

**FI-Helsinki: Operation of scheduled air services****Invitation to tender**

(2006/C 145/07)

1. **Introduction:** Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, the Finnish Government (Ministry of Transport and Communications) has decided to impose a public service obligation on scheduled air services on the Helsinki-Varkaus-Savonlinna route.

The public service obligation has been published in the 'Official Journal of the European Union' (C 145 of 21.6.2006).

If, by 1 June 2006, no air carrier has begun to operate nor announced its intention to begin to operate scheduled services on the Helsinki-Varkaus-Savonlinna route in accordance with the public service obligation without requiring financial compensation, the Ministry of Transport and Communications will restrict access to this route to a single carrier. The right to operate on the route will, in that case, be granted on the basis of an invitation to tender under Article 4(1)(d) of the above-mentioned Regulation. The Ministry of Transport and Communications decided to launch the invitation to tender on 24.3.2006.

2. **Subject of the invitation to tender:** Scheduled air services on the Helsinki-Varkaus-Savonlinna route from 1.8.2006 to 31.7.2009.

3. **Participation in the tendering procedure:** Bids may be submitted by any air carrier holding a valid operating licence within the meaning of Council Regulation (EEC) No 2407/92 of 23.7.1992.

4. **Tendering procedure:** The tendering procedure will be conducted in accordance with Article 4(1)(d) to (i) of Council Regulation (EEC) No 2408/92 of 23.7.1992.

The client may reject all offers if the price is too high or if circumstances or the requirements for organising the service change significantly, in such a way as to make it unfeasible or impossible to implement the planned service in the way described in the invitation to tender.

Until a contract is signed, the Ministry of Transport and Communications will retain the right to defer the start date of the planned service. If the start date is deferred, the end date will also be deferred correspondingly.

5. **Tender documents:** A full set of tender documents, comprising an invitation to tender, the tender conditions, the contract, a description of the public service obligation and the tender forms, may be obtained from:

Liikenne- ja viestintäministeriö, Kirjaamo, PL 31 FIN-00023 Valtioneuvosto, Helsinki.

Liikenne- ja viestintäministeriö, Kirjaamo, PL [P.O. Box] 31, FIN-00023 Valtioneuvosto, Helsinki.

The documents may also be ordered by e-mail: kirjaamo@mintc.fi or fax (358-9) 160 28619.

6. **Financial compensation:** Bids must clearly specify, in euros, the amount of compensation required for the service in question. The compensation required should be based on an estimate of actual costs and revenue, taking account of the minimum requirements imposed by the public service obligation. The compensation may cover only actual services and costs incurred at Helsinki-Vantaa, Varkaus and Savonlinna airports in connection with operation on this route only. The compensation will not include costs incurred on other routes or at other airports.

All compensation and costs must be specified in euros.

7. **Ticket prices:** The tender will specify ticket prices and the conditions for their validity as well as the various types of ticket in the price system. Prices must be in keeping with the public service obligation imposed on this route.

8. **Selection criteria:** Selection will be made from the bids that meet the requirements set out in the invitation to tender and the tender documents. In accordance with Article 4(1)(f) of Council Regulation (EEC) No 2408/92, the air carrier will be selected taking into consideration the adequacy of the service, particularly including the prices and conditions which can be quoted to users, and the cost of the compensation required, if any.

9. **Period of validity of the contract:** The contract will apply from the date on which it is concluded to 31 July 2009. Services are to start on 1.8.2006 and end on 31.7.2009.

If the Ministry of Transport and Communications has to defer the start date for the services, the end date of the services and of the contract will also be deferred correspondingly.

10. **Amendment or termination of the contract:** The contract may be amended only if the amendments will not lead to a situation in which the requirements under the public service obligation will no longer be met on this route. Amendments to the contract must be made in writing. The parties will have the right to terminate the contract if there is reason to do so under the terms of the contract.

11. **Penalties in the event of failure to comply with the contract:** The air carrier will be responsible for meeting the obligations set out in the contract. If the carrier fails to meet the obligations or meets them inadequately, the client may reduce the compensation payable.
  12. **Deadline for submission of bids:** Bids must be submitted not later than 31 days after the publication of this notice in the *Official Journal of the European Union*.
  13. **Submission of bids:** Bids must reach the Ministry of Transport and Communications by 16:15 on the date specified in point 12 at the latest. The envelope must be marked: 'Tarjous, Varkauden ja Savonlinnan lentoliikenne [bid, Varkaus and Savonlinna air service], 575/79/2006'. Bids may be sent by post to the address given in point 5 or in person to the Registrar's Office at the Ministry of Transport and Communications (Liikenne- ja Viestintäministeriö, Kirjaamo, Eteläesplanadi 16, Helsinki). The Registrar's Office is open Monday to Friday from 8:00 to 16:15.
- The price of the bid must be specified in a separate sealed envelope, bearing the name of the tenderer.
- Bids are to be valid until 30.11.2006.
14. **Validity of invitation to tender:** In accordance with Article 4(1)(d) of Regulation (EEC) No 2408/92, the Ministry of Transport and Communications has the right to suspend the tendering procedure and/or reject all bids if a Community air carrier notifies Finland's Civil Aviation Administration before 1 June 2006 of its wish to begin the operation of scheduled services on the route in question as from 1 August 2006 in accordance with the public service obligation without sole rights and without receiving financial compensation.
- A tender may be selected only if the state budget allocates sufficient funds to the project in question and if the Savonlinna region federation of municipalities and the city of Varkaus undertake to finance it.
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