



provincie **HOLLAND**  
**ZUID**

Rijkswaterstaat  
Ministerie van Infrastructuur en Milieu



## Selection Guidelines RijnlandRoute

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## **Colophon**

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## 1. Introduction

### 1.1 Selection Guidelines

The tendering procedure for the Project RijnlandRoute is described in these Selection Guidelines and the Tender and Assessment Guidelines that follow it.

The Selection Guidelines comprise the period from placement of the announcement until the Invitation to participate in the First Phase of the Dialogue. The Tender and Assessment Guidelines will comprise the period from the Invitation to participate in the First Phase of the Dialogue up to and including realisation of Contract Close. The Tender and Assessment Guidelines will be provided at the moment of the Invitation to participate in the First Phase of the Dialogue.

The Candidate is responsible for checking the proper receipt of the Tender Documents. If the Tender Documents are not received (in full), the Candidate must report this immediately via TenderNed, "Berichten" ("Messages") (see paragraph 1.3).

The Tender Documents have been carefully compiled. If the Candidate should nonetheless have any objections because of, for example, supposed inconsistencies, deficiencies, contraventions of statutory regulations, or any other irregularities, then the Candidate must inform the Contracting Authority about such as quickly as possible in writing and/or ask for clarification through the submission of a request for information (in accordance with paragraph 2.10). If the Candidate fails to give the Contracting Authority timely notification about inconsistencies, deficiencies, or any contraventions of statutory regulations, the Candidate will not be able to invoke such at a later date.

The Selection Guidelines will also be made available in the English language. In case of inconsistencies the Dutch version prevails.

### 1.2 Definitions

Terms written with capital letters in these Selection Guidelines are defined in schedule 1 of these Selection Guidelines or in Schedule 1 of the (draft) DBM Agreement. If a term written with capital letters is defined in both schedule 1 of these Selection Guidelines and in Schedule 1 of the DBM Agreement, the relevant definition will only apply to the document in whose schedule it is included. Schedules to the DBM Agreement are written with a capital letter (**S**chedule [.]), while schedules to the Tender Guidelines are written with a small letter (**s**chedule [.]).

### **1.3 Contracting Authority and tendering via TenderNed**

The Contracting Authority is: Province of Zuid-Holland

Project organisation: Projectbureau RijnlandRoute  
Partnership between the Province of Zuid-Holland  
and RWS Major Projects and Maintenance

Contract manager: Mr H.L. Berkhout

The tendering procedure will be carried out exclusively digitally by way of TenderNed: [www.tenderned.nl](http://www.tenderned.nl). This means that requests for participation and Tenders can only be submitted via TenderNed. The Candidate must be registered in TenderNed as a user in the Netherlands in order to be eligible for participation in the tendering procedure. The "Conditions of Use TenderNed" apply.

The Candidate is expected to have all the necessary knowledge of TenderNed in order to be able to follow the tendering procedure in TenderNed in the correct way. Use of TenderNed is for the account and risk of the Candidate.

Only in the event that TenderNed cannot be accessed for the receipt of requests for participation, due to reasons beyond the control of the Candidate when the final deadline expires, will this constitute a situation of force majeure. In such cases, the time for the close of the submission period on TenderNed will be extended by at least 24 hours. The changed closing time for the submission period will be notified by the Contracting Authority to the Candidates in any case via TenderNed, "Rectificatie" ("Rectification").

All documents have to be submitted via TenderNed, in accordance with the TenderNed user's guide, which can be found at the website of TenderNed in the "eGids". When documents are submitted digitally, they have to be signed with a recognised electronic signature with security level IV (PKI government certificate or EU-Qualified certificate).

The tendering procedure is being carried out by RWS Major Projects and Maintenance, which is acting on behalf of and under assignment to the Province of Zuid-Holland. The Province of Zuid-Holland is the Principal of the DBM Agreement.

### **1.4 Project and objectives**

The Project RijnlandRoute is the road link between the A4 and the coast at Katwijk. The Holland Rijnland area includes, amongst others, the national motorways A4 and A44 (N44). These two national motorways are connected to each other by the N14 and N206 link roads through Leiden. At this point in time, the traffic flow primarily runs north-south (via the A4 and the A44). Due to the lack of east-west link roads and the growing traffic congestion on the existing connections, there is now a need to build the RijnlandRoute. Given all the economic developments in the region, including residential housing construction and commercial activities, even more traffic will make use of these already busy roads in the future. The RijnlandRoute is therefore also necessary to improve the livability of the region.

The RijnlandRoute has three major objectives:

- better east-west connections for road traffic;
- improvement of the livability of the Holland Rijnland region (and the adjoining local council districts);
- facilitate spatial planning and economic developments in this region.

The Project RijnlandRoute is a part of the RijnlandRoute programme. In light of the size of the RijnlandRoute programme, it has been divided up into three projects.

1	A44 / N434 / A4	The widening of the A44 - the construction of the new Ommedijk intersection - the tunnel route N434 - the construction of the new Hofvliet intersection - the widening of the A4
2	N206	The ir. Tjalmaweg
3	N206	The Europaweg

This tendering procedure relates to Project 1. This Project will be put out for competitive tendering first. The other two projects will be put out for tendering separately at a later date.

The basis for the Project is formed by the underlying design associated with the approved Provincial Integration Plan for the provincial sections, and the approved Route Decision RijnlandRoute for the national motorways A44 and A4, and the Route Decision A4 Vlietland–N14.



The Project consists of all the works, supplies and services that have to be carried out under the DBM Agreement arising out of this tendering procedure in connection with:

- the widening of the A44 between the Leiden-West connection that is to be rebuilt and the new Ommedijk intersection that is to be built;
- the construction of a new regional arterial road (speed limit 80 km/h) with 2x2 traffic lanes (including a bore tunnel of 2.5 km) between the new Ommedijk intersection that is to be built on the A44 and the new Hofvliet intersection that is to be built on the A4;
- the extension of the current parallel structure of the A4 between the N206/Zoeterwoude-Dorp connection and the new Hofvliet intersection that is to be built;



- the widening of the A4 between the new Hofvliet intersection that is to be built and the connection with the N14 (widening of the A4 in the central reservation with one traffic lane in both directions (without modification of the intersections)).

In general terms, the scope of the Project concerns:

- design and execution of the bore tunnel;
- design and execution of the open and closed tunnel channels (including the access ramps for the bore tunnel);
- design, construction and reconstruction of the roads;
- design and execution of various engineering structures, including a Veenwatering aqueduct;
- design and construction and reconstruction of the associated junctions;
- design and execution of the traffic-technical and tunnel-technical installations;
- multi-year maintenance of the bore tunnel, open and closed tunnel channels, and the traffic-technical and tunnel-technical installations for a period of 15 years; associated ancillary activities, such as work on cables and pipelines and integration measures;

Also the following measures (on headlines) will be carried out: water management measures, mitigating and compensatory measures for nature, tree compensation, measures for landscape and urban design integration and noise reduction measures.

Furthermore, the Agreement also includes the maintenance of the Existing Infrastructure during the Development Phase.

This (technically) complex project calls for a commercial party that is given the room to deploy its knowledge and expertise, and thus optimise the design, the method of execution, and the long-term maintenance of the project. The Principal places a great deal of importance on the sustainable execution of the project, and consequently sustainability is an important award criterion for the contract.

The biggest challenges for the Project RijnlandRoute are:

- The guaranteeing of a smooth flow of traffic along the entire route;
- The limitation of nuisance for road users and nuisance for local residents and businesses, in particular during the Development Phase;
- The management of the logistics during the transition from the existing infrastructure to the new infrastructure;
- The design and implementation of technical solutions;

## **1.5 Contract Form**

The Project RijnlandRoute has been put up for competitive tendering as a Design, Build & Maintain contract (DBM Agreement). The DBM Agreement is based on the Government-Wide Model Agreement DBFM(O) of the Directorate-General for Public Works and Water Management (RWS), but then without the F-component. Project financing is not applicable for DBM. Furthermore, the Payment mechanism has also been simplified.

The NEN-EN-ISO 9001 standard has been chosen as the applicable quality standard for the Project. Relevant sections of the NEN-EN-ISO 15288 standard will be worked into the contract where necessary.

At the end of the Dialogue, the draft DBM Agreement will be worked out in more detail based on the results of the Dialogue. In the DBM Agreement and the Schedules, the symbol [•] indicates that the Contracting Authority will complete further details in a manner that is identical for every Candidate. The symbol [••] indicates where candidate-specific sections will be included in the DBM Agreement.

## **1.6 Payment mechanism**

The DBM Agreement has a payment mechanism that is worked out in a different way for the Development Phase and the Availability Period.

During the Development Phase, the payment will take place based on a planning schedule. Furthermore, two Bullet Payments will be made, namely a Bullet Payment upon the issuing of the Certificate of Availability and a Bullet Payment upon the issuing of the Completion Certificate.

During the Availability Period, the Contractor will receive a performance-related availability payment for the maintenance of the regional arterial road N434, based on a fixed availability payment per Payment Period (the Gross Availability Payment).

## 1.7 Brief description of the tendering procedure

### 1.7.1 Phasing tendering procedure

The tendering procedure will be carried out in a number of phases. These phases are shown in the following diagram. The dates shown are indicative and may be changed during the tendering procedure.

