



Defence Materiel Organisation
Ministry of Defence

Project: real time 3D models

Selection Guide

Organisation	The Netherlands Ministry of Defence
Contracting Authority	Defence Materiel Organisation Procurement IT
Reference number	85215017000
Date	Friday, 19 August 2016
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Tender: 3D Models

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READING GUIDE

This document was drawn up with regards to the selection stage of a restricted procedure. The purpose of this document is to inform potential suppliers so they can make an informed decision regarding their ability to perform the proposed contract.

This document provides insight into the demands placed on the potential suppliers and the applicable contractual conditions. It also states which documents are to be presented by the potential suppliers for this tender.

Chapter 1: This chapter contains general information about the Contracting Authority and the contact details for this tender.

Chapter 2: In this chapter the general provisions relevant to this tender are described, including some requirements the submission must meet.

Chapter 3: In this chapter a description of the proposed contract and the applicable contractual conditions is given.

Chapter 4: This chapter contains the selection criteria used to assess the bidder's ability to perform the proposed contract.

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DEFINITIONS

Tender Documents:	All documents pertaining to this tender.
Directive 2009/81/EC:	Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (http://eur-lex.europa.eu)
Contracting Authority:	Defence Materiel Organisation
Personal Statement:	Personal Statement for procurement by contracting authorities

ABBREVIATIONS

ARIV	General Government Purchasing Conditions
CSR	Corporate Social Responsibility
DMO	Defence Materiel Organisation
ITT	Invitation to Tender
NL MoD	The Netherlands Ministry of Defence
PQQ	Pre-qualification questionnaire

CHAPTER 1 INTRODUCTION

The Netherlands Ministry of Defence (NL MoD) intends to close a contract regarding real time 3D models, used in simulators. The NL MoD has a library of real time 3D models, and intends to extend it.

The goal of the library is:

- To use the models in real time and/or interactive simulations or in Computer Based Training (CBT);
- To have a validated quality of the models;
- To improve interoperability and fair fights
- To have models available for research projects;
- To avoid buying the same models several times for different applications.

The Contracting Authority will use a restricted procedure for contracting the most suitable supplier in accordance with Directive 2009/81/EC, implemented in the Netherlands as "Aanbestedingswet op Defensie en Veiligheidsgebied".

This pre-qualification questionnaire aims to shortlist the potential suppliers against selection criteria, before inviting those shortlisted bidders to submit tenders to be evaluated against the award criteria. Your application will be assessed according to the requirements specified in this pre-qualification questionnaire.

1.1 Contracting Authority

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The Contracting Authority is the Defence Materiel Organisation (DMO) of the Dutch Ministry of Defence. It ensures that military personnel has modern, robust and safe materiel to work with. The DMO is involved from procurement to sustainment and disposal.

For more information about the Dutch Ministry of Defence or the Defence Materiel Organisation, please visit <http://www.defensie.nl>.

1.2 Tender procedure

This restricted procedure is divided in two phases: the selection stage and the award stage. This document concerns the selection stage of the tender procedure.

Selection stage

In the selection stage the DMO will first select candidates based upon the criteria stated in this document. Only candidates that are not excluded and meet the criteria for qualitative selection will proceed to the award stage.

Award stage

In the award stage, the selected candidates will receive a request for quote. The agreement will be awarded to the tenderer with the most economically advantageous tender (MEAT).

This will be based on the following sub award criteria:

- Price
- Compliance with the POR

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1.3 Contact details

The contact details for the Contracting Authority:

Ms. M.L. (Marianne) de Vries

EU.aanbestedingen.IV@mindef.nl

It is not allowed to contact any other employees of the Ministry of Defence regarding this tender, unless otherwise stated in the Tender Documents. If you choose to seek contact with any other employee of the NL MoD not mentioned in the Tender Documents concerning this tender you are at risk of being excluded from the awarding phase of the tender procedure.

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CHAPTER 2 GENERAL PROVISIONS

This chapter provides potential suppliers with relevant information pertaining to the conditions to your submission set by the Contracting Authority. The specific conditions regarding the selection of a shortlist of potential suppliers can be found in the subsequent chapters.

