;
- S = Financial spread (the difference between the financial ceiling and the minimum acceptable price).

The applicable values are:

Lot	Maximum score (M)	Financial Ceiling (C)	Financial Spread (S)
Lot 1	700	€ 4.500,00	€17.500,00
Lot 2	700	€ 119.000,00	€46.250,00

The awarded score will be rounded to two decimal places.

Tenders with an Offered Tender Price outside the applicable financial range will be considered non-compliant and will be excluded from further evaluation.

Example – Lot 1

For Lot 1, the Offered Tender Price for the reference order of five (5) units is €30.000,00.

The score is calculated as follows:

$$700 * \frac{(40.000 - 30.000)}{17.500} = \mathbf{400 \text{ points}}$$

Example – Lot 2

The Tenderer submits the following prices:

Configuration	Price for 5 units	Weighting	Weighted Price
6-channel Data Logger	€40,000	15%	€6,000
12-channel Data Logger	€100,000	70%	€70,000
16-channel Data Logger	€125,000	15%	€18,750
Total Offered Tender Price (O)			€94,750

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The score is calculated as follows:

$$700 * \frac{(119.000 - 94,750)}{46,250} = 366,49 \text{ points}$$

Please note that Contracting Authority requests both the filled in (MS Excel-file) and signed Quotation form in a PDF-file (Pricing Sheet - annex 5).

Please use open cost accounting to demonstrate the cost structure per product to be delivered. You must indicate prices in euros, both including and excluding VAT if applicable. The pricing is "all-in", which means that all costs for the products as mentioned in the scope are included in the quotation, based on DDP-delivery and no other costs will be charged.

3.3 Variants

The submission of variants is *not* permitted. It is therefore not possible to deviate from the technical specifications at one's own initiative.

3.4 Documents to be submitted

You are required to submit a number of documents when submitting a Tender, but also after provisionally being awarded a contract.

The table below summarises which documents must be submitted and when.

If you are eligible to be awarded a contract, the Contracting Authority will ask you to provide a number of documents. These documents are listed in the table below.

If you fail to submit the documents within ten working days of the Contracting Authority's request, or if your documents are not adequate, the Contracting Authority may still exclude or reject you and approach the next ranked Tenderer.

What	When	Who		
		Independent Tenderer	Partnership	Third parties (Section 2.2.1) (Partnership/independent Tenderer must submit documents on behalf of third party)
Tenderer's Declaration (ESPD) Completed and signed	Tender	X	X	X

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Tenderer's Declaration (ESPD) completed and signed by other third parties (Section 2.2.2)	If applicable, on request			X
Extract from the trade register, statement or affidavit (2.5.4)	On request	X	X	
Annual statement of accounts (2.5.2)	On request	X	X	
Model Reference Contracts (Appendix 7) (2.5.3)	Tender	X	X	
Further define Quality criteria (3.2.1)	Tender	X	x	
Price sheet (Appendix 4) (3.2.2)	Tender	X	X	
Model Warranty (Appendix 8)	If applicable, on request	X	X	X
A statement from the Tax and Customs Administration (2.3.1)	On request	X	X	
Statement of Good Conduct regarding Tendering (2.3.1)	On request	X	X	
Any supporting documents regarding other optional grounds for exclusion	If applicable, on request	X	X	X

4 PROCEDURAL PROVISIONS

This section contains relevant terms and conditions that the Contracting Authority specifies for your Tender. The procedure is fully electronic via the online Tender Platform TenderNed. Further information on its use can be found [here](#).

4.1 Planning

The Contracting Authority uses the TenderNed platform for the Tenders. Your entire Tender, including all requested information and documents, must therefore be submitted or uploaded in TenderNed.

You may not change the formats used by the Contracting Authority and your Tender must be valid for at least 90 days after the closing date.

The Contracting Authority aims to meet the deadlines as shown in the schedule below, but reserves the right to adjust this schedule during the process. With the exception of the statutory minimum deadlines, no rights may be derived from this schedule. All times in the schedule are in local Dutch time.

Activity	Date
Transmission of the Tender Publication via www.TenderNed.nl .	11 August 2026
Closing date for posing questions via www.TenderNed.nl (first round).	7 September 2026 before 12:00 pm
Publication of the Memorandum of information via www.TenderNed.nl .	14 September 2026
Closing date and deadline for submitting your Tender www.TenderNed.nl.	1 October 2026 before 12:00 pm
Announcement of the intention to award the contract via TenderNed, under the conditions mentioned in Section 3.5 of the Descriptive document.	5 November 2026
Suspensive period	(20 full calendar days at minimum)
Anticipated date for signing the Agreement, date of award of the contract.	1 December 2026
Entry into force of the Agreement	1 December 2026

The closing date and deadline for receipt of your Tender by the Contracting Authority is the date in the table above (closing date and deadline for receipt of Tenders). The opening of the digital Tenders will take place via the TenderNed digital vault. You cannot be present at the opening.