ACTIVITY	START	END
<b>Selection Phase</b> (n Candidates)		
Publication Contract Notice and sending TED		7 December 2015
Submission of requests for information	7 December 2015	7 January 2016
Publication (final) Information Brief		15 January 2016
Submission requests for participation	7 December 2015	5 February 2016
Assessment requests for participation	8 February 2016	19 February 2016
Selection Decision (intention)		23 February 2016
Objection period [10 Calendar Days]	24 February 2016	4 March 2016
<b>First Phase of the Dialogue</b> (n Candidates)		
Invitation to participate in the First Phase of the Dialogue		8 March 2016
Kick-off meeting		14 March 2016
Opening Data Room		14 March 2016
Dialogue discussions 1st round	21 March 2016	24 March 2016
Dialogue discussions 2nd round	11 April 2016	15 April 2016
Submission of requests for information	8 March 2016	26 April 2016
Publication (final) Information Brief		10 May 2016
Submission of the General Risk Management Plan		20 May 2016
Assessment of the General Risk Management Plan	23 May 2016	3 June 2016
Decision on participation in Second Phase of the Dialogue		6 June 2016
Objection period [10 Calendar Days]	7 June 2016	16 June 2016
<b>Second Phase of the Dialogue</b> (3 Candidates)		
Invitation to participate in the Second Phase of the Dialogue		17 June 2016
Dialogue meetings	June 2016	September 2016
Submission of requests for information		September 2016
Publication (final) Information Brief		September 2016
<b>Tender Submission Phase</b> (3 Tenderers)		
Invitation for Submission of Best and Final Offer	Q4 2016	
Submission of Best and Final Offer	Q4 2016	
Assessment of Best and Final Offers	Q4 2016	
Appointment of Preferred Tenderer (intention)	Q4 2016	
Legal remedies term non-Preferred Tenderers [20 Calendar days]	Q4 2016	
<b>Conclusion</b> (1 Preferred Tenderer)		
Contract Close		Q4 2016

## **1.7.2 Description of the Procedure**

### **Selection phase**

The tendering procedure commences with the Selection Phase. Selection will take place on the basis of an assessment for exclusion/disqualification criteria and suitability requirements. The Contracting Authority will invite the Candidates in respect of whom no exclusion/disqualification criteria exist and who satisfy the suitability requirements to participate in the Dialogue.

The Selection Phase is described in more detail in Chapter 3.

### **Dialogue**

The Contracting Authority makes use of the possibility provided for in Article 29, paragraph 4, of Directive 2004/18/EC, of organising the Dialogue in successive stages. In this tendering procedure, the Dialogue consists of the following stages:

- First Phase of the Dialogue
- Second Phase of the Dialogue

The First Phase of the Dialogue, including the questions concerning the General Risk Management Plan and the manner of assessing and rating it, will be described in more detail in the Tender and Assessment Guidelines. In the First Phase of the Dialogue, the number of Candidates who will be invited to participate in the rest of the tendering procedure will be reduced to three - in the event more than three Candidates turn out to satisfy the minimum conditions. This will be carried out by way of an assessment of the General Risk Management Plans of the Candidates. The Contracting Authority will invite the three Candidates that it has selected based on the assessment of their General Risk Management Plan to participate in the Second Phase of the Dialogue.

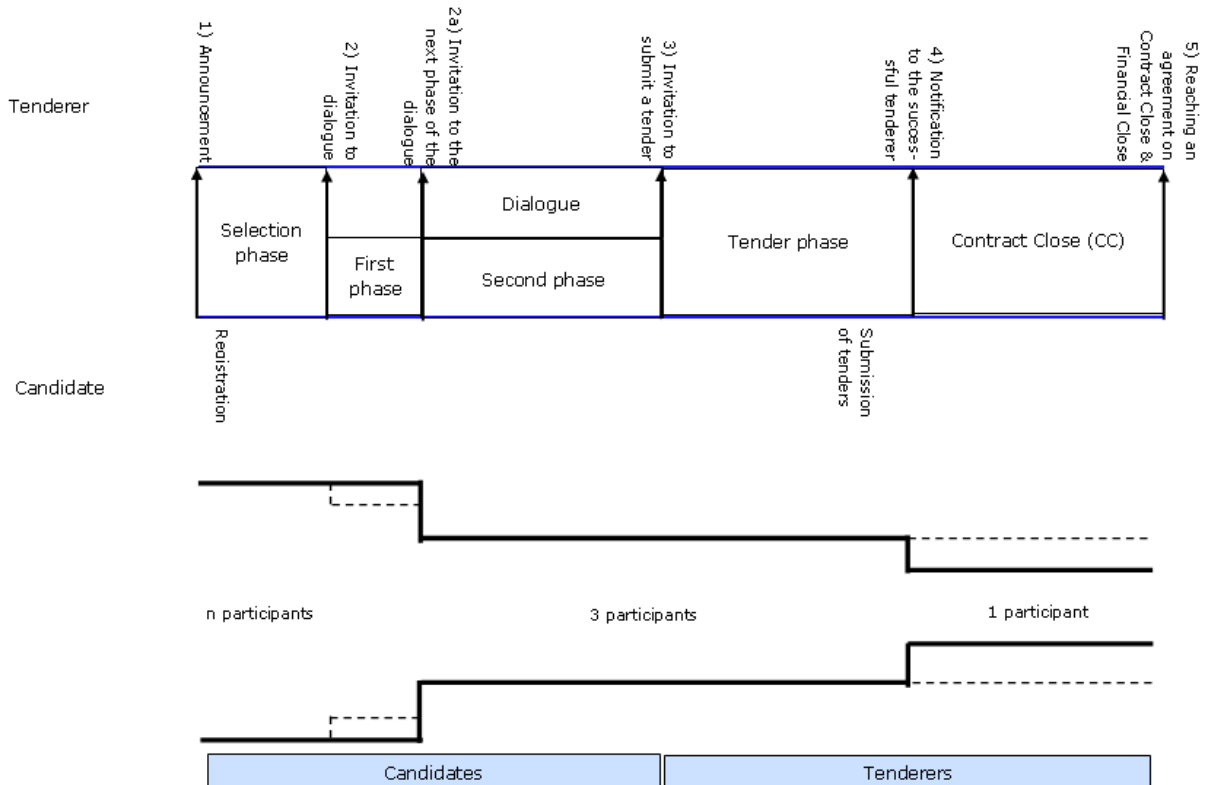
The Second Phase of the Dialogue will be described in more detail in the Tender and Assessment Guidelines. During the Second Phase of the Dialogue, the Contracting Authority will work out the contents of the DBM Agreement in more detail with the Candidates, and adjust such where necessary.

Based on the results of the Second Phase of the Dialogue, the Contracting Authority may revise the Tender Documents, identically for all Candidates.

### **Tender Submission Phase**

After the Second Phase of the Dialogue has been concluded by the Contracting Authority, the Tender Submission Phase will follow. The Second Phase of the Dialogue will be described in the Tendering and Assessment Guidelines. The award of the Project will take place based on the criterion of the most economically advantageous tender (MEAT). The MEAT criteria are described in **schedule 3**.

## Diagram of the tendering procedure



### 1.8 Public planning procedures

The appeal phase for the Route Decisions referred to below and the Provincial Integration Plan has expired. The Route Decision A4 Vlietland–N14 became irrevocable on 19 August 2015. The other two Route Decisions and the Provincial Integration Plan are expected to become irrevocable by the end of 2015.

In the Route Decision A4 RijnlandRoute dated 17 December 2014, the following has been laid down:

- the development of new intersection Hofvliet.
- the extension of the existing parallel carriageway structure of the A4 from the Zoeterwoude-Dorp junction to the new intersection Vlietland. Each parallel carriageway has two traffic lanes; the existing carriageways with three traffic lanes will be converted to carriageways with two traffic lanes.
- the widening of the Zoeterwoude-Dorp exit ramp on the east side.

In the Route Decision A44 dated 17 December 2014, the following has been laid down:

- the development of a new intersection near Ommedijk.
- the widening of the A44 to 2x4 traffic lanes between the Leiden-West junction and the new Ommedijk intersection near the

Maaldrift estate, including the reconstruction of the Leiden-West junction.

- this newbuild intersection will connect the A44 with the new provincial access road to be built between the A44 and A4.

In the Route Decision A4 Vlietland-N14, the following has been laid down:

- the widening of the A4 from 2x3 to 2x4 traffic lanes between the junction with the N14 and the Hofvliet intersection.

In the Provincial Integration Plan dated 10 December 2014, the following has been laid down:

- the development of a new regional arterial road (N434) between the new intersection Hofvliet to be built (A4) and Ommedijk (A44), which will include a bore tunnel.
- reconstruction of the Plesmanlaan.

The final outcome of the above public planning procedures may have an impact on the further progress of the tendering procedure and the exact content of the Project. Candidates should take this into account.

## 1.9 Administrative and implementation agreements

In preparation of this tendering procedure, the Contracting Authority has concluded the administrative and implementation agreements detailed below. The data are updated during the tendering procedure.

Party	Description of the agreement	Date of the agreement
Province of Zuid-Holland and the Ministry of Infrastructure and the Environment	<ul style="list-style-type: none"> <li>• administrative agreement</li> <li>• cooperation agreement</li> <li>• partnering agreement</li> </ul>	12 September 2013 17 March 2015 23 April 2015
municipality of Leiden	<ul style="list-style-type: none"> <li>• cooperation agreement (ready for signing)</li> <li>• implementation agreement</li> </ul>	
municipality of Katwijk	<ul style="list-style-type: none"> <li>• implementation agreement</li> </ul>	
municipality of Wassenaar	<ul style="list-style-type: none"> <li>• implementation agreement</li> </ul>	
municipality of Oegstgeest	<ul style="list-style-type: none"> <li>• implementation agreement</li> </ul>	
Rijnland Water Authority	<ul style="list-style-type: none"> <li>• implementation agreement</li> </ul>	
municipality of Voorschoten	<ul style="list-style-type: none"> <li>• administrative agreement</li> <li>• letter</li> </ul>	4 November 2013
municipality of Leidschendam-Voorburg	<ul style="list-style-type: none"> <li>• letter</li> </ul>	
municipality of Zoeterwoude	<ul style="list-style-type: none"> <li>• letter</li> </ul>	

## **2 General information**

### **2.1 Acceptance Declaration Candidates**

By submitting a request for participation, the Candidate declares that it unconditionally accepts the tendering procedure described in these Selection Guidelines.

