



PAN-EUROPEAN INNOVATION PARTNERSHIP REQUEST FOR CANDIDACIES (RFC) Q&A

No	Question	Answer
1.	Will a draft of the overall Framework Agreement with Allied Waters be made available?	Yes. The Request for Proposals will include a Framework Agreement and the phase contract models.
2.	<p>§ 3.2.1.6 of the Dutch Public Procurement Law (Aanbestedingswet 2012)</p> <p>Could you please help us to find an official translation to English of the stated § 3.2.1.6 of the Dutch Public Procurement Law (Aanbestedingswet 2012)?</p>	<p>A direct link to § 3.2.1.6 Innovation Partnership procedure (<i>Procedure van het innovatiepartnerschap</i>) of the Public Procurement Act (Aanbestedingswet 2012 - Chapter 3.2. Special Sector Procurement Procedures (<i>Hoofdstuk 3.2. Procedures voor het plaatsen van speciale-sectoropdrachten</i>) is provided below:</p> <p>§ 3.2.1.6 Aanbestedingswet 2012</p> <p>For further reference in Dutch, see the URL:</p> <p>https://wetten.overheid.nl/jci1.3:c:BWBR0032203&deel=3&hoofdstuk=3.2&afdeling=3.2.1&paragraaf=3.2.1.6&z=2019-04-18&g=2019-04-18</p> <p>Unfortunately, there is no English translation for the Dutch law. Please refer to article 49 (Innovation partnership) of Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC.</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0025&from=NL</p> <p>Also, Pianoo is a resource center on public procurement offering reliable information:</p> <p>https://www.pianoo.nl/en/public-procurement-law-netherlands</p>

<p>3.</p>	<p>On page 10 and 11 it is established that the contractor will eventually sign a Framework Agreement, one PHASE Contract with AquaMinerals, a Framework Agreement with De Watergroep and another Framework Agreement with Scottish Water. Could you please explain, why the agreements with De Watergroep and Scottish Water are Framework contracts, so a "Sub-Framework Agreement"?</p>	<p>As stated in the Request for Candidacies (RFC) TD1: <i>'AquaMinerals will award one Framework Agreement and different phase agreements per Contracting Entity. The Framework Agreement will follow the law of the respective Contracting Entity.'</i></p> <p>To put it in context, a maximum of 5 candidates will be selected to present a proposal. Following negotiations and/or after the award phase (based on the Request for Proposals) a contract will be awarded to 1 technology vendor/supplier.</p> <p>The technology vendor will sign 3 Framework Agreements (each covering both R&D and deployment) where the applicable law of the contract, particularly to pilots in-situ and deployment of solutions/methods/processes will be the law of the buyer, i.e. respectively BE, NL and UK.</p> <p>Under the provisions of the 3 Framework Agreements, the contractor may be awarded a:</p> <ul style="list-style-type: none"> • Phase Lab Contract (with AquaMinerals - optional) • and/or one or more Phase Pilot Contract with each Contracting Entity; and a • Deployment Contract with each Contracting Entity (optional - upon results) <p>The R&D phase will be (co)paid by AlliedWaters on behalf of the Public Buyers' group, to the maximum as stipulated in the RfP.</p> <p>The deployment phase, whereby each Buyer (in BE, NL and UK) will realise the payments under the respective deployment contract, depends on the success of the R&D phase.</p>
<p>4.</p>	<p>Despite establishing various Framework and Phase Agreements, could you please confirm that the selected Contractor will work on 1 innovative solution for the Buyer's group?</p>	<p>Yes. AquaMinerals, as lead procurer (and acting on behalf of the Water Companies in the Netherlands, specifically, Evides and Waterbedrijf Groningen; and on behalf of De Watergroep and Scottish Water), will acquire R&D services to develop one Alu sludge innovative solution/method for the Public Buyers' Group.</p>
<p>5.</p>	<p>Are there draft or example versions of the different Agreements, especially Framework Agreements available?</p>	<p>Yes. The Request for Proposals will include Framework Agreement and first phase contract models.</p>

