

Rīga, 2 October 2017
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**Answers to the questions from the interested suppliers
in open competition "Preparation of the operational
plan of the railway" ID. No RBR 2017/19**

RB Rail AS presents the following answers to the questions received until 2 October 2017 from the interested suppliers:

No	Question	Answer
1.	<p>The draft contract provided is very rigid and too ill-defined regarding risks and standards defined to be adhered to (see section 5.2 especially c) and d)) regarding <u>consultancy</u> work. It is not clear what exactly the standards are (where are they defined) and against what they are to be benchmarked. The right to terminate the contract as per section IX in bullet point e) refers directly to "any of the representations or warranties given by the Contractor under Clause 5.2 proving to be untrue", which poses a risk which cannot be quantified by the contractor.</p> <p>We therefore would ask RB if a standard FIDIC based contract can be used instead? Or if that is not the case if the draft contract provided can be amended in such cases to better reflect on the obligations and risks during contract negotiations?</p>	<p>Draft Contract is a part of the procurement documentation and shall not be changed during the procurement process.</p>
2.	<p>Please confirm that after postponing the delivery day of the proposal, the Proposal (Bid) Security still has to be valid 90 (ninety) days from the primary opening of the proposal date, which was 26 September 2017.</p>	<p>Bid security has to be valid 90 (ninety) days from the actual proposal opening day (10 October 2017).</p>

Procurement commission
Chairman



Mārtiņš Blaus