### **2.2 Applicable regulations**

The tendering procedure will be conducted as a competitive Dialogue (sections 2.28 and 2.29 Public Procurement Act 2012 and Chapter 4 of the Procurement Rules on Public Works Contracts 2012).

Insofar as the Selection Guidelines or the Tendering and Assessment Guidelines do not deviate from such, among others the following statutory regulations will be applicable to this tendering procedure:

- Directive 2004/18/EC of the European Parliament and the Council of 31 March 2004, on the coordination of procedures for the award of public works, public supply contracts and public service contracts;
- Directive 89/665/EEC of the Council of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts;
- The Public Procurement Act 2012;
- The Public Procurement Decree;
- The Procurement Rules on Public Works Contracts 2012 (ARW 2012);
- The Public Administration (Probity Screening) Act (BIBOB Act).

### **2.3 Judicial protection - choice of forum**

The Contracting Authority will inform the relevant Candidate or Candidates in writing about decisions that have legal consequences in the sense of article 1, paragraph 1, of Directive 89/665/EEC, in connection with the tendering procedure.

All time limits detailed in the Tender Documents will commence the day after the sending of the decision at midnight 0.00 hours, and all time limits are fixed and final deadlines. This means that if a Candidate does not lodge an objection against a decision within the set time limit after the sending of that decision, the relevant Candidate will no longer be able to lodge an objection in relation to that decision. In such case, the Contracting Authority is free to proceed with the (further) implementation of the decision. Insofar as no specific objection period is specified in a decision that will have legal consequences, an objection period will apply to that decision of 20 Calendar Days.

With respect to all decisions, a Candidate who has made an objection against a decision must also institute preliminary relief proceedings against that decision within 20 Calendar Days after the date that decision was sent. The proceedings are pending as of the date of the summons (Article 125 of the Dutch Code of Civil Procedure).

All disputes that arise between the parties involved in the tendering procedure in connection with the tendering procedure must be put before the civil courts in The Hague.

## **2.4 Terminating the procedure – withdrawal of Candidates**

The Contracting Authority can prematurely end the tendering procedure.

If the Contracting Authority decides to end the tendering procedure after the Selection Phase, then depending on the stage which the tendering procedure is then in, and depending on the efforts made by the Candidates up until that point in time, the Contracting Authority will then pay a reasonable amount of compensation, to be determined by the Contracting Authority, for the expenses incurred by the Candidates.

Candidates can withdraw from the tendering procedure up until the submission of the Tender without being liable for damages with respect to the Contracting Authority.

Candidates who are invited to participate in a following phase of the tendering procedure, but who nonetheless withdraw, will not have a right to receive a (design) costs compensation payment.

## **2.5 Contract Notice**

The contract notice was announced on 7 December 2015 on the website [www.tenderned.nl](http://www.tenderned.nl) and sent to the Publications Bureau of the European Community.

No pre-announcement has been published.

## **2.6 Language**

This tendering procedure will be conducted in the Dutch language. Insofar as the Contracting Authority has not stated otherwise, all documents shall be drawn up in the Dutch language. If declarations that were originally in a foreign language have to be submitted in Dutch, the Candidate has to submit both the declaration in the original (foreign) language and a translation of such into Dutch.

The Contracting Authority will allow the following documents to be submitted in English, German or French without an attached translation:

- Certificate of Conduct for Procurement (GVA) or an equivalent certificate;
- Extract from the trade register;



- Copy of a valid identity document;
- Power of attorney.

If the Candidate is asked to submit a Contractor's Certificate of Conduct for Procurement (GVA), an extract from the trade register, or a copy of a valid identity document, and the Candidate wishes to submit the document - without an attached translation - in a language other than Dutch, English, German or French, it must obtain the advance permission of the Contracting Authority.

In addition, the Contracting Authority will allow information on reference projects to be delivered in the English language.

## **2.7 Ceiling price**

The Ceiling Price for the execution of the DBM Agreement is announced in the Tender and Assessment Guidelines.

## **2.8 Information supply**

### **2.8.1 Website**

Furthermore general information can be found on [www.rijnlandroute.nl](http://www.rijnlandroute.nl).

### **2.8.2 Data Room - Provision of information**

The Contracting Authority will set up a virtual Data Room on an extranet for the purpose of this tendering procedure as of the start of the First Phase of the Dialogue. The Candidates will have to conclude an agreement with the Contracting Authority under which they will be given access to the Data Room. For this tendering procedure, the Contracting Authority will deliver the information to be provided digitally - as much as possible - in PDF format, as well as in Word format and/or Excel format. In the event of any differences between the formats, the PDF version will be leading. The Contracting Authority will decide during the Dialogue to what extent the information in the Data Room will be designated as Disseminated Information in the sense of the DBM Agreement.

### **2.8.3 Electronic communication**

In this tendering procedure, use will be made of the option of conducting the communication between the Candidate and the Contracting Authority by electronic means.

Information which is communicated electronically between the Contracting Authority and the Candidates will be provided in PDF format as much as possible and also in Word format and/or Excel format. In the event of any differences between the formats, the PDF version will be leading.

## **2.9 Confidentiality and Intellectual Property Rights**

### ***2.9.1 Confidentiality to be observed by the Candidates***

By participating in the tendering procedure the Candidates oblige themselves to keep confidential all information that they receive from the Contracting Authority - insofar as not available in the public domain - and not to disclose such to third parties. Candidates must protect the information they receive from the Contracting Authority against unauthorised use. They may disclose such information to the subcontractors of the Candidates who are involved in the tendering procedure, on the condition of imposition of this confidentiality clause. This obligation does not apply if provisions to the contrary are explicitly stated in the Selection Guidelines or the Tender and Assessment Guidelines, or in any other announcements of the Contracting Authority. The information provided may only be used for the purpose for which it is intended.

### ***2.9.2 Confidentiality to be observed by the Contracting Authority and intellectual property rights***

The following will be designated as confidential:

- a) Reference Details, General Risk Management Plans, Dialogue Products, and Tenders;
- b) Confidential Information as referred to in paragraph 2.10.2;
- c) All other information which – by its nature – is confidential.

Confidential Information will be handled as such by the Contracting Authority. The Contracting Authority will therefore not disclose confidential information to third parties – including other Candidates – except if and insofar as the Contracting Authority is reasonably obliged to disclose such on the grounds of any legal obligation or in connection with legal proceedings. Before the Contracting Authority discloses confidential information to third parties in such situations, it will hold consultations with the relevant Candidate about the method of disclosure that is the least inconvenient for the latter, without prejudice to the fulfilment of aforementioned obligations by the Contracting Authority.

Any intellectual property rights held by the Candidates will not be transferred to the Contracting Authority on account of the participation in the tendering procedure, unless otherwise is agreed.

## **2.10 General and Confidential Information**

During the tendering procedure, the Candidates can ask the Contracting Authority for additional information about the Project and the Tender Documents. Requests for information can lead to the issuing of General and Confidential Information by the Contracting Authority.

The Contracting Authority can also issue information to the Candidates at its own initiative.

For each phase of the tendering procedure, the Contracting Authority will specify the date before which the requests for information have to be submitted.

### **2.10.1 General Information**

In principle, the Contracting Authority will respond to requests for information by way of General Information. General Information will be identical for each Candidate, and all amendments, additional details, and clarifications, or other types of information about the Project or the Tender Documents, will have identical application.

If the Contracting Authority responds to a request for information from a Candidate by way of General Information, then the Contracting Authority will display and respond to this request for information in a depersonalised way that is accessible for all the Candidates.

### **2.10.2 Confidential Information**

In principle, no Confidential Information is provided during the Selection Phase.

## **2.11 Communication**

The Candidates are not permitted to communicate with employees of the Contracting Authority, advisors of the Contracting Authority, or other natural persons and legal entities on the side of the Contracting Authority who are involved in the tendering procedure and the preparation of the Project, or with other parties involved in the Project, about the tendering procedure and/or the Project, in any other way than as described in the Selection Guidelines or the Tendering and Assessment Guidelines, unless prior written permission has been given for such by the Contracting Authority. A request for this written permission must be submitted by a Candidate as a "request for information" to the Contracting Authority.

Candidates that act in violation of the provisions of this paragraph can be excluded from (further) participation in the tendering procedure.

## **2.12 Inside information and conflicts of interest**

The guidelines of RWS for the prevention of inside information and conflicts of interest, as detailed in the policy document "Separation of interests, Policy to prevent conflicts of interest in the awarding of contracts" dated 14 September 2007 (see schedule 4), are applicable in full to this tendering procedure.

All Candidates and Significant Subcontractors must state in the Supplementary Compliance Statement (schedule 2.3 B) if there is (or has been) any involvement in the preparation of the Project. If there is or has been any involvement in the

preparation of the Project, this will be grounds to suspect there is inside information and/or a conflict of interests.

The Contracting Authority will give the Candidate the opportunity to refute the suspicion referred to in the previous paragraph to the satisfaction of the Contracting Authority, and to show that this (previous) involvement will not be detrimental to fair competition.

A Candidate can be excluded from participation in the tendering procedure if the suspicion referred to in the second paragraph has not been refuted.

### **2.13 Complaints in relation to the tendering procedure**

The Contracting Authority has set up a complaints desk in accordance with the advice "Complaints procedure for contract tendering"<sup>1</sup>. Complaints in relation to the tendering procedure can be submitted to the Central Contract Tendering Complaints Desk of the RWS at the following email address: [klachtenmeldpunt@rws.nl](mailto:klachtenmeldpunt@rws.nl).

Complaints can be made in relation to non-compliance with statutory regulations or violations of the general principles of contract tendering.

A complaint must be submitted in writing, and must give a clear description of the aspect of the tendering procedure which the complaint relates to and the reasons for the complaint.

A complaint will be dealt with by officials who are expert in the relevant field, and who are not involved, nor will be involved, in this tendering procedure.

