



Rijkswaterstaat  
*Ministry of Infrastructure and the  
Environment*



# Webinar Market Consultation

Leon Hombergen

**Rijkswaterstaat is part of the Dutch Ministry of Infrastructure and the Environment and responsible for the design, construction, management and maintenance of the main infrastructure facilities in the Netherlands.**

**This includes:**

- The main road network
- The main waterway network
- The main watersystems

<http://www.rijkswaterstaat.nl/en/>



# Market Consultation

- What is a market consultation
- Why do a market consultation
- How to design a market consultation
  - Preparation
  - Execution
- Do's and Don'ts from own experience
  - Early Market Consultation: Tidal Power Plant Brouwersdam
  - [www.getijdencentralebrouwersdam.nl](http://www.getijdencentralebrouwersdam.nl) or [www.gcbd.nl](http://www.gcbd.nl)





## Who am I? A brief introduction



- Leon P.I.M. Hombergen
  - 45 years, born in Maastricht;  
now living in Delft, the Netherlands
- Educated as a civil Engineer at Delft University of Technology
- Working as Senior Advisor Market & Innovation at Rijkswaterstaat
- Focus on contracts, tenders, procurement, innovation
  - Now at Major Projects, Market and Innovation Office
  - Also Assistant Professor at TUDelft
    - Graduate students, courses on procurement
  - Board member of Delfland Water Authority



## How to participate?

- Please ask when unclear items
- Maybe I will refer to later slides
- Do interact!



# What is a market consultation?

- A **officially arranged** dialogue with private companies
  - Pre-competitive
  - Fact finding
  - No commitments
  - To enhance the scope and design of the project
    - Scope
    - Process (tender procedure etc.)
- Other advantages:
  - Private companies are mobilised in a more early stage
  - Search for partners
  - In this webinar: Two-sided market Consultation



## What is it not?

- A panacea for disturbed projects
- A forum to officially commit the market
- A method for cheap advise
- A way to get a better understanding of the project



## What are the possible deliverables?

- Information about an optimal scope
- Information about the possible contract arrangements
- Feasible List of Requirements; Boundary Conditions
- How competitive the market will be?
- Right level of specifications
- Possible innovations in the markets
  - Alternatives



## The preparation1:

- Define a clear target; share this in your team
  - Make all key players participate!
  - Let key players formulate targets and questions
    - Feasible and reasonable
- Compile the Consultation Document:
  - Confirmed and selected Information about the project
  - Goal of the consultation
  - Procedure of the consultation
  - Selection of attendance
  - Well articulated questions
  - Eventual compensation
  - Follow up





## The preparation 2

- Announcements
  - [www.Tenderned.nl](http://www.Tenderned.nl)
  - Business paper
  - Your own network
  - Branche-organisations
  - International?
- When a large response: how to select parties?



# Features of a well organised Market Consultation<sup>1</sup>

- Open and transparent
  - Smooth, professionally organised
  - Right timing in the project
  - Adequate level of questions
- 
- All information is open
  - No binding statements
- 
- Searching or confirming questions?



# Features of a well organised Market Consultation2

- Well compiled report
  - For all attendants AND non attendants!
    - Participation may not disturb the level playing field
  - Findings and results
  - Recommendations from the participants
  - Notes of the discussions
  - Photographs
  - Cartoons
  - Journalistic report
  - List of attendants





## Features of a well organised Market Consultation<sup>3</sup>

- Make sure participation of the private participants does not require a large effort
  - Time, money, staff
  - Compensation is not necessary, but be a good host!
    - Feel-good factor
    - Respectful

# Design of the process

- Preparation
- Announcement
- Written Round
- Meeting day of the consultation
  - Plenary introduction, presentations
    - Key players!
  - Round Table Discussions
    - External chairmen, assistant from the project
  - Plenary feed back
- Planned bilateral meetings
- Takes about 3 months





## “Rules”

- Right level of communication
- No binding statements
  - It is not important who exactly said something; do not quote participants personally
- Communication
  - Above water, under water



# Theoretical framework

- Specially with integrated contracts:
  - Information Asymmetry Principal Agent Theory
  - Stewardship Theory
- In this approach:
  - Under water information
  - Above water information



## Why companies cooperate, or not....

- Better relation with the client, better understanding
  - Adds to the professional profile
- To contribute to a better, more feasible project
- Fair distribution of risks and chances
  
- Not: to show their winning cards





# Practicalities

- Take special care of
  - Good “chemistry”, atmosphere, catering
  - Plenary start with key note speaker
  - Clear programme, rules
  
  - Dialogue in round tables, per topic
    - More rounds
    - External chairmen
    - Assistant from project
    - Notes (students!)
    - Note recordings
- Drinks afterwards! (the process continues.....)



## Practicalities

- Badges with names, evt. coloured key cords for each group
- Make clear who works on behalf of client in the project team
- External guests...
  - Branche-organisations;
- Be clear about Follow Up
  
- Bilats:
  - No tapes,
  - Only results will be reported  
like adjustments in scope or process
  - No citations, only wrapping up on abstract level



# Resume

- Market consultation is pre-competitive
  - Not part of the procurement
  - Level playing field may not be disturbed
  - Open information, transparent
  - Clear objectives in advance
  
- NO commitments



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# Thank you!

- More information on:
  - [www.getijdencentralebrouwersdam.nl](http://www.getijdencentralebrouwersdam.nl) or [www.gcbd.nl](http://www.gcbd.nl)
  - Hand out Market Consultation on [www.pianoo.nl](http://www.pianoo.nl)
  - [leon.hombergen@rws.nl](mailto:leon.hombergen@rws.nl)