<p>6.</p>	<p>Section 4 on page 12 refers to the Overall Framework Agreement with AlliedWater (as leader of the buyer's group) or the total of the 3 Framework Agreements that will be established?</p>	<p>Section 4 on page 12 refers to AquaMinerals (as lead procurer on behalf of the Public Buyers Group)</p> <p>The estimated value of section 4 in page 12 entails the maximum estimated value (net of VAT) of the R&D activities, as well as the (potential) purchase of the developed solutions for the upcycling or recycling of aluminium based sludges from drinking water treatment at the end of the partnership.</p> <p>It refers to the whole value of the procurement procedure that includes the maximum total amount of 3 Framework Agreements (under Dutch law with AquaMinerals, under Belgian law with De Watergroep and under UK law with Scottish Water), as well as the contracts signed under these Framework Agreements.</p>
<p>7.</p>	<p>(p. 14) <i>"The Candidate must have all required permissions, licenses and approvals that are necessary for the performance of the Framework Agreement and the resources it uses for such purpose."</i></p> <p>Could you please specify which permissions, licences or approvals the candidates are expected to have, as we could not identify this requirement further specified in the document?</p>	<p>Depending on the R&D services and the solution proposed by the Candidate, he will need to have the adequate permissions, licenses and approvals to pilot it, if applicable.</p> <p>It is possible that different permissions, licences and approvals are needed for the R&D-phase (if any) and for the deployment phase. It is expected that the Candidate has the capability to address these challenges adequately.</p> <p>AquaMinerals, on behalf of the Public Buyers 'Group won't be responsible for any permissions, licenses and approvals that are mandatory. The responsibility lies with the Candidate when submitting a Tender.</p>
<p>8.</p>	<p>Page 17. Terms and conditions for participation. Section 4) Subcontracting.</p> <p>Is it possible to add subcontractors after the selection phase, depending upon necessity on the actually agreed R+D+I work? Under which conditions such subcontractor can be added?</p>	<p>A Candidate may indicate a list of subcontractors and, on a later stage, clarify the ones who will be performing the work. However, the Candidate will need to provide all the necessary documents for these subcontractors (e.g. ESPD).</p> <p>If the Candidate relies on the capabilities of others to reach the selection criteria, the supporting documents for the potential subcontractor must be submitted at the selection phase.</p>
<p>9.</p>	<p>(p.19) section 8) Minimum Selection Criteria. Suitability to pursue the professional activity.</p> <p>Please confirm that a register 'equivalent' to a professional or trade registered will be accepted.</p>	<p>The register in an "equivalent" register will be accepted. However, Candidates resorting to alternative register will have to provide with a copy of their statutes/bylaws.</p>

	Precisely, the typology of 'private foundations' in Spain do not have such register, but an inscription at the "Register of Foundations"; this register is original from the date of inscription of the foundation.	
10.	(p19) Selection Criteria - bonus points Reference projects: are these projects necessarily FINISHED or can they be ongoing?	The reference projects submitted as self-declarations for the Selection criteria-bonus points can be ongoing projects.
11.	(p21) Co-financing. National or regional projects in R&D programs, in which the funding authority only co-financed the entity's own costs up to 50% of the actual costs, are considered a valid reference?	This kind of projects will be considered as a valid reference.
12.	(p21) Below the table of bonus points there is a note with * but such asterisk is not marked in the text. To which of the three selection criteria does it refer to? The note says that with Satisfaction Statement, we will receive 5 points; with such Statement 0. Logically, any self-declaration will score 0 points. Could you please clarify that note and the scoring of documents?	The * refers to the three <i>Selection criteria- bonus points</i> . I.e. if the tenderer is able to provide with a self-declaration, he will automatically receive 5 points. Otherwise he will receive 0 points. In each of the <i>Selection criteria- bonus points</i> . <i>No satisfaction statement signed by customer will be requested in order to receive the points. However, AquaMinerals reserves the right to check the references submitted.</i>
13.	The minimum selection criteria are assessed on a yes/no basis. The Selection criteria - bonus points, are assessed with a scoring system. Hence, the scales and points for this assessment are not included in the Request for Candidacies. Could you please add the scoring	The Minimum Selection Criteria are assessed on a yes/no basis. If a Candidate doesn't comply with any of the requirements he will not qualify to continue in the award procedure. The Selection criteria - bonus points work as follows: The maximum points that a Candidate can achieve is 15 points, if he submits 3 self-declarations related to each of the 3 Selection criteria - bonus points (and relevant to the innovation partnership).

	information corresponding to these criteria (e.g. maximum points possible, scoring scales...)?	If he submits 2, he will receive 10 points. If he submits 1, he will receive 5. And if he doesn't submit any reference, or the references are not relevant, he will receive 0 points.
14.	<p>P25. Submission</p> <p>The submission requests the delivery of several documents. Could you please specify what is the file size limit for the delivery in terms of MB? Are we allowed to pack attachments in one zip-file? (In our case, just Appendixes to Annex 1 will make up an important volume of data). Do you accept submission of documentation by providing a link to OneDrive, WeTransfer or similar services?</p>	<p>There is no file size limit of the proposal itself, but please bear in mind that the limit for the receipt of outlook messages with attachments is ten megabytes. Therefore, zip-files are allowed.</p> <p><i>The Candidates must ensure that their Request to Participate has been received. Therefore, they should ask for a confirmation of receipt to the contact email provided in the Request for Candidacies (TD1).</i></p>
15.	<p>Signatures. Please confirm that an electronic signature, if the certificate was issued by a recognised national (Spanish) authority, is accepted on the documents where necessary.</p>	<p>Electronic signature is accepted, but it is not mandatory.</p> <p>Please, bear in mind that where a signature is requested, the relevant document must be validly signed by a duly authorized person(s)- whether it is physically or electronically. The signature must be from a staff member or staff members who according to the extract from the professional register or trade register is authorized to represent the Tenderer. If a document is signed by a person not listed in the professional register or trade register, an adequate proxy must be attached. Such a proxy must be signed by a person or persons who according to the extract from the trade register or the professional register or according to the articles of association are authorized to represent and bind the Company. The proxy must clearly state that the proxy holder is authorized to represent the company in connection with this tender.</p>
16.	<p>Will Annex 1 and 2 be made available in an editable format?</p>	<p>Pages 27 to 30 of the RFC (TD1) that refer to Annex 1 and Annex 2 are available in editable format to download from the Alu Circles project website.</p> <p>Please note that the ESPD format is only provided in PDF format to be filled in manually. It can be found and downloaded in the Alu Circles project website: https://www.alliedwaters.com/project/alucircles/</p> <p>The other supporting documents referred to as Appendix 2 and 3 are to be provided by the tenderers.</p> <p>For a detail see below, those indicated (NO) are not available in editable format:</p>