A complaint will be dealt with as quickly as possible; the complainant will be notified of this. The submission of a complaint will not have any suspensory effect, and will not change the circumstance that a Candidate must make a formal objection on time, or start legal proceedings on time if and insofar this is necessary or relevant (see paragraph 2.3).

### **2.14 Reasons within the context of the Public Procurement Act**

The present tendering procedure concerns a contract in which different types of work and/or construction phases have been integrated in accordance with the purchasing strategy of RWS.

The RijnlandRoute programme has already be divided up into three contracts.

1	A44 / N434 / A4	The widening of the A44 - the construction of the new Ommedijk intersection - the tunnel route N434 - the construction of the new Hofvliet intersection - the widening of the A4
2	N206	The ir. Tjalmaweg
3	N206	The Europaweg

<sup>1</sup> For more information about the complaints desk and the advice "Complaints procedure for contract tendering", see the website of RWS. Go to [www.rijkswaterstaat.nl/zakelijk](http://www.rijkswaterstaat.nl/zakelijk) and then select: Zaken doen met Rijkswaterstaat > Inkoopbeleid > Aanbesteden > Klachtenmeldpunt aanbesteden.

The Project concerns an integrated contract for the tunnel route and the intersections of the A4 and the A44. The combination of design, build, and maintenance will have the following advantages for this Project:

- leads to an integrated solution and to a better quality design, because the (financial) consequences for faults in the design are carried by the contractor;
- leads to shorter lead times (by combining designphase en executionphase)
- the combining of design & construction with maintenance (DBM) leads to maintenance-friendlier design and higher quality;
- the integration of maintenance during realisation leads to a clear allocation of responsibility for the area to a single party, as a result of which the project control, the safety and the smooth flow of traffic is enhanced;
- leads to optimisation of the total costs involved (i.e., the combined cost of execution and maintenance together);
- provides more transparency in the communication on areas of overlap with the local stakeholders;
- ensures a clear management structure, which contributes to the maximum management of the areas of overlap;
- offers private sector parties more space for product and process innovation, which leads to better performance at a lower cost;
- leads to better project control
- the combination of an integrated contract and award on price and quality (MEAT) offers tenderers more opportunities to compete on quality.

### **3 Selection Phase**

#### **3.1 General**

During this phase, Candidates can qualify for participation in the First Phase of the Dialogue. For this purpose, the Contracting Authority will assess the Candidates on the basis of the exclusion/disqualification criteria and suitability requirements described in this chapter.

The Candidate must satisfy the requirements provided for in this chapter and fully complete the forms included in schedule 2. Failing to complete a form completely may result in exclusion from (further) participation in the tendering procedure.

#### **3.2 Registration**

Interested parties can register with the Contracting Authority until [date] by linking themselves to the tendering procedure via TenderNed (see paragraph 1.3). If an interested party wishes to participate in the tendering procedure, it will also have to submit a request for participation in accordance with paragraph 3.4.

#### **3.3 Information**

Interested parties can submit a request for information up until [date] by way of TenderNed. The provisions of paragraph 2.10 apply to this information.

Requests that have not been submitted on time will in principle not be handled by the Contracting Authority. The Contracting Authority will issue General Information on the basis of timely requests that are submitted no later than [date].

#### **3.4 Requests for participation**

Interested parties are required to submit their request for participation via TenderNed on [date and time] at the latest (see paragraph 1.3), the TenderNed clock being decisive. The TenderNed digital safe closes at the aforementioned time. Requests for participation which are submitted in a different manner will not be considered. All documents to be submitted with the request for information that must be signed must be provided with a recognised electronic signature with security level IV, in accordance with the requirements provided for in paragraph 1.3.

The request for participation must be structured entirely in accordance with the model prescribed in schedule 2.1. The request for participation must be signed by an authorised representative.

Requests for participation can no longer be submitted after the digital safe in TenderNed has closed at the time referred to in this paragraph.

### **3.5 Single involvement persons and legal entities**

Persons and legal entities may only participate once as Candidate or only be involved via one Candidate as Significant Subcontractor. For the purpose of this provision, persons and legal entities to whom the conditions below apply are considered to be a single person or legal entity:

1. Persons and legal entities who are affiliated in a manner as referred to in article 2: 24a of the Dutch Civil Code; or
2. Persons and legal entities who are affiliated in a group as referred to in article 2: 24b of the Dutch Civil Code; or
3. Persons and legal entities who are affiliated in a manner comparable to the manner described under 1 or 2 under foreign law.

### **3.6 Registration of a partnership of entrepreneurs (consortium)**

Registration by a partnership of entrepreneurs (consortium) is allowed. The contracting authority has not set any special requirements in relation to the legal form (after contract award) of a partnership of entrepreneurs (consortium).

In the case of a partnership of entrepreneurs (consortium), one of the partners will have to be designated as the representative in the model form request for participation included in schedule 2.1 under A. The representative must be authorised to duly represent the other legal entities who have registered in all matters relating to this tendering procedure. The Candidate guarantees this authorisation towards the Contracting Authority.

In addition to that provided for in article 3.19.2 of the Procurement Rules on Public Works Contracts 2012, it is also been determined that a participant in a partnership, whose involvement in the performance of the contract is worth less than 10% of the value of the tender, will be jointly and severally liable for the fulfilment of all the obligations arising out of the agreement, but only up to a maximum of 10% of the value of the tender. The above shall only apply if the participation of an entrepreneur is explicitly stated as being worth less than 10% of the tender value on the tender submission form when the tender is submitted, and if this participation can be specified and substantiated if the contracting authority requests such.

### **3.7 Article 6 Competition Act**

If the Contracting Authority suspects that the number of businesses in a partnership of entrepreneurs (consortium) is disproportionately large, in light of the Competition Act, the Contracting Authority shall report this to the Netherlands Authority for Consumers & Markets.

For the avoidance of doubt, the Contracting Authority informs the Candidates that it is prohibited to conclude agreements that are intended to or that result in the fact that competition in the Dutch market or part thereof is obstructed, restricted or forged.

The Contracting Authority reserves the right to submit a report to the Netherlands Authority for Consumers & Markets concerning Candidates in respect of whom the Contracting Authority suspects that they have concluded an agreement for the purpose of the Project contrary to the Competition Act, have contributed to a decision of an employers' association or have coordinated their actual practices with another company or other companies, with the purpose or the result of obstructing, restricting or forging competition in the Dutch market or part thereof.

### **3.8 Demonstrating suitability**

#### **3.8.1 General**

The Candidates must demonstrate that they satisfy the suitability requirements provided for in paragraphs 3.11.1, 3.11.2 and 3.11.3 themselves or by (partly) relying on the technical expertise of one or more third parties.

If a Candidate relies on one or more third parties - Significant Subcontractor(s) - it must demonstrate when it submits its request for participation that it will actually be able to dispose of the experience of those third parties and in which manner, for which purpose the relevant Significant Subcontractor shall complete and sign the model statement included in schedule 2.2.

#### **3.8.2 Relying on third parties: Significant Subcontractors**

A person or legal entity upon whose technical expertise a Candidate relies in order to satisfy one or more suitability criteria are designated as Significant Subcontractors.

Significant Subcontractors must actually be deployed by the Contractor when performing the activities that concern the requirements for which the Candidate has relied on the technical expertise of the Significant Subcontractor.

#### **3.8.3 Allocation of experience**

As regards the suitability requirements as provided for in the paragraphs 3.11.1, 3.13.2, 3.11.2 and 3.11.3, a Candidate or Significant Subcontractor can only invoke certain experience if and to the extent that Candidate or Significant Subcontractor itself performed the activities relevant for that experience.

### **3.9 Change of Significant Subcontractors**

In the event of unforeseen circumstances, such as the withdrawal of a Significant Subcontractor due to events beyond the control of the Candidate, or for organisational reasons on the condition the group of parties involved is not unnecessarily expanded, Candidates can propose changes in the designation of



Significant Subcontractors. Candidates that propose such a change must explain the reasons for this change in their proposal.

The express written permission by the Contracting Authority is required for such changes. Conditions may be attached to this permission. The Contracting Authority will assess whether or not the change in the composition will have consequences, for example, in relation to:

- the applicability of exclusion/disqualification criteria;
- the fulfilment of the suitability requirements or the selection criteria;
- inside information or conflicts of interest;
- other aspects in the field of competition law.

The Contracting Authority, however, will not refuse to give its permission on unreasonable grounds.

In order for this permission to be given, in all cases the Candidate must show that after the change it will continue to satisfy all the requirements that have been set up until that time in this tendering procedure for Candidates and Significant Subcontractors. If a selection has already taken place, in order for permission to be given the Candidate will also need to show that, in the new composition, it will still achieve at least the same or a higher total score under the applicable criteria for selection.

### **3.10 Exclusion/disqualification criteria**

#### ***3.10.1 Mandatory exclusion/disqualification criteria***

The Contracting Authority will exclude each Candidate or Significant Subcontractor from participation or involvement in the tendering procedure to whom one or more of the circumstances referred to in Section 4.5.1 Procurement Rules on Public Works Contracts 2012 applies, without prejudice to the provisions of Section 4.5.7 of the Procurement Rules on Public Works Contracts 2012.

#### ***3.10.2 Optional exclusion/disqualification criteria***

The Contracting Authority may exclude each Candidate or Significant Subcontractor from participation or involvement in the tendering procedure to whom one of the circumstances referred to in Section 4.5.4 Procurement Rules on Public Works Contracts 2012 applies, without prejudice to the provisions of Section 4.5.7 of the Procurement Rules on Public Works Contracts 2012.

#### ***3.10.3 Statements to be submitted***

To prove that no grounds for exclusion/disqualification criteria exist as stated in 3.10.1 and 3.10.2, Candidate will have to enclose the following statements, completed fully and truthfully, with its request for participation:

- For all the participants in the consortium: a Compliance Statement for tendering procedures of contracting authorities (schedule 2.3 A) and a Supplementary Compliance Statement (schedule 2.3 B).

