

Corrections, supplements or changes to the conditions of tender

Supplementary information

The Ministry of Transport has received a request for information regarding section 5.12 of the contract:

Flights covered by the contract shall be performed by the tenderer. Leasing aircraft with crew ("wet-lease") is only exceptionally accepted, and only if the Ministry accepts it beforehand.

If a tenderer plans to use a wet lease agreement on a regular basis either internally in the airline or with another operator, both airlines must sign the tender and the contract if it's awarded. All tenderers must have a valid operating licence in accordance with Regulation (EC) 1008/2008 of 24 September 2008 on common rules for the operation of air services in the Community, cf. the rules for the tender procedure section 3.2. Such a solution will not be covered by the provision limiting wet lease. We emphasize that the tenderers as a whole must meet the requirements set out in the contract and conditions of tender.

We would also like to point out that this does not exclude any form of wet lease later in the contract period with an operator who has not signed the tender or contract, but this is only exceptionally permitted and will be assessed against section 5.12 of the contract.

Questions and answers

Question 1

We intend to use fiscal and Avinor charges that apply from 1 January 2022 respectively when VAT returns to 12%, G2 is reintroduced and other Avinor charges are at the same level as before Covid-19. We also propose that all passenger dependent fees (G2 - 77 NOK, ZN - 112 NOK local / 166 NOK transit and VAT) that are to be charged to the customer, shall be calculated as part of the maximum price. We want to see that the tenderers use the same levels when costs and revenues are calculated. This so that taxes and fees do not become decisive for the level of compensation. Can the Ministry of Transport confirm that the tax levels used are in accordance with our interpretation?

Answer 1

The tenderers shall use the current level for taxes and charges for the period 1 October 2021 - 31 December 2021. As of 1 January 2022, the tenderers may base the tender on the assumptions described by the questioner. Changes in taxes and charges beyond this between the award of the contract and the start of a new contract period or later in the agreement period will instead provide a basis for renegotiation, cf. section 9.2 of the contract in Annex 2.

Question 2

What is the basis for the passenger forecast and how does the Ministry of Transport assess the uncertainty for the tender period?

Answer 2

The forecast has been prepared based on Avinor's forecasts from March. The forecast is based on air traffic returning to the 2019 level during 2023. This is in line with the assumptions made by the Institute of Transport Economics in its new long-term forecast for Avinor. Passenger development in the short term is very sensitive to pandemic control measures, the government's travel advice and vaccine implementation. It is therefore great uncertainty about the development, and Avinor will update its forecasts in line with changes in infection control measures and travel advice.