

04/01/2024

1. Buyer

1.1 Buyer

Official name: NS Reizigers B.V.

Legal type of the buyer: Public undertaking

Activity of the contracting entity: Railway services

2. Procedure

2.1 Procedure

Title: Retrofit of Flirt Train Sets

Description: Retrofit (including design and authorisation) of a fleet of Flirt Train Sets with the aim of integrating ERTMS track capability, Driver Controlled Operation functionality, to enable TSI CCS related functionalities and IT lifecycle management including a service level agreement and a spare parts agreement for maintenance purposes. 58 Train Sets amount per train set unknown

Procedure identifier: 26b6f8c8-5d1c-452e-8c8e-f5e51fbcd244

Type of procedure: Negotiated without prior call for competition

2.1.1 Purpose

Nature of the contract: Services

Main classification (cpv): 50220000Repair, maintenance and associated services related to railways and other equipment

2.1.2 Place of performance

Country: Netherlands

Anywhere in the given country

2.1.4 General information

Legal basis:

Directive 2014/25/EU

5. Lot

5.1 Lot:LOT-0000

Title: Retrofit of Flirt Train Sets

Description: Retrofit of Flirt Train Sets n.a.

Internal identifier: 1

5.1.1 Purpose

Nature of the contract: Services

Main classification: 50220000Repair, maintenance and associated services related to railways and other

(cpv): equipment

5.1.2 Place of performance

Country: Netherlands

Anywhere in the given country

Additional
information:

5.1.6 General information

Procurement Project not financed with EU Funds.

The procurement is covered by the Government Procurement Agreement (GPA)

Additional
information: n.a.

5.1.10 Award criteria

Criterion:

Type: Quality

Name: Quality

Weight
(points, 1
exact):

Criterion:

Type: Price

Name: Price

Weight
(points, 1
exact):

5.1.15 Techniques

Framework agreement:

No framework agreement

Information about the dynamic purchasing system

No dynamic purchase system

5.1.16 Further information, mediation and review

Review
organisation: NS Reizigers B.V.

Organisation
providing
additional
information NS Reizigers B.V.
about the
procurement
procedure:

Organisation
providing
more
information NS Reizigers B.V.
on the
review
procedures:
Organisation

signing the contract: NS Reizigers B.V.

6. Results

Value of all contracts awarded in this procedure: 1EUR

Direct award:

Justification for direct award: The contract can be provided only by a particular economic operator because of an absence of competition for technical reasons

Other justification: In order (1) to remain compatible with the Dutch railway infrastructure beyond 2030, to comply with laws and regulations and to be equipped for the Dutch passenger service in 2030 and beyond, the fleet of Flirt Train Sets – owned by NS – will have to be fitted with an ERTMS system (Part A) and various upgrades required for (future) driver controlled operation and, (2) to remain up to standard, new functionalities will have to be added to the train sets (Part B). Part B consists of TSI CCS an IT lifecycle management (amongst others: improvement of cyber security, segmented Wi-Fi, CCTV (with front cameras and recording functionalities), exact location determination, geo fencing, remote preparation for service and automated brake tests). The retrofit as set out above per train set, needs to be executed in a very restricted timeframe and needs to be “first time right”. The reason for this being that the train sets are required for the daily operation on NS. Any (extra) withdrawal from service of the train sets or failure during operation will significantly affect NS’ train operation and business. In order to be able to execute the retrofit in depth technical knowledge of the train sets and access to all relevant IP (rights) is required. NS neither has this knowledge or access to this knowledge nor can obtain it. Considering the above, NS has no reasonable alternative or substitute than to grant the retrofit agreement directly to Stadler. Stadler Rail AG (and its subsidiaries) is designer, producer, vehicle type holder of these train sets and holder of the required IP rights (amongst other for altering the TCMS) for the retrofit as well as other required know-how of the train sets. Maintenance and delivery of spare parts will be part of the retrofit agreement. NS therefor intends to enter into an agreement with Stadler (direct award).

6.1 Result Lot Identifier: LOT-0000

6.1.2 Information about winners

8. Organisations

8.1 ORG-0001

Official name: NS Reizigers B.V.

Registration number: 41680548

Postal address: Laan van Puntenburg 100

Town: UTRECHT

Postcode: 3511ER

Country: Netherlands

Contact point : Pieter Tax

Email: procurementsupport@ns.nl

Telephone: +31 886713319

Internet
address: <http://www.ns.nl>

Other contact points:

Official name: NS Procurement: Toegang tot de documenten in Ariba kunt u aanvragen door een e-mail, inclusief de contactgegevens van uw organisatie, te sturen naar procurementsupport@ns.nl

Postal address: Laan van Puntenburg 100

Town: Utrecht

Postcode: 3511 ER

Country: Netherlands

Email: Procurementsupport@NS.NL

Telephone: +31 886713319

Other contact points:

Official name: Rechtbank Midden Nederland

Postal address: Vrouwe Justitiaplein 1

Town: Utrecht

Postcode: 3511 EX

Country: Netherlands

Email: midden-nederland@rechtspraak.nl

Roles of this organisation:

Buyer

Organisation providing additional information about the procurement procedure

Review organisation

Organisation providing more information on the review procedures

Organisation signing the contract

8.1 ORG-0002

Official name: Stadler Service AG

Size of the
economic operator: large

Registration number: 88497

Postal address: Ernst Stadler Strasse 4

Town: Bussnang

Postcode: CH-9565

Country: Switzerland

Email: dummy@example.com

Telephone: +31 600000000

Roles of this organisation:

Tenderer

Group leader

11. Notice information

11.1 Notice information

Notice

identifier 1e028820-9446-45ed-98dc-24a530f8bdf6-01

/version:

Form type: Direct award preannouncement

Notice type: Voluntary ex-ante transparency notice

Notice

dispatch date 2024-01-04+01:0016:54:33.176621+01:00

:

Languages

in which

this notice is English

officially

available:

11.2 Publication information