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Please note: The closing date and time is a firm and final date. No Tenders can be submitted after this deadline. You are responsible for any delay in uploading.

4.2 Communication

All communications will take place via TenderNed. The contact person for this Tender is also listed in TenderNed. Only in the event of a disruption at TenderNed may the contact person be contacted directly:

Pamela Blom-van der Heijde (pamela.blom-vanderheijde@minienw.nl)

In case of absence, Niek van der Meer (niek.vander.meer@minienw.nl)

During the Tender procedure, it is not permitted to contact any other employee of the Contracting Authority regarding this Tender other than the named contact person, unless explicitly stated otherwise in this Descriptive document. You may be excluded from the procedure if you do.

4.3 Language

The working language in the Tender documents, the Tender procedure itself and the implementation of the agreement is English. Documents to be submitted by you must be in the English language. If the requested information pertains to an official document that is not available in that language, a Dutch or English translation must be enclosed together with the original document.

4.4 Information, questions and objections

4.4.1 Questions and objections

If you have any questions on the Tender documents, have identified any inconsistencies or wish to make an objection on the Tender procedure or parts thereof, you should make this known as soon as possible, but no later than on the date included on the schedule in TenderNed via Questioning form attached to Appendix 6.

Only questions and comments submitted on time and in the correct manner will be answered. Answers will be provided by an anonymous Information Memorandum published no later than ten calendar days before the closing date of the Tender.

If you wish to ask a commercial or confidential question, you may request to ask your question individually. The Contracting Authority will assess this request. If the Contracting Authority honours the request, the answer will not be published and will only be sent to you. If the Contracting Authority cannot or is not allowed to answer the question individually, you will be asked to, as yet, pose the question via Questioning form attached to Appendix 6 and the question will be answered in the Information Memorandum.

If there are any contradictions, ambiguities or imperfections in the Tender Documents, you should report this as soon as possible - in any case before the closing date of the last round of questions. The Contracting Authority expects a proactive attitude from entrepreneurs so that the Contracting Authority can effectively rectify the Tender Documents. If you do not timely report inconsistencies,

ambiguities or imperfections, the right to complain about them and/or raise objections at a later stage will lapse. If you still believe that there are contradictions, ambiguities or inadequacies after perusing the Information Memorandum, you should submit a complaint to the Contracting Authority. See the complaint procedure in section 5.1. If you feel that the complaint has not been dealt with satisfactorily, you shall, on pain of forfeiture of rights, initiate summary proceedings by serving a summons on the Contracting Authority at least five calendar days before the closing date for submission of the Tender.

By submitting a Tender, you agree to all the terms and conditions of the Tender procedure and related documents.

In the event of contradictions between of Information Memorandum(s) and this Descriptive document (including appendices), the most recent Information Memorandum will take precedence.

4.5 Assessment of you and your Tender

Assessment of the Tenderer and the information/documents submitted by the Tenderer will take place in stages.

1. In the first stage, the Contracting Authority will assess whether one or more of the following situations emerge:

- The Tender has not been submitted via the online Tender Platform TenderNed or was not submitted in time;
- The requested information and documents were not complete, subject to reservations, subject to conditions or were not or incorrectly provided;
- The Tender was not submitted with the correct documents or the Tenderer changed the documents provided;
- The Tender (the Tenderer's Declaration and/or if requested the Price sheet) were not signed by the authorised person;
- This requested information was not submitted in the prescribed language.

If one or more of the aforementioned situations occurred, your Tender will be declared invalid. An invalid Tender will not be assessed and will be set aside.

Validly signing the Tenderer's Declaration/ESPD implies that the person (or persons!) signing the Tenderer's Declaration must be registered in the trade register as the authorised representative of the company.

If it is recorded in the trade register that two or more people are only jointly authorised to represent the organisation, then the documents requiring a legal signature must be signed by those two or more people. If the authorisation to represent the company is subject to any limitations, these must be taken into account.

If you have not validly signed the Tenderer's Declaration, but another document such as the offer letter has been validly signed, this is not a reason to declare the Tender invalid. The signature under the offer letter then also counts as the signature of the Tenderer's Declaration.

2. In the second stage, the Contracting Authority assesses the grounds for exclusion and eligibility requirements as included in Section 2.

3. In the third stage, formal (knock-out) requirements apply. These are listed in Section 3.1 of this Descriptive document. If your Tender does not meet the requirements listed in Section 3, your Tender will be set aside.

4. Finally, in stage 4, your Tender will be substantively assessed against the award criteria.

The Contracting Authority may ask you to clarify your Tender or give you the opportunity to rectify minor shortcomings in the Tender. You will usually be given a period of up to five working days to do so.

