



Market consultation document

Subject: **Tender procedure for Frisian Wadden Island ferries
transport concessions**

Department : ***Ministry of Infrastructure and Water
Management***

DG / Directorate : **DG Mobility / Public Transport and Railway**

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1. Introduction

This is the market consultation document (referred to below as MCD) for the tender procedure for Frisian Wadden Island ferries (in Dutch: *Friese Waddenveren*) transport concessions of the Ministry of Infrastructure and Water Management (referred to below as I&W).

1.1 Background to the market consultation

The aim of this market consultation is to prepare for the planned tender procedure for the Western and Eastern Frisian Wadden Island ferry concessions (*Waddenveren West* and *Waddenveren Oost*). I&W very much values the views of market parties and intends to actively involve them at an early stage before the planned tender procedure is launched.

1.2 Aim of the market consultation

By publishing this MCD on Tendered, I&W aims to reach as many potential market parties as possible, gauge the level of interest and encourage participation.

I&W is launching this market consultation with a view to:

- gathering input for the further elaboration of the Set of Principles (*Nota van Uitgangspunten*, NvU) for the Frisian Wadden Island ferries transport concessions in the tender documents;
- gaining an insight into the actual feasibility of both transport concessions and the key conditions that might apply to these concessions;
- involving the market in the tender procedure for both transport concessions at an early stage in order to ensure that the tender documentation properly reflects the market situation and where possible take account of market needs and key conditions;
- gathering input for the tender strategy (increasing the likelihood of participation in and interaction during the tender procedure);
- gaining an insight into whether market parties are interested in and able to operate one or both transport concessions.

1.3 What I&W would like to know

I&W is inviting market parties to participate in this market consultation.

I&W is asking market parties to respond to the questions in this MCD by making use of the accompanying market information document (referred to below as MID).



I&W would like to stress that this market consultation is not part of the tender procedure and no rights may be derived from it. Where relevant, I&W will use the insights gained from this market consultation in preparing the tender procedure and related documentation. I&W reserves the right to disregard all or some of these insights.

1.4 Information about I&W

Description of I&W

The contracting authority is the State of the Netherlands, Ministry of infrastructure and Water Management. The tender procedure is being coordinated by the Finances and Purchasing Directorate (*Directie Financiën en Inkoop*) on behalf of the Directorate-General for Mobility (DGMo).

I&W is committed to a safe, accessible and liveable Netherlands. As part of this, I&W endeavours to achieve strong connections on the roads, railways, the water and by air. I&W protects against flooding, aims to safeguard the quality of air, water and soil and is working to achieve a circular economy. I&W carries out an enormous amount of work on a daily basis. The roads and waterways, dikes and railways all require regular maintenance and occasional modification or expansion. Equally, laws and regulations need to be maintained and updated in order to keep pace with developments in society.

It is part of I&W's duty to maintain and enforce these laws and regulations. The increasing pressure on the environment is another key area that requires attention. I&W works on all of this and much more every single day. Because I&W cannot achieve all of this work alone, it seeks to collaborate with a range of different parties. I&W works with private individuals and businesses, with civic organisations and local authorities. Without the cooperation and expertise of others, I&W would not be capable of maintaining the balance between liveability, accessibility and safety.

For more detailed information about I&W, we refer you to the website <https://www.rijksoverheid.nl/ministeries/ministerie-van-infrastructuur-en-waterstaat>.

Description of organisational division

The Frisian Wadden Island ferries transport concessions are the responsibility of the Directorate-General for Mobility (DGMo). The aim of DGMo is to further develop the quality of the railway and waterway/road networks while ensuring their safe and sustainable use by passengers and the transport sector. By doing so, it contributes to the Netherlands' economic and spatial development within the conditions for liveability and safety.

The Public Transport and Railway Directorate (*Directie Openbaar Vervoer en Spoor*, OVS) is part of the DGMo. It is the responsibility of OVS to ensure that passengers can make use of a public transport network, that goods can increasingly be transported by rail and that the main railway infrastructure has sufficient capacity and is safe.



The directorate has system responsibility for the whole of public transport (railway, metro, bus, tram, taxi and ferries) in the Netherlands. This is done in close collaboration with all our partners.

