



Assessment Bids HSL-Zuid Transport Contracts Final report of Review Team

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1 Introduction

This document contains the internal report of the Review Team on the evaluation of the Bids for the HSL-Zuid Transport contracts.

This report is submitted by the Review Team, which was set up in accordance with the Internal Assessment Protocol. The report details the procedure, which was followed in order to recommend 1 party to be invited for direct negotiations and 1 party to stay 'on hold'.

The chronological list of activities during the evaluation procedure can be found in Appendix 1.

2 Procedure

2.1 Tender Procedure followed

The State has developed a tender procedure in line with the EC-Treaty and the EC Directives on rail transportation. The EC Directives on public procurement do not apply to the proposed contracts on offer. Nevertheless the State will manage the tender process on the principles of openness, fairness and transparency.

The tender procedure started with the announcement in the Official Journal of the European Communities on 10 June 1999. On that day the Registration Document was sent to 25 companies. Of those 25 companies, 14 registered their interest for the HSL-Zuid Transport Contracts.

On 17 July 2000 a Qualification Document was sent to the above mentioned 'registered' parties. The qualification procedure resulted in 4 qualified consortia.

2.2 Invitation to Tender ('ITT')

The ITT was handed over to the 4 qualified consortia on 15 December 2000.

2.3 Clarifications and Addenda

During the Bidding Phase 4 Clarifications and 2 Addenda were send out to the 4 qualified consortia (refer to Appendix 2):

- Clarification 1, dated 15 January 2001
- Clarification 2, dated 15 February 2001
- Clarification 3, dated 15 March 2001
- Clarification 4, dated 20 April 2001;
- Addendum 1, dated 28 February 2001;
- Addendum 2, dated 23 March 2001

2.4 Internal Assessment Protocol

For the evaluation of the Bids an Internal Assessment Protocol was drafted. This document was deposited at the civil notary Pels Rijcken & Drooglever Fortuijn at The Hague, prior to the actual start of the qualification phase. See appendix 3.

The protocol arranged the setting up of several Assessment Teams and a Review Team. It provided for the procedure to be followed by the teams. It also contained assessment sheets, which were based on the requirements and criteria set forth in the ITT and Addenda.

3 Submission of the Bids

On 2 May 2001 Bids were received from the following consortia:

- NS Reizigers BV – KLM (at 9.00 hours);
- ConneXXion – CGEA Connex (at 11.00 hours);
- Arriva Nederland – Deutsche Bahn Reise & Touristik AG (at 13.00 hours).

By letter of 2 May 2001, the timely receipt of their Bids was acknowledged (Appendix 4).

The State did not receive a Bid from Stagecoach Holdings Plc. They informed the State that it was a decision of their Board of Directors not to submit a Bid.

4 Assessment

4.1 Confidentiality statement

The members of the Assessment Teams signed a confidentiality statement to ensure that the assessments were not discussed amongst others than the Assessment Team members or the Review Team members (Appendix 5).

Both AT assessed in separate locations specifically designated for their tasks.

4.2 Anonymising

In order to anonymise the Bids to the maximum extent possible, the Bids were given the following code names:

- | | |
|---|-------------|
| - NS Reizigers BV – KLM | Mississippi |
| - ConneXXion – CGEA Connex | Amazon |
| - Arriva Nederland – Deutsche Bahn Reise & Touristik AG | Nile |
| - Stagecoach | Donau |

4.3 International, Domestic and Combined

In the ITT the Tenderers were requested to explain the effects of separate contracts for Domestic services and International services. Tenderers were also requested to provide a calculation for synergy losses compared to the Base Case.

During the evaluation of the three Bids it was concluded that the combination of services (Domestic and International) provided the best outcome for both the State and the Tenderers.

4.4 Review Team

The Review Team consisted of the following persons:

- Mirjam Bos (chair person)
- Jan van de Ven (secretary)
- Bas van Os
- Daniëlle Meiboom
- Peter van Kleunen
- Gerben Schuhmacher
- Roel Testroote

The Review Team met 15 times. Minutes were taken and attached in Appendix 6.

4.4.1 Clarifications and Clarification Meetings

Following the interim results of the Assessment Teams, it was decided to request the consortia to clarify their Bids. All correspondence of the Review Team with the Tenderers can be found in appendix 7.