- A Third-party Statement Grounds for Exclusion (schedule 2.4) and a Supplementary Compliance Statement (schedule 2.3 B) from each Significant Subcontractor.

The abovementioned parties are obliged to continue to comply with the statements during the tendering procedure.

A completed Compliance Statement for tendering procedures of contracting authorities, a Third-party Statement Grounds for Exclusion or a Supplementary Compliance Statement is considered to be a statement made by the party that has submitted the statement. The items of evidence as referred to in Sections 4.5.3 and 4.5.5 Procurement Rules on Public Works Contracts 2012 must be submitted at the request of the Contracting Authority. The Candidate is required to submit the items of evidence to the Contracting Authority within two working days<sup>1</sup> of such request.

A Compliance Statement for tendering procedures of contracting authorities or a Supplementary Compliance Statement which has not been completed fully or truthfully may lead to Candidate's exclusion from participation in the (remainder of the) tendering procedure.

*Certificate of Conduct for Procurement:*

The Contracting Authority may request the Candidate to submit a Certificate of Conduct for Procurement as referred to in Section 2.89 paragraph 2 of the Public Procurement Act 2012, which is not older than two years at the time of submission, by way of proof of the fact that no exclusion/disqualification criteria apply. A Certificate of Conduct for Procurement must concern the Candidate's current situation.

If a statement comparable to the Certificate of Conduct for Procurement is not issued in the country of origin, it will be sufficient to submit a statement made under oath or a solemn affirmation that is made before a competent judicial or administrative organisation, a civil-law notary or a competent professional organisation in the country of origin.

### **3.10.4 Advice Public Administration Probity Screening Agency**

If the Contracting Authority has indications that a Candidate or a Significant Subcontractor is in one of the circumstances referred to in Section 2.86 or 2.87 of the Public Procurement Act 2012, but there is insufficient information available to substantiate exclusion from participation or further involvement, the Contracting Authority may obtain the advice of the Public Administration Probity Screening Agency (see Section 8 of the Public Administration (Probity Screening) Act). A Candidate or a Significant Subcontractor in respect of whom advice has been requested is notified thereof by the Contracting Authority of the content of that advice.

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<sup>1</sup> NOTE: Obtaining a contractor's certificate of good conduct may take several weeks.

### **3.10.5 Exclusion**

At selection, shortlisting and contract award, a Candidate must be able to demonstrate to the Contracting Authority upon request that the exclusion/disqualification criteria, as referred to in paragraphs 3.10.1 and 3.10.2 do not apply to it or its Significant Subcontractors, failing which the Candidate may be excluded from (further) participation in the tendering procedure. If one of the exclusion/disqualification criteria, as referred to in paragraphs 3.10.1 and 3.10.2, becomes applicable to a Candidate or one of its Significant Subcontractors during the tendering procedure, that Candidate must notify this fact immediately in writing to the Contracting Authority.

Candidates who, in the opinion of the Contracting Authority, act in violation of the rules or requirements as set in the Tender Documents can be excluded from (further) participation in the tendering procedure.

If at any point in time it becomes apparent that a Candidate has provided incorrect information, that Candidate can be excluded from (further) participation in the tendering procedure.

If the Contracting Authority decides to exclude a Candidate based on an exclusion/disqualification criterion that concerns a participant in the consortium or a Significant Subcontractor, the relevant Candidate will be given the opportunity to submit a change proposal as referred to in paragraph 3.9 to the Contracting Authority, within [15] Calendar Days, for the replacement of the relevant participant or Significant Subcontractor.

Candidates who are excluded on the grounds of the provisions of this paragraph will not receive any compensation.

## **3.11 Proof of technical and organisational expertise**

### **3.11.1 Project management experience**

The Candidate must be able to demonstrate that it can actually dispose of the following experience for the performance of the Project:

The Candidate must have performed the project management of a project during the past five years (to be calculated from the final date for submission of a request for participation, see paragraph 3.4). This project must meet the following requirements:

- a. Infrastructure project involving groundwork, road and hydraulic engineering (GWW);
- b. Integrated performance of at least design and construction activities, performed subject to certified quality assurance (based on NEN-EN-ISO 9001 or an equivalent standard);
- c. The total value of the design and construction activities referred to under b. must amount at least to EUR 50,000,000 (in real euros, exclusive of VAT);

- d. Construction must have been completed for at least 25%, such to the satisfaction of the relevant client, when a request for participation is submitted.

Project management within the meaning of the present suitability requirement is defined as having been demonstrably responsible for or having had a managerial role in all of the following duties at the level at which the design and construction activities were integrated:

- i. Daily management of the activities;
- ii. Risk management;
- iii. Environmental management;
- iv. Quality management;
- v. Financial management;
- vi. The time schedule;
- vii. The handling of changes.

A reference project can be submitted for this requirement which has also been submitted for the other suitability requirements.

### ***3.11.2 Requirement of experience with bore tunnels***

The Candidate must have completed the design and construction of a project during the past ten years (to be calculated from the final date for submission of a request for participation, see paragraph 3.4) of at least one bore tunnel within the national or international railway or road network, with a continuous section of at least 1000 m in soft soil, which is open for railway or road traffic.

This reference project must meet the requirement of an integrated performance of at least the design and construction activities, performed subject to certified quality assurance (based on the NEN-EN-ISO 9001 standard or an equivalent standard).

In order to guarantee an adequate level of competition, it has been decided to extend this eligibility period to ten years.

A reference project can be submitted for this requirement which has also been submitted for the other suitability requirements.

### ***3.11.3 Requirement of experience with the execution of traffic-technical and tunnel-technical installations***

The Candidate must have completed at least one project during the past five years (to be calculated from the final date for submission of a request for participation, see paragraph 3.4) in relation to traffic-technical and tunnel-technical installations in a tunnel for road and/or rail transport, with a continuous section of at least 750 m.

This reference project must meet the following requirements:

- a. must involve the integrated performance of at least design and execution activities, performed subject to certified quality assurance (based on NEN-EN-ISO 9001 or an equivalent standard);
- b. the total contract value of the design and execution activities referred to under a. must amount to at least EUR 10,000,000 (in real euros, exclusive of VAT);
- c. the execution activities must have been completed in full at the time when a request for participation is submitted.

The term "integrated execution" in the sense of this suitability requirement means in any case: an interdisciplinary approach based on systems engineering, whereby at least the following (technical) elements were combined to form a successfully operational system:

- Tunnel-Technical Installations (TTI);
- Industrial Automation (IA), including software development for the operational control of the tunnel system;
- Systems integration.

A reference project can be submitted for this requirement which has also been submitted for the other suitability requirements.

#### **3.11.4 Information to be submitted**

The Candidate is required to declare by means of the model enclosed as schedule 2.5 that it complies with the requirements listed in paragraphs 3.11.1 through 3.11.3 concerning the specified suitability requirements. A separate statement must be submitted for each reference project.

#### **3.12 Verification by the Contracting Authority**

The Contracting Authority reserves the right to verify the soundness of the references that have been provided. The Candidate is obliged to cooperate therein.

#### **3.13 Information to be submitted**

The Candidates are required to submit the following information with their request for participation with respect to the Candidate itself (all the participants in the consortium) and the Significant Subcontractors:

- a. Request for participation including all related documents (schedule 2.1).
- b. Statement(s) concerning the availability of the Significant Subcontractor(s) (paragraph 3.8) including all related documents (schedule 2.2).
- c. For all participants in the consortium: A Compliance Statement for tendering procedures of contracting authorities (schedule 2.3 A, being the standard

statement in accordance with the Public Procurement Act 2012<sup>1</sup>) and a Supplementary Compliance Statement (schedule 2.3 B).

- d. As regards each Significant Subcontractor: A "Third-party statement of exclusion/disqualification criteria" (schedule 2.4) and a Supplementary Compliance Statement (schedule 2.3 B).
- e. References in relation to project management experience, experience with bore tunnels and experience with the realisation of traffic-technical and tunnel-technical installations, including all the associated documents (schedule 2.5).

A list of the documents to be submitted has been included in the overview after schedule 2.5 and the prescribed manner of signing digitally is set out in paragraph 1.3.

### **3.14 Assessment request for participation - invitation to the Dialogue**

The Contracting Authority will only invite the Candidates in respect of whom no exclusion/disqualification criteria as referred to in paragraph 3.10 apply and who satisfy the suitability requirements as referred to in paragraph 3.11 to participate in the Dialogue.

Decisions on the part of the Contracting Authority not to invite Candidates to the Dialogue are subject to paragraph 2.3. If a Candidate objects to this decision, it is required to notify the Contracting Authority of its objections in writing within ten Calendar Days after dispatch of the decision.

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<sup>1</sup> see the website: <http://www.rijksoverheid.nl/documenten-en-publicaties/formulieren/2013/03/22/eigen-verklaring-aanbestedingsprocedure-aanbestedende-diensten.html>

## **SCHEDULES**

### **schedule 1: Definitions**

#### **Contracting Authority**

The Province Zuid Holland, with its seat in The Hague, for whom RWS, Major Projects and Maintenance is administering the tendering procedure.

#### **Tender Documents**

The Selection Guidelines, the Tender and Assessment Guidelines, the DBM Agreement, the General and Confidential Information, the invitations to a (subsequent) phase in the tendering procedure and all other documents that the Contracting Authority will provide to the Candidates and will designate as such.

#### **Supplementary Compliance Statement**

The Supplementary Compliance Statement in schedule 2.3 B.

#### **General Information**

Information provided by the Contracting Authority to all Candidates in accordance with paragraph 2.10 of the Selection Guidelines.

#### **Significant Subcontractor**

A person or legal entity whose technical capability is called upon by a Candidate in order to satisfy requirements with respect to technical capability.

#### **Data Room**

The digital archive comprising documents and data relating to the tendering procedure for the Project.

#### **Data Room Regulations**

The regulations setting out access to and use of the Data Room.