1.5 Information about the subject of the market consultation

For the purposes of the tender procedure for the Frisian Wadden Island ferries, the following details will prove useful in forming a picture of the information that I&W is hoping to discover and in enabling market parties to provide effective and useful responses.

Background

For Frisian Wadden Island residents and visitors, good accessibility for the Wadden Islands is highly important. For residents, the ferry links between the Frisian Wadden Islands and the mainland are an important lifeline: island residents depend on the ferry connections in order to reach essential mainland services, such as hospitals, and for the supply of goods, such as food and groceries. Effective ferry connections are of great importance for quality of life on the islands. I&W is responsible for passenger transport between the mainland and the Frisian Wadden Islands.

Current concessions

In order to guarantee good ferry connections, the Dutch central government granted two transport concessions for passenger transport from and to the Frisian Wadden Islands, which came into effect in April 2014. For the connections to the islands of Vlieland and Terschelling this concerns the concession for the Western Wadden Island ferries (*Waddenveren West*), awarded to B.V. Terschellinger Stoomboot Maatschappij (TSM), a division of the Doeksen shipping company. For the connections to the islands of Ameland and Schiermonnikoog, it concerns the concession for the Eastern Wadden Islands ferries (*Waddenveren Oost*), awarded to the Wagenborg Passagiersdiensten B.V. (WPD). Both of these concessions were awarded by means of private tenders and have a term of 15 years.

Follow-up concessions

Since the current transport concessions will expire in 2029, I&W is in the process of preparing new concessions that will take effect in 2029. One of the conclusions of a market analysis conducted in 2023 was that the awarding of a concession would be necessary because the potential offer from the free market is expected to be insufficient in terms of both quality and quantity (See the Letter to the Dutch House of Representatives of 20 December 2023, [Kamerbrief 20 december 2023](#)). In accordance with the relevant legislation and regulations (Article 7a, paragraph 3 of the Passenger Transport Decree 2000) (*Besluit personenvervoer 2000*), the new concessions must be granted via a European public procurement procedure, as is the case for most transport concessions and licenses. An alternative way of awarding the contract, by means of private tender, is not possible for legal reasons.



Current situation

The Set of Principles (*Nota van Uitgangspunten*, NvU) for the new transport concessions was communicated to the House of Representatives by letter on 8 October 2024 (see [Kamerbrief 8 oktober 2024](#)). The NvU lays down the relevant frameworks and principles for the future concessions. In compiling the NvU, I&W obtained input from interested parties on several occasions. The next step in the process will be the drawing up of the draft Statement of Requirements (*Programma van Eisen*, PvE). Ultimately, the PvE will serve as the basis for the tender procedure.



2. Market consultation procedure

2.1 Outline of market consultation approach

The market consultation will be in two parts. It will start with a written round of questions with all market parties who have registered and wish to make a contribution. Immediately after that, I&W may invite market parties who have indicated a willingness to discuss their views on these questions in more detail to attend a one-to-one explanatory meeting.

2.2 Schedule

Activity	Date and time
Publication of MCD	28 November 2024
Final deadline for asking questions	13 December 2024
Deadline for publication of Information Notice (<i>Nota van inlichtingen</i>)	20 December 2024
Deadline for submission of the MID	31 January 2025
Date of possible explanatory meetings	10 -14 February 2025
End of procedure	6 March 2025

Interested parties cannot derive any rights from the above schedule. I&W reserves the right to make adjustments to the schedule.

Asking questions

Market parties will have an opportunity to ask questions about any unclear wording in the MCD in order to achieve transparent and clear communication. If there are questions about the MCD, these can be asked via Tendered before the deadline for asking questions stated in the schedule.

Information Notice

I&W will provide answers to the (anonymised) questions from market parties in an Information Notice which will be published on Tendered.

Submission of MID

All interested market players who believe that they can make a contribution to the market consultation are asked to submit the answers to the questions in section 3 of this MCD as an MID via Tendered before the deadline for submitting the MID stated in the schedule.



Explanatory meetings

I&W is keeping the option open to invite parties following the submission of the MID's to provide additional information about their answers. Market parties are requested to ensure that they will be available to attend any such meeting in the period stated in the schedule. If we wish to have an explanatory meeting with your organisation, you will be notified of this as soon as possible, together with details of the date/time when you will be asked to attend the I&W offices (in The Hague) or participate in a Teams meeting.

