

Rīga, 23 May 2017
No 6.1/2017- 217

**Answers to the questions from the interested suppliers
in open competition "Feasibility and technical framework study for a rail bound (light
rail or tram) connection from RB Ülemiste passenger terminal to TEN-T core network
Tallinn passenger port (Old city Harbour / Vanasadam)" id. No RBR 2017/6**

RB Rail AS presents the following answers to the question received until 23 May, 2017 from the interested suppliers:

No	Question	Answer
1.	Please confirm that Bills of Quantities for the construction are not the part of the scope.	Bill of Quantities for the construction works is part of the structural pre-design and construction cost calculation.
2.	Is an office in Estonia necessary or an office in Germany or Lithuania sufficient?	It is in the Contractors consideration whether it deems necessary to have local representation to deliver Services in required quality.
3.	The contracting authority will approve the reports after 4 weeks of receipt. In case of no response, shall the report deemed to be approved?	It is responsibility of Contracting authority to respond within 4 weeks from receipt of report and follow to the delivery schedule. Not responding to the Contractor is not considered.
4.	Is there any minimum stay for key experts in Estonia?	Please see Section 4.5.2 "Meetings" of the Annex No 3 "Technical Specification" of the Regulations.
5.	Please clarify in which cases the Contractor shall reimburse the Client and the Beneficiary as stated in clause 7.5 (Appendix 4 Draft Contract).	Please see Section 7 of the Contract (Contractual penalties and compensation of damages).
6.	It is stated in the Article 9.1.3. that documents supporting the table should be enclosed. Can you please clarify to which documents do you refer?	Any supporting documents which describes that experience mentioned in the Tenderers' experience table complies with required qualification can be submitted.
7.	Please provide Technical conditions for design of the tram line, as there is no Annex I attached to the Regulations.	Please find file "Related documentation" in section "Open competition documents" of the publication of this open competition in RB Rail web page (http://railbaltica.org) section "Procurements".
8.	It is requested to submit professional documents of the experts in the Article 9.1.5. Can you please clarify to which documents do you refer?	Under Section 3 "Team of Experts" of the Annex No 2 of the Regulation for expert is requirement that they are certified to practice in any of the EU Member States, the

		evidence of their certification if required by state where they practise is required to be provided. And any other evident that proves that they meet qualification if Tenderer deems it necessary.
9.	Appendix 3 "Technical specifications" of regulation documents, point 2.1 "Related documents". Please confirm, that all mentioned construction plan drawings will be provided in DWG file format (or other editable/convertible file format).	Construction plan in DWG file format shall be provided to the Contractor.
10.	If the Tenderer relies on capacities of Sub-consultant, does he have to name Sub-Consultant in the table under the point 7. of the Appendix 1 – Financial proposal as well?	If the Tenderer relies on the abilities on other economic operator in order to prove its qualification, then it has to be named in Application form (please see Section 11.5 of the Regulation)
11.	Are Sub-Consultants requested to present applicable documents listed in the points 6 and 9, such as statement on translation correctness, commercial register, etc. ?	All subcontractors whose share of the works is equal or exceeds 10 % of the subject matter and all economic operators on whose abilities Tenderer relies in order to prove their qualification has to present corresponding documents listed in point 6 and 9.
12.	Since during the first phase of the project in consultation with the Contracting Authority and relevant stakeholders a preferred alternative will be chosen, for which detailed design and analysis (including cost calculation) will be made, why it is needed to go back to phase 1 if necessary and update the cost estimation done in phase 1. It is to be expected that certain deviations will arise since it is another iterative procedure that is much more detailed. Please explain in more detail when the following statement from the Chapter 3 - Focus of this Study of the ToR is applicable: <i>"During these analyses it may be found that the costs estimated in Phase 1 are subject to change. If this is the case, the Contractor must perform additional comparison between alternatives to evaluate any possible change."</i>	The ToR state that if the detailed costs calculated for the preferred alternative differ from the initial cost assumptions in Phase 1, then the updated costs have to be used and comparison between the alternatives has to be re-analyzed by using the most detailed information available. While it is expected that there will some deviations between the initial and detailed cost calculations, it should not be significant enough to result in a possible change of alternatives.
13.	Please confirm that the information about the position, shape, size and ownership of the plots is publicly available and/or will be provided to the Contractor for free.	The service provider is responsible for acquiring the information and the cost shall be included in their offer. As for pricing please consult the Estonian Land Board.