#### **DBM Agreement**

The project-specific DBM Agreement, including Schedules, will be made available at the start of the First Phase of the Dialogue. The Government-Wide Model Agreement DBFM(O) can be downloaded from the website: [www.ppsbijhetrijk.nl](http://www.ppsbijhetrijk.nl).

#### **Third-party Statement Grounds for Exclusion**

The statement included as schedule 2.4 and that must be completed by the Significant Subcontractors in accordance with paragraph 3.10.3 of the Selection Guidelines.

#### **Dialogue**

The First Phase of the Dialogue and the Second Phase of the Dialogue together.

#### **First Phase of the Dialogue**

The initial phase of the Dialogue described in the Tendering and Assessment Guidelines.

**Compliance Statement**

The Compliance Statement for tendering procedures of contracting authorities or the Third-Party Statement of Grounds for Exclusion, together with the Supplementary Compliance Statement, as referred to in paragraph 3.10.3 of the Selection Guidelines.

**Compliance Statement for tendering procedures of contracting authorities**

The Compliance Statement (schedule 2.3 A) that has been determined in accordance with Section 2, paragraph 2 of the Tender Decision.<sup>1</sup>

**Certificate of Conduct for Procurement**

The certificate as referred to in article 4.1 of the Public Procurement Act 2012.

**Candidate(s)**

A partnership of entrepreneurs, or one more persons and legal entities, who have registered to participate in this tendering procedure.

**Preferred Tenderer**

The Tenderer with whom the Contracting Authority intends to enter into the DBM Agreement.

**Tenderer**

A partnership of entrepreneurs, or one more persons and legal entities, who have submitted a Tender.

**Tender Submission**

The tender that is submitted by the Candidates who have been invited to do so following conclusion of the Dialogue. If the Tender is submitted in stages, the "date of Tender" is the date on which the final parts of the Tender (must) have been submitted.

**Tendering and Assessment Guidelines**

The guidelines that describe the tendering procedure from the moment of Invitation to participate in the First Phase of the Dialogue up to and including submission of a Best and Final Offer (BAFO). The preceding period is described in the Selection Guidelines.

**Ceiling Price**

The amount set by the Contracting Authority which the tender value (combined total fair value of the Construction Contract Value and the Availability Contract Value) must remain below, on pain of invalidity.

**Project**

All works, deliveries and services that must be carried out on the basis of the DBM Agreement.

**Provincial Integration Plan**

The Provincial Integration Plan as laid down on 10 December 2014.

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<sup>1</sup> see the website: <http://www.rijksoverheid.nl/documenten-en-publicaties/formulieren/2013/03/22/eigen-verklaring-aanbestedingsprocedure-aanbestedende-diensten.html>



**General Risk Management Plan**

The product submitted by the Candidates in the First Phase of the Dialogue, which will be used as the basis for the selection of the Candidates who will continue to the next phase of the Dialogue.

**Risk Management Plan**

The product that is submitted by the Candidates in the Second Phase of the Dialogue as part of their best and final offer.

**Selection phase**

The phase of the tendering procedure described in chapter 3 of the Selection Guidelines.

**Selection Guidelines**

The guidelines used by the Contracting Authority to select Candidates who are allowed to participate in the Dialogue.

**Route Decision**

The Route Decision A4 RijnlandRoute and the Route Decision A44 RijnlandRoute as laid down on 17 December 2014 and the Route Decision A4 Vlietland-N14 as laid down on 17 December 2014, which became irrevocable on 19 August 2015.

**Second Phase of the Dialogue**

The final phase of the Dialogue described in the Tendering and Assessment Guidelines.

**Invitation to participate in the (First Phase of the) Dialogue**

The document in which the Contracting Authority invites the selected Candidates to participate in the (First Phase of the) Dialogue.

**Confidential Information**

Confidential Information in accordance with paragraph 2.10 of the Selection Guidelines.

## Schedule 2 Model forms at requests for participation

### schedule 2.1: Model form requests for participation

#### A. 1. Information of the Candidate (to be filled in by the Candidate, not being a consortium)

Name (as filed in trade register)	
Legal form	
Registered office (according to the articles of association)	
Country of establishment	
Contactperson	
Office address	
Postal adress	
E-mail	
Telephone	
Name of representative/main contractor, if any	

#### 2. Information of the partnership of entrepreneurs (to be filled in in the event of a registration as a partnership of entrepreneurs)

Consortium	
Legal form (if applicable)	
Name Consortium Member 1 (representative)	
Registered office (according to the articles of association) Consortium Member 1	
Name Consortium Member 2	
Registered office (according to the articles of association) Consortium Member 2	
Name Consortium Member 3	
Registered office (according to the articles of association) Consortium Member 3	

**Information of each of the entrepreneurs (candidates) in the partnership:**  
 (repeat the summary of details as often as necessary)

**CONSORTIUM MEMBER 1 / REPRESENTATIVE**

Name (as filed in the trade register)	...
Legal form	...
Registered office (according to the articles of association)	
Country of establishment	
Contact person	...
Office address	...
Postal address	...
Telephone number	...
Email address	...
Registered in the Trade Register of the Chamber of Commerce in	...
Chamber of Commerce number	...
Registration number	...

**CONSORTIUM MEMBER 2**

Name (as filed in the trade register)	...
Legal form	...
Registered office (according to the articles of association)	
Country of establishment	
Contact person	...
Office address	...
Postal address	...
Telephone number	...
Email address	...
Registered in the Trade Register of the Chamber of Commerce in:	...
Chamber of Commerce number	...
Registration number	...

**CONSORTIUM MEMBER 3**

Name (as filed in the trade register)	...
Legal form	...
Registered office	

(according to the articles of association)	
Country of establishment	
Contact person	...
Office address	...
Postal address	...
Telephone number	...
Email address	...
Registered in the Trade Register of the Chamber of Commerce in:	...
Chamber of Commerce number	...
Registration number	...

**B. Information concerning Significant Subcontractor(s) (to be provided per Significant Subcontractor)**

Name (as filed in the trade register)	
Legal form	
Registered office (according to the articles of association)	
Country of establishment	
Contactperson	
Office address	
Postal address	
E-mail	
Telephone	

**C. Information of the person with power of representation who has signed this request for participation on behalf of the Candidate.**

Name of person with power of representation	
Date and place of birth	
Position	

Name legal entity that is represented	

**D. Statement by the Candidate concerning the procedure and the accuracy of information**

[name of Candidate] declares that:

1. It has read the Selection Guidelines and agrees unconditionally with the procedure described therein;
2. All the information it has provided and will provide to the Contracting Authority in connection with this tendering procedure is accurate.

Signed in [place], [date]

**Name of [Candidate]**

on whose behalf,

[name person or persons referred to under D.]

[signature person or persons referred to under D.]

In the case of a registration as a partnership of entrepreneurs (consortium) all Candidates have to sign this registration form (repeat the summary of details as often as necessary).

Name of Candidate	...
Name and position of the person signing this registration form	...
Place	...
Date	...
Signature	...

Name of Candidate	...
Name and position of the person signing this registration form	...
Place	...
Date	...
Signature	...

Name of Candidate	...
Name and position of the person signing this registration form	...
Place	...
Date	...
Signature	...

## **schedule 2.2: Model Statement concerning the availability of the Significant Subcontractors<sup>1</sup>**

### **Information of Significant Subcontractor**

Name

Legal form

Address details

E-mail

Telephone

[Name Significant Subcontractor] declares:

1. It has read the Selection Guidelines for this tendering procedure and agrees unconditionally with the procedure described therein;
2. All the information it has provided and will provide to the Contracting Authority directly or indirectly in connection with this tendering procedure is accurate and that it is aware that any inaccuracies identified therein by the Contracting Authority could lead to the Candidate being excluded from further participation in this tendering procedure;
3. That [name Candidate], if the Project is awarded to [name Candidate], will be able to dispose of the knowledge, experience and resources available to the undersigned for the performance of the Project, and that the activities that relate to the requirements for which the undersigned is engaged will be performed by the undersigned. It agrees in this connection that the experience of the undersigned is considered to be personal experience of the Candidate.

Signed in [place], [date]

[Significant Subcontractor],

[name of person with power of representation]

[position]

[signature]

---

<sup>1</sup> To be completed by each Significant Subcontractor whose experience is relied on by the Candidate.

**schedule 2.3 A: Compliance Statement for tendering procedures of contracting authorities**

*The Compliance Statement for tendering procedures of contracting authorities is provided as a separate document in PDF format.*

**schedule 2.3 B: Model Supplementary Compliance Statement (to be submitted in addition to the Compliance Statement for tendering procedures of contracting authorities or the Third-Party statement of exclusion/disqualification criteria)**

All the participants are required to submit a separate and fully completed *Supplementary Compliance Statement*.

Significant Subcontractors are only required to submit a completed and signed *Supplementary Compliance Statement* for the section entitled "Questions concerning inside information and conflicts of interest".

The Contracting Authority reserves the right to have the Public Administration Probity Screening Agency perform a further investigation into the Candidates, Shareholders, Significant Subcontractors or other subcontractors, to the extent such is allowed pursuant to Directive 2004/18/EC.

*Company* is defined as the Candidate or the Significant Subcontractor that completes the statement.

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**SUPPLEMENTARY COMPLIANCE STATEMENT**

within the context of the tendering procedure for the contract [name Project]

Name and address of the company:

.....

Registration number Chamber of Commerce (registration number of the Trade Register or a corresponding register of the country where the company is established)

.....

Contact person of the company (name, e-mail, telephone):

.....

**1. QUESTIONS CONCERNING INSIDE INFORMATION AND CONFLICTS OF INTEREST**

- 1.1. Did the company perform activities or services in preparation of the Project or was the company otherwise involved directly or indirectly in the preparation of the Project prior to this tendering procedure?

Yes / no (delete as appropriate)



If so, state the nature of the relevant activities or services, or that involvement.