2.1 Publication and Tender period

This selection criteria document was published on Tendernet on August 19, 2016.

The reference number is 85215017000.

The deadline for submitting your application to be admitted to the awarding phase is September 20, before 14:00 UTC +1.

Phase	Date
Publishing the PQQ on TED	19-08-2016
Deadline for submitting questions	07-09-2016 before 23:59 UTC +1
Sending summary of additional information	13-09-2016
Deadline for submitting the requested documents	20-09-2016 before 14:00 UTC +1

The application to be admitted to the awarding phase must be submitted in a sealed envelope or box and clearly marked with the following information:

Reference number	85215017000
Deadline for delivery	September 20, 2016 before 14:00 UTC +1
To	Ministerie van Defensie Kromhoutkazerne Inkoop JIVC Attn. Ms. M.L. (Marianne) de Vries Don't open before 14.00 UTC +1 – September 20, 2016 Project: 3D models
Address	Kromhoutkazerne Gebouw K5, 3B44 Herculeslaan 1 3584 AB Utrecht

2.2 Summary of additional information

All questions regarding this phase of the tender procedure must be submitted using the 'questions format' (Annex 3). If questions are submitted without using the prescribed format, they will not be included in the summary of additional information.

The deadline for submitting questions is 23:59 UTC+1, September 7, 2016.

The following email address must be used for submitting the questions:

EU.aanbestedingen.IV@mindef.nl.

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2.3 Subcontractors

Making use of subcontractors for the execution of the contract is allowed. If you want to make use of subcontractors, you must indicate which part of the contract you want to subcontract to a third party, and which subcontractors are used. Using a subcontractor does not affect the joint liability of the main contractor.

2.4 Language

All Tender Documents are written in the English language. The language used in the tender, the implementation period and during the duration of the contract is the English language. Documents submitted by potential suppliers must be written in English.

2.5 Discontinuation

The Contracting Authority reserves the right to terminate the procurement process and to stop all procedures unilaterally. Potential suppliers are not entitled to compensation for any costs or damages if the procurement procedure is stopped.

Potential suppliers will receive a written notice from the Contracting Authority if the tender procedure is discontinued or if the Contracting Authority decides not to award the contract to any supplier.

2.6 Deficiencies/discrepancies

Questions about the Tender Documents, or any deficiencies, procedural errors and / or discrepancies must be made known to the Contracting Authority (by email or otherwise) as soon as possible, but no later than 23:59 UTC +1, September 7, 2016.

This gives the Contracting Authority a reasonable amount of time to answer the posed questions, to assess any objections or complaints made, and to give the potential supplier a reasonable amount of time to process any changes.

If after this time it turns out that there were deficiencies and / or inconsistencies in the documents which were not reported by the potential suppliers, this will be explained in favour of the Contracting Authority.

Obvious errors or omissions in the text of this document and annexes are not binding for the Contracting Authority.

All questions and comments submitted to the Contracting Authority within the specified period will be answered in writing and will be anonymized. This summary of additional information will be sent to the potential suppliers no later than six (6) calendar days before the closing date of the Tender Documents.

2.7 Submission costs

Costs associated with the preparation and submission of the Tender will not be reimbursed by the Contracting Authority. This includes the situation as described in paragraph 2.6.

The Contracting Authority will not claim any compensation for making the Tender Documents available to the potential suppliers.

2.8 Confidentiality

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Potential suppliers are to treat all information received from the Contracting Authority as confidential, if the information is not available in the public domain. Potential suppliers will treat all information sent to the Contracting Authority as confidential, if the information is not available in the public domain. All documents regarding this restricted procedure and all documents drawn up in connection to this tender will be treated as confidential and will not be supplied to third parties. Potential suppliers are allowed to provide documents regarding the tender to employees and subcontractors, under imposition of this paragraph.

The obligations regarding confidentiality do not apply if the Tender Documents state differently. Clearance for sharing documentation regarding this tender must be expressly given in writing by the Contracting Authority.