14.	Please confirm that the Contractor is not responsible or in obligation to solve legal – ownership issues/relations, or have anything to do with the land acquisitions.	The contractor is not responsible for these issues but has to point out these in the proposed alternatives.
15.	Please confirm that the minimal recommended/appropriate scale for the evaluation of the alternative routes for tramways or light rail is 1:5000.	Please refer to page 41 of the Procurement Regulation (Section 3.2 Draft plans for alternative route solutions) which states that the draft plans have to be on an appropriate scale that allows the overall impact to be determined as well as the finder detailed to be investigated.
16.	Please confirm that one building permit for the entire project should be obtained.	We cannot confirm that. Obtaining the building permits is subject to Estonian Building Code.
17.	Please confirm that Contracting Authority will provide to Contractor all existing geodesy data proven as valid as stipulated in Chapter 3.2. – Draft plans for alternative route solutions of the ToR.	Acquiring geodesy data is a task for the Contractor and shall be included in their scope of work and their offer.
18.	Please confirm that Contracting Authority will provide to Contractor all existing geotechnical studies (research studies) as stipulated in Chapter 3.2. – Draft plans for alternative route solutions of the ToR.	Acquiring geological data is a task for the Contractor and shall be included in their scope of work and their offer.
19.	Please clarify in more detail who are the responsible actors with whom Contractor needs to coordinate traffic survey mentioned in Chapter 3.2. – Draft plans for alternative route solutions of the ToR.	The traffic survey has to be coordinated with the City of Tallinn, Port of Tallinn and other respective authorities.
20.	Please specify the content of the traffic survey? Can Contracting Authority specify in more detail the minimum criteria needed for implementation of the traffic survey? What is the needed scope of work for traffic survey?	Please refer to page 43 of the Procurement Regulation where it is stated that the traffic survey has to be prepared by the Contractor and coordinated with the responsible actors by preparing a methodology to carry out the traffic studies.
21.	Since information required and technical specification for utility infrastructure must be provided by the third parties (network operators) and since the Contractor have no/ or limited influence on their work, how much time is considered to be reasonable for obtaining the required information and/or technical specifications? In other words, please specify how much time should be estimated for the period between submitting the request for information and/or technical specification for utility infrastructure	The Contracting Authority cannot comment on this as we are not the owner of the respective utilities. Please consult the utility owners on these issues.

	and obtaining ones from the owners of the utility networks? If this time period will be exceeded, please confirm that the Contractor will have right for additional time/ time extension for contract implementation.	
22.	Since the Contractor have no/ or limited influence on the administrative procedure for obtaining of the building permit, please specify how much time should be estimated as reasonable for the period between submitting the request for building permit and obtaining the one? If this time period will be exceeded, please confirm that the Contractor will have right for additional time/ time extension for contract implementation.	According to the Estonian Building Code the building permit will be issued within 30 days of the application. In reality the issuing is determined by the quality of the documentation submitted; comments and proposed changes by the issuer. Cooperation and communication with city administrations and other stakeholders involved in the process since the start of the study and design will help to shorten any possible delays. Hence the timeline proposed by the Contracting authority is realistic. If such delay will arise the cause shall be investigated.
23.	Since the Contractor have no/ or limited influence on the owners of the utility infrastructure, please specify how much time should be estimated as reasonable for the period between submitting the request for approval of the certain solution for the reconstruction and/or relocation of the utility infrastructure and obtaining the one? If this time period will be exceeded, please confirm that the Contractor will have right for additional time/ time extension for contract implementation.	See the answer on Question 21.
24.	Since during the first phase of the project in consultation with the Contracting Authority and relevant stakeholders a preferred alternative will be chosen, for which detailed design and analysis (including cost calculation) will be made, why it is needed to go back to phase 1 if necessary and adjust the supplement alternative solution done in phase 1. It is to be expected that certain deviations will arise since it is another iterative procedure that is much more detailed. Please explain in more detail when the following statement from the Chapter 3.3. – Structural pre-design and construction cost calculation of the ToR is applicable: “Pre-design plans for the chosen solution have to be	See the answer on Question 12.

	delivered along with a detailed cost-benefit analysis. <i>The preliminary plans done in the first phase can be adjusted to supplement alternative solutions and in case of relocation of the utility infrastructure.</i>	
25.	Please specify expected minimum program of geological, geotechnical and geophysical investigation works needed to be carried out in the Phase 2.	The geological, geotechnical and geophysical investigation works must be done in order to obtain the building permits and therefore subject to Building Code, relevant standards, design requirements issued by the municipality (or technical surveillance authority in case of light rail) and requirements for construction works.
26.	Please confirm that the following CBA guidelines should be used: "Guide to Cost-Benefit Analysis of Investment Projects for Cohesion Policy 2014-2020", published on 19 December 2014.	Yes, or any newer issue of the same document.
27.	3.2.2 Financial Expert We noticed that for financial expert it is required to have education „in transport economics, or transport planning“. In Estonia there are not such education type as „transport economics“. Our financial expert has education in „economics“ and experience in transport projects, could you confirm that it is valid to fulfil the requirement of the tender?	Procurement commission cannot confirm or evaluate compliance of your expert before investigation of the evidence. Transport economics is area of expertise where educational institutions offer specialization and it is deemed necessary for provision of services of subject matter.

Procurement commission
chairman

Aigars Kivliņš