It was also decided to meet with the three consortia. In those meetings the clarification questions were discussed and handed over to the consortia:

- 10 May 2001: with Amazon
- 14 May 2001: with Nile
- 14 May 2001: with Mississippi
- 16 May 2001: with Nile (cancelled by Nile)
- 22 May 2001: second meeting with Amazon

4.5 Assessment Team 1 (Completeness)

Assessment Team 1 consisted of the following members:

- Lisa Liem Berenschot;
- Koen Wijnands Berenschot;
- Bart Meijs Price Waterhouse Coopers.

The members of Assessment Team 1 have assessed the Bids individually and have forwarded their findings to the Review Team (Appendix 8).

Based on the final assessment of the members of Assessment Team 1, the Review Team decided that none of the consortia needed to be excluded on the basis of completeness of their Bid.

4.6 Assessment Team 2a and 2b (Compliance and Feasibility)

The two teams consisted of the following members:

Assessment Team 2A	Assessment Team 2B
- Wiebe Witteveen, facilitator (Ministry of Transport)	- Bas Bökenkamp, facilitator (Ministry of Transport)
- Paul Swanenvleugel (Price Waterhouse Coopers)	- Fons Kop (Price Waterhouse Coopers)
- Kees van Krieken (Interim Management en Advies)	- Gordon Bird (Booz Allen Hamilton)
- Robert-Jan Molenmaker (NEI)	- Wout Korving (NEI)
- Lisa Liem (Berenschot)	- Koen Wijnands (Berenschot)
- Peter Bosman (Peter Bosman BV)	- Peter van de Wilk (AVV)

The two teams judged, independent from each other, the compliance and feasibility of the Bids. Their assessments were handed over to the Review Team (appendix 9, 10 and 11). Both teams individually ranked the Bids amongst each other on:

- the overall feasibility of the business plan;
- the three key service parameters.

The final reports can be found in appendix 12 and 13.

Upon request of the RT, the AT 2A and 2B have identified the upward and downward potentials of the consortia Mississippi and Amazon. They have used the provided format of the RT.

4.7 Back Office Team

A specific Back Office Team (BOT) assisted the Assessment Teams during their assessment activities. This team consisted of several persons and a range of expertise were represented (refer to Appendix 14 for the list of persons). The BOT worked according to the Internal Assessment Protocol. The questions raised to and answered by this team can be found in the reports of the AT.

The answers of the BOT were not forwarded to the other AT unless explicitly mentioned by the RT.

4.8 Variants

The Review Team has passed information to the Variants Team (task force) on two dates: 3 May 2001 and 4 May 2001. Refer to Appendix 15.

Based on the information provided, the task force has produced its own findings concerning the feasibility of the different Variants.

5 Quality aspects

5.1 Tender Board

The Tender Board met on 22 May 2001 and on 6 June 2001. During these meetings the Tender Board approved the interim findings of the assessment procedure (refer to Appendix 16). Furthermore the Tender Board was represented at the various Clarification Meetings with the three Tenderers.

5.2 Advisory Board (Advies Raad)

During the whole evaluation process the Advisory Board was informed on a weekly basis. The Advisory Board has met on 15 May 2001. The advise of this body is attached in Appendix 17.

5.3 External Audit

An external auditor will audit the evaluation procedure.

6 Findings of Review Team

6.1 Ranking

As the Bid of Nile remained non-compliant, because of its not binding character, the Review Team already decided on 17 May 2001 not to continue with the assessment of it (refer to the notes of the N-RT-8). Therefore the Review Team has concentrated on the ranking of Mississippi and Amazon.

The total score is presented below:

Consortium / Item	Base offer	Quality	Variants	Total score
Mississippi	100	7	22,4	129,4
Amazon	43	10	19.6	72,6

6.2 Recommendation

The Review Team recommended the Project Director on 8 June as follows:

- 1- invite Mississippi as a compliant Bidder for the negotiations phase and to start direct negotiations,
- 2- invite Amazon as a potentially compliant Bidder and to stay 'on hold'.

Refer to Annex 18 for the recommendation.

7 Appendices

1. Chronological list of activities
2. Clarifications and Addenda to the ITT
3. Internal Assessment Protocol deposited at notary
4. Receipt submissions Bids
5. Confidentiality statements
6. Notes of Review Team
7. Correspondence Review Team with Tenderers
8. Correspondence Assessment Team 1
9. Correspondence Assessment Team 2A
10. Correspondence Assessment Team 2B
11. Information of Review Team sent to Assessment Team 2A and 2B
12. Final report of Assessment Team 2A
13. Final report of Assessment Team 2B
14. List of persons of Back Office Team
15. Information sent from Review Team to Variants task force
16. Notes of Tender Board
17. Advise of Advisory Board (Advies Raad) of 31 May 2001
18. Recommendation of Review Team