2.2.1 End of procedure

The answers to the questions put will be included in an anonymised market consultation report. The completion of the procedure, when the market consultation on Tendered is closed, will take place on the date stated in the schedule when the anonymised market consultation report is published.

2.3 Confidentiality

I&W will handle all input from participating market parties confidentially. I&W will only reveal this information to staff and advisers who are directly involved in the market consultation or the tender, unless I&W is legally bound to make this information more widely known. However, I&W will be entitled to use the information provided in compiling the tender documents. I&W will not include any specific references to participants or to commercially sensitive information in the tender documents.

2.4 Other conditions with regard to the market consultation

The market consultation is not part of the tender procedure. In order to ensure that participants in the market consultation are not placed in a privileged position, I&W will publish the results of the market consultation in the tender documents. In addition, the information shared by I&W during the market consultation will also be included in the tender documents.

In the tender procedure, no distinction will be made between the parties who did or who did not take part in the market consultation.

The information included in this market consultation may differ from information provided at a later stage (as part of the tender procedure). No rights may be derived from information provided as part of the market consultation. The information provided is indicative and intended purely to improve the quality of the market consultation. In the event that information in the market consultation differs from information in the tender documents, the information in the tender documents will take precedence.

I&W will not provide any remuneration to participants in the market consultation.



3. Questionnaire

General information	
Business name	<Please complete>
Country/countries	<Please complete>
Business location(s)	<Please complete>
Division of a group or holding?	<Please complete>
If so, please provide further information	<Please complete>
Contact(s)	<Please complete>
Email	<Please complete>
Telephone number	<Please complete>

The questions that I&W wishes to put to you as part of the market consultation are listed below, sorted by theme.

A. Aims of the transport concessions

As indicated in the NvU, the main aim of the tender procedure for the Eastern and Western Wadden Island Ferries transport concessions is to maintain passenger transport between the Frisian mainland and the Frisian Wadden Islands in such a way as to ensure that these links are adequate for island residents and other travellers. This main aim is based on four subsidiary aims.

- Reliable, frequent and permanent: The continuity of the ferry service will be safeguarded and the ferry service will be run punctually according to a 'minimum service timetable'.
- Future-proof: The ferry services will at least meet the standards for sustainability and nature and be prepared for the dynamic nature of the Wadden Sea.
- Pleasant travel experience: Passengers will travel in sufficient comfort with an adequate level of services from and to the islands. Travel information will be comprehensive and available, it will be possible to purchase tickets easily and the combination with other modes of transport will be as attractive as possible.
- Affordable and manageable: The ferry services will be affordable for residents and visitors and the service will be coordinated by a reliable, financially healthy carrier. Relations between the contracting authority and concession holder will be well coordinated and local parties will have a say on the running of the ferry services.

For further information about the aims, we refer you to the NvU (see [Kamerbrief 8 oktober 2024](#)).

Aims of the concession	
A1	What is your view on the above main aim and subsidiary aims?
	<Please enter your answer here>



B. Term and commencement date of transport concessions

In view of the considerable investments and development required to replace the existing fleet (partially and/or in phases), a concession term of 15 years is preferred. However, for the Eastern Wadden Ferries transport concession in particular, some uncertainties remain, such as the Multi-Year Programme for Infrastructure, Spatial Planning and Transport (MIRT) study into the long-term accessibility of Ameland and developments with regard to the issues with the fairway (siltation and dredging policy; see part G). For this reason, I&W is considering a shorter concession term of five years (2029-2034) for the Eastern Wadden ferries transport concession, in which case the existing fleet will need to continue to be used until the end of the concession. As soon as there is greater clarity with regard to developments, a longer concession can be granted that is more in line with the future situation.

Transport concession term for Eastern Wadden Island ferries	
B1	What would your advice be concerning the term for the Eastern Wadden Island ferries concession? <Please enter your answer here>

The current transport concessions took effect in April 2014 and have a 15-year term, lasting in principle until April 2029. However, the NvU states that the precise commencement and end date for the new transport concessions is still under consideration. In view of the relatively busy spring and summer period, in terms of passenger numbers, the option is being considered, in consultation with the current concession holders, of starting the new concessions earlier, e.g. in January 2029 or on the date that the public transport service schedules change in December 2028.