		<p>ANNEX 1: REQUEST TO PARTICIPATE</p> <p>Appendix 1. European Single Procurement Document (NO)</p> <p>Appendix 2. Supporting documents regarding the financial and economic standing and the technical and professional ability (see Part 2, Section 5, point 8) (NO – to be provided by the Candidate)</p> <p>Appendix 3. Supporting documents regarding the selection criteria- bonus points (see Part 2, Section 5, point 8) (NO – to be provided by the Candidate)</p> <p>Appendix 4. Reference standard self-declaration form (YES)</p> <p>ANNEX 2: MODEL FORM COMMITMENT THIRD PARTY ENTITY (YES)</p>
17.	As the Innovation Partnership expects collaboration and 'investment'/financial commitment from the buyers as well as the tenderer, we would appreciate more details on the FINANCIAL MANAGEMENT of the Framework and Phase Agreements as well as the financing, co-financing, invoicing and or justification of costs during the implementation of the Framework Agreements.	The information related to the total budget and budget distribution (per phase), as well as the invoicing scheme will be included in the Request for Proposals (TD2).
18.	Is there any possibility or intention that Allied Waters and its partner extends the deadline, some 10 – max. 14 days? It would be of enormous help.	AquaMinerals has the right to modify the time schedule according to its needs. However, due to time restrictions it is not possible to extend the deadline to submit a Request to Participate.
19.	Are there already ideas/methods in place or is there also a need for new ideas/solutions?	<p>The prior art analysis and market consultation revealed some literature on certain methods and potential solutions and a patent of a method/process/solution that could be developed from TRL 7.</p> <p>The relevant test and research has been published in (scientific) journals. https://patentscope.wipo.int/search/en/detail.jsf?docId=WO2005037714</p> <p>However, the Public Buyers are open to new solutions and ideas, as long as they start in a TRL 7.</p>
20.	If a Candidate participates as their own country organization,	See section 5.5 of the RfC (TD1): “ <i>selected Candidates are in principle not allowed to change their composition or identity</i> ”, except for very exceptional cases.

	can they later change to their mother company?	<p>If the intention is to make the mother company the main Candidate, it should be made clear from the start (in the Request to Participate document). All relevant documentation (including the ESPD form) of both the country organization and the mother company should be submitted along with the Request to Participate.</p> <p>See PART 2, section 4 of the RfC.</p>
21.	<p>The estimated value of the Framework Agreement is 5M€ per year.</p> <p>Could you please explain where does this 'value' come from?</p>	<p>The estimated value of the Innovation Partnership comprises the maximum amount for the R&D and deployment phases.</p> <p>The 5M€ per year is the maximum budget for the combined 3 Framework Agreements including the deployment of the solution. See also question 6.</p> <p>The amount is based on the costs calculation of the Buyers related to the treatment and management of Alu sludge.</p>
22.	How will the financing, co-financing, in-kind contributions from the Buyers as well as the Bidders be organised?	This is open for the proposals.
23.	<p>Who pays for what in this this partnership?</p> <p>The Budget available from the buyer's is for the Buyer's collaboration; or will be made available (against invoice or cost-statements) to the technology vendors?</p>	<p>The exact amount to be paid by the Public Buyers will be outlined in the RfP, but shall probably be a maximum of 200.000€ exclusively for the R&D phase to the vendor who is awarded the Framework Agreement, according to the payment terms and conditions of the contract at receipt of deliverables and against invoice/cost statements.</p> <p>Based on the R&D results, each Public Buyer will have the right to choose to award a deployment contract where the specific value will be determined in line with the total value of the Innovation Partnership.</p>
24.	The 200.000€ are for the whole framework contract period, until deployment?	<p>As mentioned above, the (potential) maximum amount of 200.000€ is solely for the R&D phase, the deployment of the solution may reach up to the maximum of the estimated value per year.</p> <p>See also question 17.</p>