

# IRG Rail

<https://irg-rail.eu/irg/news/press-release/13,IRG-Rail-adopts-position-paper-on-further-exceptions-to-competitive-tendering.html>  
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## IRG-Rail adopts position paper on further exceptions to competitive tendering

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### Regulators propose extra conditions on performance-based direct awarding

The Hague, the Netherlands, 15 July 2015

The Independent Regulators' Group - Rail (IRG-Rail) has adopted a [position paper](#) on the Dutch proposal for performance-based direct awarding of public service contracts.

Henk Don, chair of IRG-Rail, explains: „IRG Rail reiterates that it is a proponent of competitive tendering. Direct awarding of concessions is second best. However, if the Council and the European Parliament wish to proceed with performance-based direct awarding, they need to make sure that the approach is not misused, and that it leads to real efficiency improvements.“

In the position paper, the IRG-Rail stresses that the procedure for direct awarding should be transparent and properly focused on improving efficiency. Furthermore, appropriate supervision is necessary to ensure a fair and complete assessment by the awarding authority. Also, some sort of corrective mechanism is needed to challenge the assessment. This should be safeguarded by a proper sanctioning mechanism.

Note to editors:

1. The IRG-Rail is a network currently comprising independent rail Regulatory Bodies from twenty-five European countries: Austria, Belgium, Bulgaria, Croatia, Denmark, Estonia, Finland, France, the former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Italy, Kosovo, Latvia, Luxembourg, the Netherlands, Norway, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.
2. Further information can be found on the website of the IRG-Rail at [www.irg-rail.eu](http://www.irg-rail.eu)