By participating in this tender, potential suppliers commit to the abovementioned conditions regarding confidentiality.

2.9 Litigation

Dutch law applies to this tender. All disputes arising in connection to this tender and the resulting contract will be settled by the competent court in The Hague.

2.10 Complaint procedure

Complaints with regard to this restricted tender procedure, if any, can be submitted to the following e-mail address: Aanbestedingsklachten@mindef.nl. The complaint should clarify which part or subject of the tender is disputed and should be duly substantiated. Complaints will be dealt with as soon as possible by an independent expert on tender procedures within the Ministry of Defence. His findings to the complaint will be forwarded by the point of contact of this tender. Before filing a complaint please make sure that first all questions are asked within the time frame mentioned in paragraph 2.1.

2.11 Intellectual property

The intellectual property of the Tender Documents lies with the Contracting Authority. Nothing in the Tender Documents may be reproduced without written permission from the Contracting Authority or exceptions allowed by law, other than for the purpose of this tender.

It is not allowed to use the information given during this tender for any other purpose than for which the information was meant.

2.12 Exclusion of your application

An application is disregarded if one or more of the following situations occur:

- The application is not submitted on time (paragraph 2.1);
- The requested information is not complete, incorrectly provided or conditionally provided;
- The application is not submitted legally valid as referred to in section 7 of Annex 2.

2.13 Accuracy and completeness

Each potential supplier must ensure the accuracy and completeness of all information requested and rendered. Potential suppliers must guarantee that they will meet all the requirements stated in the provided documents throughout the award procedure. The NL MoD must be informed immediately if the circumstances change. The data will then be assessed to determine if the

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changed circumstances will result in the exclusion of the potential supplier. Potential suppliers also must ensure the accuracy of any further information that is provided.

It should be noted that if a candidate at any time during the course of this tender procedure no longer satisfies the grounds for exclusion, eligibility requirements and/or other conditions specified in this Selection Guide, this can lead to the exclusion of the candidate concerned from this tender procedure. In that situation the Contracting Authority shall be entitled but not required, in accordance with the regulations applicable to this tender procedure, to permit the next suitable candidate to participate in this tender procedure.

2.14 Notice of decision

The Contracting Authority will notify all candidates simultaneously of its selection decision including the relevant reasons. This notification will be in writing and be sent by electronic means.

Unsuccessful candidates can always request further information of the reasons for their rejection, and if a candidate does not agree with the Contracting Authority's selection decision, he can take legal action. If he wishes to do so, the candidate should start interlocutory proceedings before the Court in The Hague, the Netherlands, within a period of 15 calendar days after dispatch of the notification of the selection decision. This legal action has to be evidenced by submission of a copy of the summons to the Contracting Authority within the period mentioned. In such case the Contracting Authority shall not proceed with the award stage until the Court has decided. If no such proceedings have been initiated before expiration of the abovementioned period, candidates lose their right to dispute the Contracting Authority's decision.

It should moreover be noted that the Contracting Authority is entitled to reconsider its selection decision of its own accord. Contracting Authority can do so if Contracting Authority establishes any mistake or omission in the tender procedure, or is of the opinion that a complaining candidate is right without being compelled to wait for a court decision, if any.

CHAPTER 3 DESCRIPTION OF THE CONTRACT

This chapter describes the outline of the Contracting Authority's requirements regarding the contract. The exact requirements of the contract and the conditions under which these should be performed will be detailed in the award stage.

3.1 Description

The Contracting Authority wishes to enter into a framework agreement with one (1) supplier, regarding the delivery of real time 3D models, used in simulators. The Intellectual Property of the real time 3D models lies with the Contracting Authority. During the lifecycle the models may be modified by the Contracting Authority or a sub-contractor.

Several of the functional requirements are listed below. Detailed requirements will be divulged during the ITT stage of the tender procedure.

- The real-time 3D models, must be applicable for land, naval and air-simulation in a distributed environment.
- The models must comply with "ARPA War Breaker World Reference Model" (more details will be supplied in the PoR at the start of the award phase). One exception is made for the texture switching of camouflage types, NVG and IR. For these textures (not damaged models) a separate model shall be delivered by the contracted supplier.
- All air-based models shall be fully armed (if not specified, most common) and provided with fuel tanks or spare fuel tanks, if these arms and tanks can be present on the real platform.

