

Rīga, 2 May 2018
No 6.1/2018- 297

*Answers to the questions from the interested suppliers
in Restricted Competition "Design and design supervision services
for the construction of the new line from Tallinn to Rapla" ID. No RBR 2018/10*

RB Rail AS presents the following answers to the questions received until 2 May 2018 from the interested suppliers:

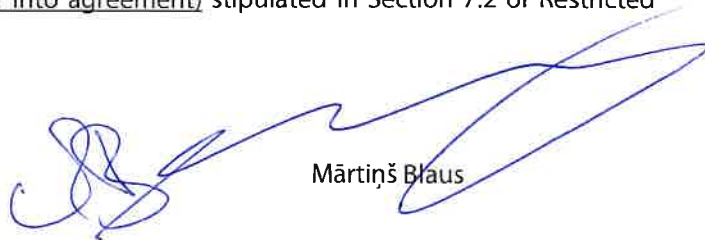
| No | Question | Answer |
|----|---|---|
| 1. | Section 7.3, Requirement No. 1. To prove compliance to the Requirement No. 1 , it is required to submit audited yearly reports. Please confirm that <u>it is required</u> to submit audited yearly reports only of those members of group of suppliers, on whose capabilities the candidate relies to certify the financial and economic performance and who will be economically responsible for fulfillment of the procurement contract. Please confirm that <u>it is not required</u> to submit audited yearly reports for all members of group of suppliers, if the candidate, the candidate does not rely on the member's capabilities to certify its financial and economic performance and the member will not be economically responsible for fulfillment of the procurement contract. | Procurement commission confirms that to comply with the requirement No 1 and No 2 set in Section 7.3 of Restricted Competition Regulations, in case of a partnership (group of suppliers), <u>the candidate shall submit documents stipulated in Section 7.3 of Restricted Competition Regulations, only regarding member (-s) of the partnership on whose abilities the candidate is relying to certify it's financial and economic performance and who will be financially responsible for the execution of the procurement contract and a company on whose abilities the candidate is relying to certify it's financial and economic performance.</u> Thus, Procurement commission confirms, that it is not required to submit yearly reports or other documents stipulated in Section 7.3. of Restricted Competition Regulations for all members of a partnership, if the candidate does not rely on all members of a partnership abilities to certify it's financial and economic performance and those members will not be economically responsible for fulfilment of the procurement contract and if the candidate can meet all requirements with abilities of one or several members of the partnership. |
| 2. | Section 7.3, Requirement No. 2 regarding proof of stable financial and economic performance (namely, liquidity ratio in the last audited financial year to be equal or exceed 1 and shall have positive equity). | <u>Procurement commission confirms, that only the candidate or each member of the partnership (if the candidate is a partnership) on whose abilities the candidate is relying to certify it's financial and economic performance and who will be financially and economically</u> |

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| | <p>Have we understood correctly that this requirement <u>shall be fulfilled</u> only by those the members of the group of suppliers, on whose capabilities the candidate relies to certify its financial and economic performance and who will be economically responsible for fulfillment of the procurement contract. The requirement <u>is not mandatory applicable</u> to those members of group of suppliers, on whose capabilities the candidate does not rely to certify its financial and economic performance and who will not be economically responsible for fulfillment of the procurement contract.</p> | <p><u>responsible for fulfilment of the procurement contract and entity on whose abilities the candidate is relying to certify it's financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract</u>, shall have stable financial and economic performance, namely, in the last audited financial year liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and shall have positive equity.</p> <p>Thus, Procurement commission confirms, that the requirement No 2 set in Section 7.3 of Restricted Competition Regulations is not mandatory applicable to those members of the partnership on whose abilities the candidate does not rely to certify it's financial and economic performance and who will not be financially and economically responsible for fulfilment of the procurement contract.</p> |
| <p>3.</p> | <p>The terms reads: "10.6 The application must be signed using an electronic signature according to regulatory act on status of electronic documents and electronic signature or tools provided by E-Tender system or using signature tool which provides confirmation of identity of document's signer by a person who is legally representing the candidate or is authorized to represent the candidate in this restricted procedure." We understand that it would be possible:</p> <ol style="list-style-type: none"> 1. To sign (handwriting) the documents and upload the scanned statement. 2. Then the E-Tender System would provide electronic confirmation of the document signer. <p>Would you kindly confirm if described procedure is acceptable?</p> | <p>Procurement commission confirms that the described procedure is acceptable.</p> |
| <p>4.</p> | <p>Annex 4 reads "Turnover regarding railway building design services in EUR". We kindly ask for clarification regarding the term "railway building design". Does "railway building" mean within architectural scope? ex: Stations, technical buildings Or Does "railway building" mean any design regarding definitions to allow construction of a railway?</p> | <p>With the respect to the requirement stated in condition No. 1 in Clause 7.3 of Restricted Competition Regulations the term "railway building design services" covers any design services related to the design of railway and/or any railway facilities (including stations) required for railway operation.</p> |

Additional information regarding fulfilment of conditions No 1 and No 2 set in Clause 7.3 of the Regulations:

In addition to the documents to be submitted in accordance with Section 7.3 of Restricted Competition Regulations, Procurement commission indicates, that in case of a partnership, the candidate shall indicate the member of the partnership who will be financially and economically responsible for fulfilment of the procurement contract including this information in the agreement of cooperation (or letter of intention to enter into agreement) stipulated in Section 7.2 of Restricted Competition Regulations.

Procurement commission chairman

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Mārtiņš Blaus