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Fax

To NS Reizigers  
Att Drs M.P. Spaargaren

Copy -

Fax number 030 - 235 80 12

Subject Your questions on the Qualification document HSL-Zuid  
Transport Contracts

Pages 2

Dear Mr Spaargaren,

Please find attached our response to your questions on the Qualification document that we received on the 14th of August (your ref. NS/NAcc/MS/2000240).

Our response will also be send by mail to you.

Yours sincerely,

Jeroen Kok  
Project Manager HSL-Zuid Transport

Date  
17 August 2000

Our ref  
U2000 00742

Your ref  
-

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Answers to questions NS (14-08-2000)

Question:

1. What exactly are "the requirements" with regard to the Level Playing Field which the relevant Incumbent Railway Companies" in general, and NS in particular, have to comply with?

Answer:

Level playing field deals with equal conditions for all bidding parties at the start of the tender procedure. These conditions are amongst others non-discriminatory and transparent access to data, essential facilities and rolling stock against reasonable terms and reasonable market prices for all bidding parties. Paragraph 3.2 of the ItRP describes these conditions for incumbent railway companies.

With regards to the level playing field HSL and NS have had several discussions. Access to data has been agreed upon and is momentarily been executed. On our opinion about essential facilities we informed you by letter of August fourth. It states that we would like to make a process agreement with NS on amongst others train stations, maintenance facilities, electricity and ticket integration. Recently in our meeting of August 10 we agreed upon the process to be executed on this matter.

Question:

2. Qualification and selection criteria

- a. Do you consider the turnover of NSR's subsidiary Transvision (treintaxi transport) -is relevant with regard to the qualification criterion b ("---one other type of passenger transport services")? If not, perhaps you would indicate why not?
- b. Can the N.V. NS in your opinion be considered to be a "Related Company" (page 13, point 8) to NS Reizigers? And vice versa?
- c. What types of relationship are required to qualify a party as a "related company" to an "Applicant"?
- d. Can NSR use the experience of its subsidiary Thalys Nederland BV to comply with the selection criterion g ("experience with operating high-speed rail services...")?

Answer:

2a. Yes, if NSR can demonstrate that it can utilise relevant experience of Transvision.

2b. Yes, if N.V. NS can demonstrate that it can utilise relevant attributes, skills, resources and/or experience of NS Reizigers and vice versa.

2c. An Applicant can use the experience of related companies if it can demonstrate that it can utilise the relevant attributes, skills, resources and/or experience of a related company. A related company could for instance be a parent company or a subsidiary.

2d. An Applicant can use the experience of related companies if it can demonstrate that it can utilise the relevant attributes, skills, resources and/or experience of a related company.

Question:

3. On which criteria will you judge the 'highest ranked Applicant' (p. 8, 4th paragraph)??

Answer:

The selection criteria are described in section 3, page 11.

Question:

4. Which criteria will you apply if a consortium requests a change in its consortium parties after the submission of the "Request for Qualification"?

Answer:

In the unlikely event that a consortium needs to change its constitution after qualification the State will apply the following criteria:

- There have to be important reasons for changing the consortium;
- The new consortium has to meet the pre-qualification criteria as set out in the Qualification Document;
- The partner that is being taken out must be replaced by a party that brings in at least the same or similar attributes, skills, resources and/or experience.