The financial scope of the contract is around € 500,000 for a contract with a duration of four (4) years. After this period, the contract can be extended twice for one (1) year.

The Contracting Authority does not guarantee sales, nor are there any purchasing obligations in itself. The potential supplier can derive no rights from the mentioned scope.

A Proof of Concept is part of the tender procedure.

3.2 Contractual terms

Under explicit exclusion of your or any other terms and conditions, the General Government Purchasing Conditions 2014 (ARIV 2014) are applicable. These terms and conditions are attached to this tender document (Annex 4) .

Potential suppliers must agree to these terms and conditions. If the potential suppliers deviates from the terms and conditions, or do not accept the terms and conditions, the application will be disregarded.

3.3 Sustainability

The Contracting Authority carries out sustainable procurement in accordance with the policy of the Dutch government.

Corporate Social Responsibility means balancing social, economic and environmental interests. Corporations are expected to look at the impact of their operation on people and the environment both short term and long term.

Potential suppliers need to show how they apply the principle of sustainability in their organization. For this purpose, Annex 5 needs to be filled out, validly signed and submitted at the same time as the other requested documents.

CHAPTER 4 SELECTION CRITERIA

In this chapter the criteria to qualify for the shortlist of suppliers are listed. Furthermore, the documents which potential suppliers are required to submit are specified in this chapter.

4.1 Grounds for exclusion

4.1.1 Mandatory grounds for exclusion

Potential suppliers are required to demonstrate that they are not in a situation as described in article 39, paragraph 1 of Directive 2009/81/EC. For this purpose, Annex 2 'Personal Statement' must be validly signed.

Should a potential supplier qualify for the contract, the potential supplier must submit the legal documentation within ten (10) days after a written request by the Contracting Authority. Candidates must submit documentation in accordance with the national law of the potential suppliers country. This documentation has to be written in the English language.

If a potential supplier consists of a collaboration between several (two or more) entrepreneurs, each member of this collaboration must separately fill out, sign and submit the Personal Statement (Annex 2). All potential suppliers within the collaboration must submit the legal documentation within 10 days after a written request by the Contracting Authority.

4.1.2 Facultative grounds for exclusion

Potential suppliers are required to demonstrate that they are not in a situation as described in article 39, paragraph 2 of Directive 2009/81/EC. The provisions in article 39, paragraph 2 of Directive 2009/81/EC apply to the extent the provisions were deemed applicable by the Contracting Authority. The applicable provisions can be found in Annex 2, 'Personal Statement'. Annex 2 'Personal Statement' must be validly signed.

Should a potential supplier qualify for the contract, the potential supplier must submit the legal documentation within ten (10) days after a written request by the Contracting Authority. Candidates must submit documentation in accordance with the national law of the potential suppliers country. This documentation has to be written in the English language.

If a potential supplier consists of a collaboration between several (two or more) entrepreneurs, each member of this collaboration must separately fill out, sign and submit the Personal Statement (Annex 2). All potential suppliers within the collaboration must submit the legal documentation within ten (10) days after a written request by the Contracting Authority.

4.1.3 Rating the grounds for exclusion

It is for the Contracting Authority to determine whether, and if so what conclusions can be derived from the documents as mentioned in paragraph 4.1.1 and paragraph 4.1.2.

The documents have no compelling evidence regarding the question whether or not there are circumstances referred to in paragraph 4.1.1 and paragraph 4.1.2. The Contracting Authority may base its decision regarding the existence of the referenced grounds of exclusion on other information.

4.2 Suitability Requirements

4.2.1 Professional competence

The potential supplier must prove enrolment in a professional or trade register of the country of residence. Potential supplier must prove enrolment by stating the registration number on the Personal Statement (Annex 2).