.....  
.....  
.....

- 1.2. Does the company employ persons who performed activities or services in preparation of the Project or does the company employ persons who were otherwise involved directly or indirectly in the preparation of the Project prior to this tendering procedure?

Yes / no (delete as appropriate)

If so, state for each person:

- a. the name and position within the company;
- b. the nature of the relevant activities or services, or that involvement.

.....  
.....  
.....

- 1.3. Does or will the company engage subcontractors within the context of this tendering procedure who performed activities or services in preparation of the Project or were those subcontractors otherwise involved directly or indirectly in the preparation of the Project prior to this tendering procedure?

Yes / no (delete as appropriate)

If so, state for each subcontractor:

- a. the name and the address, the legal form and the number of registration in the Trade Register (or a similar register in the country where the company is established);
- b. the nature of the relevant activities or services, or that involvement.

.....  
.....  
.....

- 1.4. Does or will the company engage advisors (both persons and legal entities) within the context of this tendering procedure who performed activities or services in preparation of the Project or were those advisors otherwise involved directly or indirectly in the preparation of the Project prior to this tendering procedure?

Yes / no (delete as appropriate)

If so, state for each consultant:

- a. the name and the address, the legal form and the number of registration in the Trade Register (or a similar register in the country where the company is established);
- b. the nature of the relevant activities or services, or that involvement.

.....  
.....  
.....

- 1.5. Is the company affiliated with one or more other companies and/or does the company form part of a group, such within the meaning of Articles 2: 24a, 2:24b and 2:24c of

the Dutch Civil Code or comparable legal forms according to foreign law?

Yes / no (delete as appropriate)

If so, did one or more of those affiliated companies or group companies perform activities or services in preparation of the Project or were one or more of those companies otherwise involved directly or indirectly in the preparation of the Project prior to this tendering procedure?

Yes / no (delete as appropriate)

If so, state for each company:

- a. the name and the address, the legal form and the number of registration in the Trade Register (or a similar register in the country where the company is established);
- b. the nature of the relevant activities or services, or that involvement.

.

.....  
.....  
.....

**2. QUESTIONS CONCERNING FORMING OF THE CONSORTIUM WHEN SUBMITTING A TENDER OR IN CASE OF REGISTRATION BY A PARTNERSHIP OF ENTREPRENEURS)**

*\*3) These questions only have to be answered if the Tender is submitted or registration takes place through a partnership of entrepreneurs (a consortium), whether as a private partnership or otherwise. All (future) participants must answer these questions separately. Significant Subcontractors and other subcontractors do **not** have to answer these questions.*

2.1 Indicate what factors mean that the company is unable to submit a tender for the Project individually.

.....  
.....  
.....

2.2 Indicate why the nature and size of the partnership (consortium) that was formed is necessary in relation to the size and nature of the contract to be performed, in view of the importance and capacity of each of the entrepreneurs who are part of the consortium.

.....  
.....  
.....

2.3 Indicate which part or parts of the contract will be performed by the company itself.

.....  
.....  
.....

**STATEMENT**

The undersigned declares:

- that the questions included in this questionnaire have been answered fully and truthfully;
- that it has signed this completed questionnaire unconditionally and without any reservations; that it is aware that providing incorrect or incomplete information may be considered by the Contracting Authority to constitute a false statement and that this may lead to unconditional exclusion from the remainder of this tendering procedure;
- that no changes have been made to the text of this questionnaire;
- that this questionnaire was signed by an authorised representative as evident from the Trade Register or a corresponding register of the country where the company is established;

Name or names of signatory or signatories authorised as representative:

.....

Date : .....

Signature: .....

**schedule 2.4: Third-party statement regarding grounds for exclusion (to be submitted by all parties that are not part of the Candidate, but which are relied upon by the Candidate in order to comply with the suitability requirements)**

Name and address of the company:

...

Registration number Chamber of Commerce (registration number of the trade register or a corresponding register of the country where the company is established):

...

Contact person of the company (name, email, telephone):

...

**The undersigned declares that:**

1. During a period of four years prior to the moment of submitting this statement, neither his business nor a director of his business was convicted of participation in a criminal organisation by means of a final court decision; this includes the following acts:
  1. acts on the part of a person who, intentionally and with knowledge of the intention and the general criminal activity of the organisation or the intention of the criminal organisation to commit the relevant criminal offences, actively participates:
    - a. in activities of a criminal organisation, including a prolonged structured association of more than two persons, which consults in order to commit acts that are liable to a prison sentence or a measure that involves the deprivation of liberty with a maximum of least four years or a more severe punishment, which acts form an objective in themselves or constitute a means of acquiring assets and, in relevant cases, exercise an improper influence on the operation of government agencies, even if he does not participate in the actual performance of the relevant criminal offences and, subject to the general principles of the criminal law of the relevant Member State, even if these acts are not carried out,
    - b. in other activities of the organisation, in which regard he is also aware that his participation contributes to the realisation of the abovementioned criminal activities of the organisation.
  2. Acts on the part of a person that consist of his reaching agreement with one or more persons concerning the performance of an activity whose performance constitutes the commission of an abovementioned criminal offence even if he does not participate in the actual performance of the activity.
2. During a period of four years prior to the moment of submitting the request for participation or the Tender, neither its business nor a director thereof was not convicted of bribery by means of a final court decision; bribery is defined as intentionally promising or providing a civil servant directly or indirectly with an advantage, irrespective of its nature, for himself or for another person, to

perform or omit an act contrary to his official duty or an act within the context of the performance of his official duties; or, within the private sector, promising, offering or providing an advantage to a person that is unjustified in view of its business activities, irrespective of its nature, for that person himself or for third parties, in exchange for the performance or omission by that person of an act whereby that person neglects his duty;

- 3 During a period of four years prior to the moment of submitting this statement, neither its business nor a director of its business was convicted of fraud by means of a final court decision; fraud includes fraud in the area of both expenses and income. This means any intentional act or intentional omission with regard to false, incorrect or incomplete statements or documents are used or submitted, or information is withheld contrary to a specific obligation, or an advantage that was obtained legitimately is abused, resulting in funds from the general community budget or from the budgets maintained by or for the EC, being received, withheld or reduced unlawfully, or that these funds are abused by using them for purposes other than those for which they originally granted;
- 4 During a period of four years prior to the moment of submitting the request for participation or the Tender, neither its business nor a director of its business was convicted of money laundering by means of a final court decision. Money laundering is defined as:
  1. the conversion or transfer of objects, knowing that they were acquired from criminal activities or from participation in such activities, with the intention of concealing their illegal origin or helping a person who is involved in this activity to evade the legal consequences of his acts;
  2. concealing the actual nature, origin, location, alienation, relocation, rights to or the ownership of objects, while knowing that these were acquired from a criminal activity or from participation in such an activity;
  3. the acquisition, possession or the use of objects, while knowing at the time of acquisition that these objects were acquired from a criminal activity or from participation in such an activity;
  4. participation in, complicity in, attempt to, aid to, inducing to, facilitating or issuing advice with a view to performing one of the acts referred to in the three previous points.
- 5 His business is not in a state of bankruptcy or liquidation, his activities have not ceased, no moratorium or composition applies to it, and his business is not in another similar condition pursuant to similar proceedings that arise from the legislation or regulations that apply to him;
- 6 During a period of four years prior to the moment of submitting the request for participation or the Tender, no final court decision was rendered on the basis of the legislation and regulations that apply to it in connection with violation of a rule of professional conduct that applies to it;
- 7 During a period of four years prior to the moment of submitting the request for participation or the Tender, neither its business nor a director of its business committed a serious error in the carrying out of its business;
- 8 Its business complied with the obligation pursuant to the statutory provisions that apply to it with respect to payment of social security contributions or taxes;

- 9 When providing information requested by the Contracting Authority within the context of the tendering procedure, its business did not to a serious degree provide false statements and its business did not fail to provide this information or fail to provide it in a timely manner.

**Statement**

The undersigned declares that:

- That he has signed this completed statement unconditionally and without any reservations; that he is aware that providing incorrect or incomplete information may be considered by the Contracting Authority to constitute a false statement within the meaning of point 9 of this Compliance Statement and that this may lead to unconditional exclusion from the remainder of this tendering procedure or from participation in the contract;
- He did not make any changes to the text of this statement;
- The statement was signed by a person with power of representation as evident from the trade register or a corresponding register of the country where the company is established.

Name or names of signatory or signatories authorised as representative:

.....  
.....

Date:

Signature(s):

**schedule 2.5: Model Statement technical and organizational expertise**

This statement must be completed and signed by the Candidate. A separate statement must be completed, signed and submitted for each reference project.

The Contracting Authority reserves the right to request further information from the client's contact person referred to in this form.

<b>REFERENCE PROJECT</b>		
Name reference project		
Contract value (in euros, exclusive of VAT)		
Place of performance		
Period of performance		
Principal	Name	
	Address	
	Name contact person	
	Telephone	
	E-mail	
Contractor <sup>1</sup>		
Description reference project (at most 500 words)		
The Candidate uses this reference project to demonstrate that for the purpose of the performance of the Project it has experience in the area of Project Management/Experience with bore tunnels/Experience with realisation of traffic-technical and tunnel-technical installations <sup>2</sup> .		
<b>A. Project management experience</b>		
Infrastructural project	Does it involve an infrastructural project within the meaning of paragraph 3.11.1 of the Selection Guidelines?	Yes/no
Project management	Did the abovementioned contractor perform the project management - within the meaning of article 3.11.1 of the Selection Guidelines - of this reference project during the past five years, to be calculated from the final date for submission of a request for participation?	Yes/no

<sup>1</sup>The Contractor must be a participant in the consortium or the Candidate himself.

<sup>2</sup>Delete as appropriate.

