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Riga, 9 January 2018

No 6.1/2018-10

***Answers to the questions from the interested suppliers***

***in open competition “Rail Baltica Communications strategy and public relations services for RB Rail AS” ID. No RBR 2017/31***

RB Rail AS presents the following answers to the questions received until 9 January 2018 from the interested suppliers:

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| **No** | **Question**  | **Answer** |
|  | Is it possible to receive procurement documentation in Latvian to understand requirements, stipulated in this documentation, more in detail? | No, the procurement documentation is available only in English. |
|  | As we are pan-Baltic agency, is it sufficient, if only one agency submits proposal representing all three countries or every agency shall submit its individual proposal? | Yes, it is sufficient that one agency as tenderer submits proposal if it meets all requirements stipulated in regulation document of this procurement. |
|  | Does the tenderer have to have offered all of these services or any of these services to at least two clients within 5 years? And in case the clients are public authorities, should these be also infrastructure/transport industry or this applies only to commercial entities? *1. The tenderer within the previous 5 years has provided public relations services, including: - traditional media relations, - social media relations,- 3rd party.endorsement programs,- lobbying,- event organisation - conferences and round table discussions,- marketing material development,- crises communication,to at least two public authorities or commercial entities representing infrastructure and/or transport industry. In addition tenderer has provided cross-border, i.e. involving more than one country, public relations service for at least one public authority or commercial entity2. The tenderer within the previous 5 years has developed and implemented communications strategy for at least three public authorities or commercial entities. At least one of these projects should be cross-border.* | The tenderer has provided all of these services mentioned in Section 1 of the table in Section 7.4 of regulation within 5 years to at least two clients (public or commercial entities) who are representing infrastructure and/or transport industry. |
|  | Section 20.2.3. suggests that CV is one of the key documents that will be evaluated during the tender. Does it mean that in addition to information included in the Annex 6, CV has to be provided separately? | No, CV is the same document which shall be prepared in accordance with Annex 6 (Experience of the four key experts of the team) of Regulation. Please note that CV should contain detailed information for each key expert to prove Tenderer’s compliance with selection criteria stipulated in Section 7.5 of Regulation |
|  | According to section 7.5 and the Annex 6 only projects in the field of infrastructure and / or transport industry including at least one cross-border project have to be stated. Is it necessary to indicate other cross-border projects in other fields as well? If yes, where the projects should be attached? | According to Section 1.1. of table in Section 7.5 and the Annex 6 of Regulation Tenderer shall indicate projects in the field of transport and/or infrastructure including at least one cross-border project to comply with requirements stipulated in Section 7.5 . But whereas proposal selection criterion is the most economically advantageous proposal according to the evaluation methodology described in Section 20 of Regulation, it is important to consider that procurement commission according selection criteria b.1 and b.2 mentioned in Section 20.8.1.1.1. shall award proposal with extra points if Tenderer will have indicated also projects in other fields not just in transport or infrastructure industry. In that case Tenderer should note these projects in the same Annex 6 of Regulation. |
|  | Section 7. Requires various documents, for example, statement about current tax debt status. Could our Estonian and Lithuanian colleagues submit the statement from appropriate authority in the country's original language? In case that documents have to be translated to English, who can affirm that the translations are valid and correct? Can it be done by the person who holds the right of signature from the Tenderers side or should translations be approved by any legal entity? Does it apply to document copies as well? | Yes, Estonian and Lithuanian entities may submit statements in its original language from respective authorities located in these countries. In that case documents shall be translated in English and translation shall be approved by an official having the right of signature of the Tenderer or a person authorized by the Tenderer. |
|  | Should the Audited annual financial reports have  to be translated to English? If so, can the person who has the right of signature from Company's side a right to certify the correctness of the translation? | Yes, audited annual financial reports shall be translated in English. The translation shall be approved by an official having the right of signature of the Tenderer or a person authorized by the Tenderer.  |
|  | According to the Section 7.9., Tenderer may submit ESPD in order to certify that it complies with the selection criteria, section states: “The document must be submitted in paper format […]” but as the Section 14.1. states that submission of the proposal will happen electronically using E-Tenders system, does the ESPD need to be submitted separately in paper format? | According to the Section 7.9 of Regulation ESPD shall be prepared using the "ESPD.xml" file at the internet webpage <https://ec.europa.eu/tools/espd/filter?lang=en>, printed out, signed and scan. So, the ESPD shall be submitted only electronically using E-Tenders system. The meaning “paper format” means that ESPD have to be prepared and submitted electronically as document file (e.g. .pdf) which could be easily printed out (not .xml). |
|  | According to Annex 7, Professional consultant service agreement, Section 16.6.: “Technical services include, but are not limited to services of photographer, translation [...]” Does particular  technical expenses are calculated separately from the agency's fixed monthly fee? | No, all expenses related to services shall be included in contract price. No additional expenses will be paid. |
|  | Section 7.3.1. and Section 7.3.2. of the Regulation for Open Competition No RBR 2017/ 31 sets out the requirement for submission of Audited annual reports for fiscal years 2014, 2015, 2016. Following the Latvian Law on Annual Reports and Consolidated Annual Reports Article 9.2. we are not obligated to Audit our annual reports using external auditor, however we can submit a statement from State Revenue Service that would show that State Revenue Service has accepted and evaluated our submitted Annual financial reports. I would like to ask, would this document from State Revenue Service work as alternative proof for our Annual financial reports? | Yes, it is possible instead of audited annual reports submit statement form State Revenue Service to prove that annual financial reports where prepared in accordance with related legislation and all financial data are true.  |
|  | According to the Section 7.9. of the Regulation for Open Competition No RBR 2017/ 31, the Tenderer may submit ESPD in order to certify that it complies with the selection criteria, section states: “ [..] Tenderer uses the “ESPD.xml” file at the Internet webpage [...]” Is there an example form of the document which we can import into the Internet webpage and customize it to our needs? Or should we create a new response? | No, there isn’t an example form. You have to create your own ESPD at website: <https://ec.europa.eu/tools/espd/filter?lang=en>, if you haven’t did it before. Otherwise you could review and make amendments in existing ESPD form to submit it for another procurement procedure. Please note, that in accordance with Section 7.9 of Regulation the Tenderer, in order to certify that it complies with the selection criteria for Tenderers, **may** submit the European single procurement document **as initial proof**. Tenders also have option instead of ESPD submit all documents stipulated in Regulation to certify that it complies with selection criteria for tenderers. Please note, If procurement commission will make decision regarding the possible assignment of rights to conclude a contract for the Tenderer who have submitted ESPD as initial proof, Tenderer will have to submit all documents stipulated in Regulation which proves Tenderer’s compliance with selection criteria stipulated in Regulation. |