Incorporating NvU in tender documents	
B2	What would your advice be concerning the commencement date for both transport concessions? <Please enter your answer here>

C. Certainty for island residents

Within the relevant legislation and regulations, the concession holder will need to increase the chance of island residents obtaining a ticket to travel on busy days. As described in the NvU, I&W aims to achieve this by requiring a number of places for cars to remain reserved for island residents until a set time before the departure. This will involve creating a balance with the financial conditions for the concession. It also needs to be operationally achievable.



Reservation of spaces for island residents	
C1	What is your view on the principle that car spaces must remain reserved for island residents until a certain time? <Please enter your answer here>
C2	In your view, what would be a suitable number of reserved car spaces for island residents? <Please enter your answer here>
C3	What operational challenges do you envisage in keeping car spaces available for island residents and reserving these for them and how could they be resolved? <Please enter your answer here>

Similar questions apply specifically for express services to the Frisian Wadden Islands, but this relates to the number of passenger places that must be reserved for island residents up to a certain time before departure.

Reservation of passenger places for island residents	
C4	What is your view on the principle that passenger places on express services must remain reserved for island residents until a certain time? <Please enter your answer here>
C5	In your view, what would be a suitable number of reserved passenger places for island residents? <Please enter your answer here>
C6	What operational challenges do you envisage in keeping passenger places available for island residents and reserving these for them and how could they be resolved? <Please enter your answer here>

The Maritime Cabotage Regulation, which (together with the Public Service Obligation Regulation) will be applied to the next transport concessions, makes it possible to include provisions in the concessions about goods transport without the concession holder gaining the exclusive right to goods transport. In view of the role currently played by the ferry services in the supply of cargo such as groceries and food, a provision will be included in the new transport concessions that obliges concession holders to reserve a set number of places for goods transport until a set time before departure.

Reservation for goods transport	
C7	What is your view on the principle that places for goods transport must remain reserved until a certain time? <Please enter your answer here>
C8	In your view, what would be a suitable number of reserved places for goods transport? <Please enter your answer here>
C9	What operational challenges do you envisage in keeping places available for goods transport and how could they be resolved? <Please enter your answer here>



D. Pricing

The current transport concessions includes a long list of price categories applied by the concession holders (see [Vervoerconcessie Waddenveren West](#) and [Vervoerconcessie Waddenveren Oost](#)). This means that if the concession holder wishes to introduce a new price category or no longer wishes to offer a price category, this will constitute a change to the transport concession. For this reason, the option is being considered of only including core price categories in the transport concession that reflect the public role played by the ferry services for island residents and visitors, such as prices for an adult, a car and a bicycle.

Price categories	
D1	What is your view on reducing the number of prescribed price categories? <Please enter your answer here>
D2	Of the existing price categories, which do you consider to be core price categories that must therefore be prescribed in the transport concessions? <Please enter your answer here>

The ferry connection serve as a lifeline for island residents. Often this is the only possibility to reach family, friends and services on the mainland. I&W considers an affordable crossing to be important. For this reason, the NvU states that island residents must be entitled to a discount on the crossing. The PVE will need to define who is eligible for this discount (i.e. what the definition of an island resident is) and how much the discount should be.

Discount for island residents	
D3	In your view, how can the group of 'island residents' be best defined? In other words, what criterion/which criteria will someone need to meet in order to be eligible for the discount for island residents? <Please enter your answer here>
D4	What discount on the full price do you believe would be appropriate? Should this be a percentage discount on the full price or a set reduced price that applies for several islands? <Please enter your answer here>

In the new concession period, I&W aims to be as transparent as possible about the annual price increase. The basic principle is that the annual increase in price should as far as possible reflect increases in costs. In the current transport concessions, the price index is based on several different indicators, i.e. a weighted average of the increase in sector wage costs (65%), the IMOC (price of government consumption, net material; 27.8%) and the fuel costs trend (7.2%). An alternative would be to apply the national price index (*Landelijke tariefindex*, LTI) for regional public transport. The LTI is also based on several indicators, i.e. a weighted average of trend in wages (61.58%), the price of diesel (5.17%), the price of electricity (2.78%), the price of gas (1.63%) and the Consumer Price Index (CPI) (28.85%) with the stated percentages applying to the 2024 LTI and being updated annually.