Integrated Performance	Does this reference project comprise integrated performance of at least design and construction activities performed subject to certified quality assurance (based on NEN-EN-ISO-9001, or an equivalent standard)?	Yes/no
Value	Does the total value of the design and construction activities amount at least to EUR 50,000,000 (in real euros, excluding VAT)?	Yes/no
Completion of construction	Were the construction activities concerning this reference project completed for at least 25% at the time the request for participation is submitted?	Yes/no
Sound performance	Have the construction activities (so far) been performed to the satisfaction of the client?	Yes/no
<b>B. Experience with bore tunnels</b>		
Bore tunnel	Did the abovementioned contractor perform a bore tunnel project - within the meaning of article 3.11.2 of the Selection Guidelines - with a continuous section of at least 1000 m during the past ten years, to be calculated from the final date for submission of a request for participation ?	Yes/no
Soft soil	Was the stated reference project carried out in soft soil?	Yes/no
Opening to traffic	Has this reference project opened for (rail) traffic?	Yes/no
Integrated performance	Does this reference project comprise integrated performance of at least design and construction activities performed subject to certified quality assurance (based on NEN-EN-ISO-9001, or an equivalent standard)?	Yes/no
<b>C. Experience with realisation of traffic-technical and tunnel-technical installations</b>		
Tunnel-Technical Installations	Did the abovementioned contractor perform a project involving traffic-technical and tunnel-technical installations in a tunnel for road and/or rail transport within the meaning of paragraph 3.11.3 with a continuous section of at least 750 m during the past five years, to be calculated from the final date for submission of a request for participation?	Yes/no



Integrated performance	Does this reference project comprise integrated performance of at least design and construction activities performed subject to certified quality assurance (based on NEN-EN-ISO-9001, or an equivalent standard)?	Yes/no
Value	Does the total value of the design and construction activities amount at least to EUR 10,000,000 (in real euros, excluding VAT)?	Yes/no
Completion of construction	Has the execution work in relation to this reference project been completed at the time when the request for participation is submitted?	Yes/no

Signed in [place], [date]

[name Candidate/Significant Subcontractor]

[name of person with power of representation]

[position]

[signature]

## **List of documents to be attached with schedules 2.1 to 2.5:**

### **Re schedule 2.1 Request for participation**

A request for participation fully completed and duly signed by the Candidate in accordance with the model included in **schedule 2.1**, with:

- A copy of a valid identity document of the person or persons with power of representation, who sign the request for participation on behalf of the Candidate.
- Any (special) power of attorney granted to the abovementioned persons in order to be able to sign the request for participation in legally valid manner. This power of attorney is only required if the power of representation of those signatories is not already clear from the trade register. In such cases, a copy of a valid identity document of the person who signed the power of attorney must also be submitted.
- Any power of attorney of the other persons and legal entities granted to the main contractor in case of a request for participation from several legal entities acting as a partnership of entrepreneurs (consortium).

### **Re schedule 2.2 Statement concerning the availability of the Significant Subcontractors (paragraph 3.8)**

A statement concerning the availability of Significant Subcontractors in accordance with the model included in **schedule 2.2** fully completed and duly signed by each Significant Subcontractor, with:

- A copy of a valid identity document of the person or persons with power of representation, who sign the statement concerning the availability of Significant Subcontractors on behalf of the Significant Subcontractors.
- Any power of attorney granted to the abovementioned persons in order to be able to sign the Statement concerning the availability of Significant Subcontractors in legally valid manner. This power of attorney is only required if it is not already clear from the commercial register that these signatories are authorised as representative. In such cases, a copy of a valid identity document of the person(s) who signed the power of attorney must also be submitted.

### **Re schedule 2.3 Compliance Statement (paragraph 3.10)**

A Compliance Statement fully completed and duly signed by the Candidate and by each Significant Subcontractor consisting of the Compliance Statement for tendering procedures of contracting authorities (Candidate) (**schedule 2.3 A**) or Third-party Statement Grounds for Exclusion (Significant Subcontractor) (**schedule 2.4**) (see paragraph 3.10.3 of the Selection Guidelines) as well as the Supplementary Compliance Statement (**schedule 2.3 B**).

The Compliance Statement must be submitted together with:

- A copy of a valid identity document of the natural person or persons authorised as representative who sign a Compliance Statement on behalf of the relevant participant or Significant Subcontractor.
- Any power of attorney granted to the abovementioned natural persons in order to be able to sign the Compliance Statement in a legally valid manner. This power of attorney is only required if it is not already clear from the commercial register that these signatories are authorised as representative. In such cases, a copy of a valid identity document of the person(s) who signed the power of attorney must also be submitted.

### **Re schedule 2.5 Statement technical and organisational expertise (paragraph 3.11)**

A reference for each reference project fully completed and duly signed by the Candidate in accordance with the model included in **schedule 2.5 under A, B, and C**, with for each reference project:

- A copy of a valid identity document of the person or persons with power of representation, who sign the reference on behalf of the Candidate if the copy of the valid identity document of the signing person has not been submitted already.
- Any power of attorney granted to the abovementioned persons in order to be able to sign the reference in a legally valid manner. This power of attorney is only required if it is not already clear from the commercial register that these signatories are authorised as representative. In such cases, a copy of a valid identity document of the person(s) who signed the power of attorney must also be submitted.

### **schedule 3: MEAT documents**

The MEAT criteria for project RijnlandRoute are shown in the table below and are derived from the project objectives. Tenderers will have to work out the General Risk Management Plan submitted in the First Phase of the Dialogue in more detail in the Second Phase of the Dialogue.

**Table and calculation sheet MEAT criteria Project RijnlandRoute**

Criterion	Subcriterion	Points of attention <sup>1</sup>	Client Objective
1 Risk management (quality criterion)		<ul style="list-style-type: none"> <li>• Vision about, analysis of, and insight into the relevant risk and concerning the occurrence and the consequences of such</li> <li>• Extent to which the risk management measures have been described in a SMART way</li> <li>• Effectiveness of the relevant risk management measures and the substantiation of such.</li> </ul>	The Project has to be completed within the set preconditions in relation to time, budget, and quality.
2 Public-orientated working	2.1 Minimising the nuisance caused to local residents and businesses (quality criterion)	<ul style="list-style-type: none"> <li>• Insight into the nature of the Project and the project objectives in relation to the nuisance caused to local residents and businesses.</li> <li>• The relevance and viability of the proposed measures.</li> <li>• Extent to which the proposed measures</li> </ul>	The Project must be carried in a public-orientated way in order to keep the nuisance caused to the local residents and businesses to a minimum.

<sup>1</sup> The points of attention show which aspects the Contracting Authority will focus on in the assessment of the criterion or the (sub)criterion.

		have been worked out in a SMART way.	
	2.2 Minimising the nuisance caused to road users (quality criterion and performance criterion)	<ul style="list-style-type: none"> <li>• Insight into the nature of the Project and the project objectives in relation to the disruption of traffic and the nuisance experienced by road users.</li> <li>• The relevance and viability of the proposed measures.</li> <li>• Extent to which the proposed measures have been worked out in a SMART way.</li> <li>• Score Lost Vehicle Hours (VVU) calculation development phase (performance criterion)</li> </ul>	The Project must be carried in a public-orientated way in order to keep the nuisance caused to traffic users to a minimum.
3 Sustainability	3. 1 DuboCalc material performance (performance criterion)	<ul style="list-style-type: none"> <li>• DuboCalc material performance in the Development Phase</li> </ul>	The Project has to be carried out in a sustainable way.
	3.2 DuboCalc energy performance (performance criterion)	<ul style="list-style-type: none"> <li>• DuboCalc energy consumption rating in the Availability Period</li> </ul>	The Project has to be operated in a sustainable way.

Criterion	Subcriterion		Maximum quality value (€)	Assessment score	Achieved quality value (€)	Totals (€)
1. Risk management (quality criterion)	Contracting Authority Risks:	1. Plots of land are not available (on time) before the start of construction work.	20,000,000.00	[0, 1, 2 or 3]		
		2. Failure to obtain a Tunnel Opening Permit on time.	18,500,000.00	[0, 1, 2 or 3]		
		3. Tunnel-Technical Installations and/or software is insufficiently future-proof or flexible	17,500,000.00	[0, 1, 2 or 3]		
		4. Tunnel-technical installations not functioning on time and/or the software development for the operational control of the tunnel-technical installations not ready on time.	17,500,000.00	[0, 1, 2 or 3]		
	Contractor risks:	5. Subsidence/damage at ground level	10,000,000.00	[0, 1, 2 or 3]		
		6. Environmental permit for the Tunnel not obtained on time.	5,000,000.00	[0, 1, 2 or 3]		
		7. Condition of the soil/subsidence at the intersection Hofvliet.	4,000,000.00	[0, 1, 2 or 3]		
		8. Quality of the bore tunnel insufficient	2,500,000.00	[0, 1, 2 or 3]		
3. Public-orientated working practices (quality criterion)	2.1 Minimisation of nuisance for local residents and businesses	Plan for Minimisation of Nuisance for Local Residents and Businesses	47,500,000.00	[0, 1, 2 or 3]		

and performance criterion)	(quality criterion)					
	2.2 Minimisation of nuisance caused to road users (performance criterion and quality criterion)	Plan for Minimisation of Traffic Nuisance  a. Lost Vehicle Hours (VVU) b. Minimisation of nuisance experienced by road users	30,000,000.00 17,500,000.00	[0, 1, 2 or 3]		
3. Sustainability (performance criterion)	Sustainable Construction (performance criterion)	DuboCalc Plan	47,500,000.00			
	Total quality value					
	Tender Value (Construction Contract Value + Availability Contract Value), excluding VAT, price level as per 1 January 2016					
	<b>Notional tender price</b>					
	(tender value minus total quality value)					

<b>Assessment score</b>	<b>Rating</b>	<b>% of maximum quality value</b>
<b>3</b>	Excellent	100
<b>2</b>	Good	66
<b>1</b>	Very satisfactory	33
<b>0</b>	Neutral	0



**schedule 4: The policy document on the separation of interests**