Should a potential supplier qualify for the contract, the potential supplier must submit a certified extract within ten (10) days after a written request by the Contracting Authority. This extract must be valid and is not allowed to be older than six (6) months. Candidates must submit documentation in accordance with the national law of the potential suppliers country. However, this documentation must be written in the English language at all times.

If a potential supplier consists of a collaboration between several (two or more) entrepreneurs, each member of this collaboration must include the registration number on the Personal Statement (Annex 2). All potential suppliers within the collaboration must submit a certified extract within (ten) 10 days after a written request by the Contracting Authority. This extract must be valid and is not allowed to be older than six (6) months. The extract has to be written in the English language.

4.2.2 Economic en financial standing

To participate in the tender procedure, potential suppliers must meet the following requirements concerning their economic and financial standing:

- The average annual turnover for the last three (3) financial years must be at least equal to 200% of the annual financial scope of the contract. The average annual turnover must therefore be equal to or higher than €250,000.
- The average annual operating results for the last three (3) years must be positive.
- If a potential supplier consists of a collaboration between several (two or more) entrepreneurs, it is sufficient for the requirement above to be met cumulatively by the collaboration members.

4.2.3 Technical competence

To participate in the tender procedure, interested parties must possess, and be able to document adequately, know-how and experience in the implementation of contracts similar to the contract being put out to tender. To show said know-how and experience the interested parties are expected to supply the Contracting Authority with two references.

The references must show:

1. That the interested party has properly executed similar contracts.
2. That the contract size of the reference must be at least EUR 100,000.
3. That the contract is no older than three (3) years from the date of publication of this tender.
4. The reference must include contact information so that the Contracting Authority can check the reference.
5. Of the two references, at least one (1) must be a military reference.

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Potential suppliers are to submit the references in accordance with Annex 7. By signing Annex 7, potential suppliers also grant permission to the Contracting Authority to verify the reference. If the given reference cannot be verified (e.g. no access is given to the reference person), the reference will not be included in the assessment.

If the potential supplier wishes to avail itself of the technical competence of a third party (a group / holding company or another legal entity) the potential supplier must declare in writing that this third party will act as subcontractor.

If a potential supplier consists of a collaboration between several (two or more) entrepreneurs, all parties need to show that together they have the technical competence for the contract. References of the different parties need to demonstrate required expertise.

4.4 Exclusion of your submission

Failure to meet one or more of the above grounds for exclusion will lead to exclusion from the Tender. Not turning in, not turning in on time or supplying the Contracting Authority with incomplete documents will lead to exclusion from the Tender.

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ANNEX 1 CHECKLIST ORDER AND CONTENT APPLICATION

All requests to participate should be submitted in the following order. The responsibility of completeness of the documents remains with the candidate. Please note that if and when applicable, the requests should be accompanied by similar documents of each member of a consortium.

Chapter, paragraph	Annex Contracting Authority	Subject	Annex Potential supplier	Yes / No / Not applicable (N/A)
	N/A	Quote	N/A	N/A
2.2	1	Checklist order and content application	1	
2.13	2	Personal Statement	2	
2.3	3	Question format	N/A	N/A
3.2	4	ARIV terms and conditions	N/A	N/A
3.3	5	Corporate social responsibility	3	
4.3.3.1	6	References	4	

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ANNEX 2 PERSONAL STATEMENT

The Personal Statement' is attached as a separate document.

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ANNEX 3 QUESTION FORMAT

The question format is attached as a separate document.

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ANNEX 4 GENERAL GOVERNMENT PURCHASING CONDITIONS 2014

The General Government Purchasing Conditions 2014 (ARIV 2014) are attached as a separate document

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ANNEX 5 CORPORATE SOCIAL RESPONSIBILITY

In this annex potential suppliers need to specify how Corporate Social Responsibility is guaranteed within the company. This description may not exceed two pages (A4).

The undersigned declares that he / she has truthfully filled out this statement and also that he / she is legally authorized to do so on behalf of the potential supplier.

Guaranteeing Corporate Social responsibility:

Company:	
City:	
Name:	
Position:	
Date:	
Signature:	

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ANNEX 6 FORMAT REFERENCES

The 'format references' is attached as a separate document.