Annual indexation of prices – national price index	
D5	What is your view on the indexation of ferry service prices based on the national price index for regional public transport? <Please enter your answer here>
D6	Do you suggest any other alternative methods for determining the annual price increase in an even more transparent way? <Please enter your answer here>

E. Obligation to take over vessels

The current transport concessions include a provision requiring the vessels to be taken over from the current concession holders. This therefore means that the new concession holders will also be required to take over these vessels.

Obligation to take over vessels	
E1	What information about the vessels will you definitely need in order to draw up a good bid and what additional information would also be desirable? <Please enter your answer here>

F. Improving the sustainability of vessels

In the NvU, I&W has outlined its intention for the new concessions to require at least a minimum percentage reduction in emissions, which will increase over the course of the years. This indicates the potential (excessively) ambitious reduction pathway that might be considered:

- At the start of the concession, in 2029, a minimum reduction of around 55% in greenhouse gas emissions;
- Midway through the term of the concession, in around 2036-2037 (also taking account of the time required to build the electric charging infrastructure), a minimum reduction of around 70% in greenhouse gas emissions;
- At the end of the term of the concession, in 2044, a minimum reduction of around 85% in greenhouse gas emissions, on the pathway towards climate-neutral ferry services by 2050.

Reduction pathway for emission of greenhouse gases	
F1	What is your view on the reduction pathway indicated? What operational challenges do you envisage in achieving this reduction pathway? <Please enter your answer here>



In addition, I&W is considering stipulating in the PvE that it must be possible for new vessels to be converted (at any time) to electric propulsion.

Battery-electric propulsion	
F2	What is your view on battery-electric propulsion being made a requirement if the necessary infrastructure is realised by central government to enable this to happen? <Please enter your answer here>
F3	What is your view on battery-electric propulsion being made a requirement if it is uncertain whether the infrastructure will be realised? <Please enter your answer here>
F4	Is there anything else you would like to share with I&W relating to emission reductions and battery-electric propulsion? <Please enter your answer here>

G. Ameland fairway

Because of the natural dynamism of the Wadden Sea, the fairways are continually subject to change. In recent years the sea bed has risen by several millimetres per year. In order to keep the islands as accessible as possible for ferry boats, the Directorate-General for Public Works and Water Management (*Rijkswaterstaat*, RWS) dredges the fairways on an almost daily basis. In the future concessions, the carriers will be expected to anticipate the natural dynamism of the Wadden Sea and its consequences for the fairways, for example by opting for a transport concept with relatively limited susceptibility to the dynamism of the Wadden Sea and/or one that can respond flexibly to any changes.

The fairway problem particularly affects the Holwert – Ameland ferry link. The challenge here involves reducing the amount of dredging in order to ensure that the impact on nature and environment is minimised. In that context, the Follow-up study on Accessible Ameland 2030 (*Vervolgonderzoek Bereikbaar Ameland*, VBA) investigated two potential solutions: (1) optimisation of the existing ferry dam in Holwert and (2) relocating the ferry dam to Ferwert. Within each main potential solution, different alternatives were developed, including fairways of different dimensions (100%, 80% and 60% diameter) and different types of vessels. Partly based on the results of the VBA 2030, the decision was made to launch the Accessible Ameland MIRT study (*MIRT-Verkenning Bereikbaarheid Ameland*, see [Kamerbrief 14 november 2024](#)). In view of the time it takes to complete an MIRT study, the results will not be known until the transport concession has been granted. The approach being adopted by the Ministry of I&W is to include as much flexibility as possible within the new transport concession to enable parties making bids to take account of the possible results of the MIRT study in their plans.



Ameland fairway	
G1	In your view, how can the new transport concession deal most effectively with the uncertainties around the ferry link to Ameland without burdening I&W as the contracting authority with all of the risks involved? <Please enter your answer here>
G2	In your view, during the tender procedure what will be the best way for I&W to assess the flexibility of market parties in dealing with these uncertainties? <Please enter your answer here>

H. Management of production resources

The new concessions offer an opportunity to reconsider the day-to-day management and maintenance at the ferry ports (concession site). Currently, the basic principle is for the day-to-day management of wet production resources to be the responsibility of RWS and the day-to-day management of all dry production resources the responsibility of concession holders. Wet production resources include at least the following:

- Sheet-piling, quay wall structures, walers;
- Mechanical engineering and electro-technical systems;
- Vehicle and pedestrian bridges;
- Cables and pipelines, including utilities, with the exception of charging systems for battery-electric vessels.