4.6 Assessment committee

The assessment committee evaluates the Tenders on the substantive requirements and the sub-award criteria, and assigns rating and scoring to them. In principle, the evaluation committee consists of 3 persons. The Contracting Authority reserves the right to change the size or composition of the committee. The price is not known to the evaluation committee and will only be disclosed by Procurement once consensus has been reached.

Each committee will first assess the Tender individually, i.e. independently of the other assessors. This will be followed by a plenary session in which the individual scores are discussed. The final score is attained by a joint decision of the quality committee team. This is known as the consensus model.

4.7 Notification of contract award decision

All Tenderers will simultaneously receive a notification of the contract award decision from the Contracting Authority. This message will include the name of the winning Tenderer, the relevant reasons for the contract award decision and information about the suspensive period. The notification of the contract award decision will be sent via TenderNed.

4.8 Suspension / discontinuing Tender

The Contracting Authority reserves the right to suspend or discontinue the Tender procedure at any time. A reason for discontinuing may, for example, be that the political support base and/or financing has ceased. You will receive a notification from the Contracting Authority about the suspension or discontinuing of the Tender procedure. In exceptional cases, there may be Tender costs reimbursement in the event of termination. The Contracting Authority will contact you if this is the case.

4.9 Reimbursement of costs

The Contracting Authority will, in principle, not reimburse any costs related to the preparation and submission of the Tender.

4.10 Confidentiality

All the information that you will receive from the Contracting Authority during this procedure must be kept confidential and may not be disclosed to third parties. This does not apply to information that is already publicly available or to information that must be disclosed due to a legal obligation. It goes without saying, that you may provide your employees, consultants or contactors with confidential information, possibly subject to using a confidentiality clause.

Conversely, the Contracting Authority must keep your Tender confidential, unless the information must be disclosed on the basis of a legal obligation.

The confidentiality referred to in this section will also be maintained if the Tender procedure does not lead to conclusion of a contract.

Exchange and data processing of personal data during the Tender procedure will be carried out in accordance with the General Data Protection Regulation (GDPR).

The intellectual property of the Tender documents reside with the Contracting Authority.

5. LEGAL PROTECTION

You can file a complaint during the Tender procedure if you object to the contract award decision or the Tender procedure.

5.1 Complaints desk / Commission of Tender Experts

During the procedure, you can file a complaint to the Complaints desk; their email address: klachten.inkoop@minienw.nl, with a CC to Pamela Blom-van der Heijde (pamela.blom-vanderheijde@minienw.nl). You must clearly and with reason indicate the aspect of the Tender to which your complaint relates. Please indicate the following in your complaint:

- name and contact details of your company;
- name and reference of the Tender in question;
- a description of the complaint and your request (proposal for a solution);
- any additional attachments.

The complaint will be handled as soon as possible by an independent expert at the Ministry of Infrastructure and Water Management (IenW).

Before raising an objection, you should first make use of the Q&A procedure to make your complaint known. If, in your opinion, the Contracting Authority's response is not satisfactory, you can file a complaint with the Complaints desk.

If you do not agree with the way in which your complaint is handled by the Complaints desk, it is possible to submit the complaint to the Committee of Tender Experts. For further information on how the Committee works, please see www.commissievanaanbestedingsexperts.nl.

5.2 Preliminary relief proceedings

If you object to the contract award decision, you must start preliminary relief proceedings with the District Court of The Hague within 20 calendar days of notification of the award decision being sent. This must be made evident by sending a copy of the writ of summons to the contact person of this Tender. In this case, the Contracting Authority will not proceed with awarding the contract until the judgement has been made in preliminary relief proceedings.

The period of 20 calendar days is an expiry period. This means that if you do not initiate preliminary relief proceedings during this period, your rights to as yet challenge the award decision will lapse. If no Tenderer has initiated preliminary relief proceedings within the aforementioned period, the Contracting Authority is free to conclude an agreement with the winning Tenderer(s).

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LIST OF TERMS

Contracting Authority

State of the Netherlands, Ministry of Infrastructure and Water Management, Royal Netherlands Meteorological Institute (KNMI).

Tender Documents

All documents in a Tender procedure introduced into the procedure by the Contracting Authority.

Public Procurement Act of 2012

The Act of 1 November 2012, which contains new rules on public procurement, Bulletin of Acts and Decrees 2012, 313, as last amended on 22 June 2016, Bulletin of Acts and Decrees 2016, 241 (as of 01-07-2016).

Tenderer's Declaration

A statement as referred to in Article 2.84 (1) of the PPA. This document is also known as a European Single Procurement Document (ESPD), or UEA in Dutch.

Tender

A Tender submitted by an organisation based on the Tender Documents as published on TenderNed.

Tenderer

An organisation that has submitted a Tender.

ABBREVIATIONS

ESPD	European Single Procurement Document (Tenderer's Declaration as referred to in Article 2.84 (1) of the PPA).
GDPR	General Data Protection Regulation
KNMI	Royal Netherlands Meteorological Institute
PPA	Dutch Public Procurement Act of 2012