Dry production resources include at least the following:

- Paving at ferry terminal;
- Road surfacing (excluding access road to concession site, such as the Grandyk);
- Road markings;
- Fencing, etc.;
- Lighting on concession site;
- Other buildings on concession site;
- Seating, flags, signposting, lighting, cameras, etc.;
- Waste containers

Management of production resources	
H1	What is your view on the proposed division of the day-to-day management of production resources? <Please enter your answer here>
H2	Do you have any suggestions for optimising the coordination of the maintenance by RWS and the maintenance by the concession holder? <Please enter your answer here>



I. Social return

The NvU stipulates that the concession holder must make a social contribution to the region by means of a 'social return'. Work is currently ongoing to explore how this can be specifically included in the PvE, for example by setting requirements for the deployment of people who would otherwise struggle on the labour market, the organisation of social activities or social procurement.

Meeting social return obligation

I1	What in your view would be the best way of meeting the social return obligation? <Please enter your answer here>
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J. Collaboration with stakeholders

I&W is investigating a range of options for greater involvement of consumer organisations and local and regional authorities in running the concessions. The aim of this is to intensify collaboration outside the prescribed opportunities for consultation and advice when drawing up transport plans. One of the options is to give concession holders responsibility for liaising with consumer organisations and local and regional authorities. Carriers may then be asked to include a collaboration strategy as part of their bids. I&W will in any case prescribe with which parties the concession holders must maintain contacts, which subjects this will cover and the necessary frequency. I&W will continue to monitor this during the concession, but will not set specific requirements for this contact. However, I&W may step in if it deems this necessary.

Collaboration strategy

J1	What is your view on drawing up a collaboration strategy with consumer organisations and local and regional authorities? <Please enter your answer here>
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K. Tender strategy

During the tender procedure, I&W intends to engage in conversation with market parties with regard to a range of (development) topics relating to both transport concessions. For now, the public procedure with negotiation or the competitive procedure with negotiation would appear most effective in meeting this need.

- Public procedure with negotiation: In this procedure, any interested market player can submit an initial bid. A round of negotiations with these parties will then take place in order to reach a definitive bid.
- Competitive procedure with negotiation: In this procedure, any interested party can request to participate in this procedure. After that, only the parties selected by the contracting authority will be permitted to submit an initial bid, after which negotiations will ultimately lead to the definitive bid with one or multiple parties.



Both tender procedures allow an opportunity for dialogue/negotiation to ensure that the proposed measures/solutions more effectively meet the requirements and wishes of I&W. The aim of these negotiations is to improve the quality of the bids. These procedures therefore offer greater flexibility than the standard (non-)public procurement procedure because they allow for bids to be corrected or improved. The difference between the procedures is the division of the selection and awarding phase in the competitive procedure with negotiations.

Tender procedure	
K1	What is your view on the above tender procedures? In addition, will the choice of tender procedure determine your decision whether or not to participate in the tender? <Please enter your answer here>

Since there is a lack of any examples of tender procedures involving similar ferry services, market interest (and increasing it) is a key area of focus. For this reason, I&W is considering further measures to make bidding in the tender more attractive to market parties.

Interest in the Frisian Wadden Island ferries tender	
K2	What reasons might make you decide whether or not to participate in the tender? <Please enter your answer here>
K3	What measures could I&W take to make bidding in the tender more attractive for you? <Please enter your answer here>

L. Final questions

In conclusion	
L1	Are there any other points of note that you would like to share with regard to the inclusion of stipulations from the NvU in the tender documents? <Please enter your answer here>
L2	Do you have any other ideas, suggestions or comments or do you envisage further risks or challenges for I&W with regard to the planned tender? <Please enter your answer here>
L3	Would you be interested in and prepared to participate in an explanatory meeting as described in section 2? <Please enter your answer here>