

Rīga, 24 July 2018
No 6.1/2018-494

**Answers to the questions from the interested suppliers
in open competition "Rail Baltica energy subsystem procurement and
deployment strategy" ID. No RBR 2018/8**

RB Rail AS presents the following answers to the questions received until 24 June 2018 from the interested suppliers:

No	Question	Answer
1.	<p>Page 12 of 96 – item 7.3.3. of the RBR 2018/8 states that tenderer should have a valid Professional risk indemnity insurance with limit of liability of at least 1 000 000,00 EUR (one million euros) per claim and in the aggregate for the policy period covering all experts mentioned in Proposal with extended reporting period 5 (five) years. Our Professional Liability Insurance provide a reporting period of 36 months. We are committed to comply with such period through the annual renewals that occur from this policy. Please confirm if this is valid for Rail Baltica tender process.</p>	<p>The proposed solution is not acceptable. The tenderer should amend the existing Professional Liability Insurance to cover extended reporting period of 5 (five) years.</p>
2.	<p>Page 13 to 15 of 96 – item 7.5 of the RBR 2018/8 identifies seven (7) Key Experts team for the overall contract (Project Manager, Energy Subsystem technology expert, Railway overhead catenary system expert, energy subsystem control command system expert, Railway construction planning expert, State energy sector expert and Economist) but page 59 of 96 - item 7.5 of the RBR 2018/8 identifies only six (6) key experts (Project Manager, Energy</p>	<p>Q1: The content of the Clause 5.3.2 of Annex 3 (Technical Specification) of Open competition regulation is replaced with the following:</p> <p>"5.3.2 For the provision of services, the Contractor shall ensure the availability of the following team members:</p>

<p>Subsystem technology expert, Railway overhead catenary system expert, energy subsystem control command system expert, Energy subsystem deployment expert and economist) Q1: Could RB Rail AS Procurement Commission please clarify which of the lists is the correct one? Q2: None of the Key Experts are required to be with any specific years of experience, is RB Rail AS Procurement Commission expecting any minimum years of experience requirement?</p>	<p>Key experts</p> <table border="1" data-bbox="871 241 1321 981"> <thead> <tr> <th>No</th> <th>Title</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Project manager</td> </tr> <tr> <td>2.</td> <td>Energy subsystem technology expert</td> </tr> <tr> <td>3.</td> <td>Railway overhead catenary system expert</td> </tr> <tr> <td>4.</td> <td>Energy subsystem control command system expert</td> </tr> <tr> <td>5.</td> <td>Railway construction planning expert</td> </tr> <tr> <td>6.</td> <td>State energy sector expert</td> </tr> <tr> <td>7.</td> <td>Economist</td> </tr> </tbody> </table> <p>“</p> <p>Q2: yes, experts are not required to have specific years of experience.</p> <p>To note: Due to these amendments, this clause in ToR will be adjusted accordingly and proposal submission deadline will be extended. Updates will be reflected in the E-Tenders system and Rail Baltica website.</p>	No	Title	1.	Project manager	2.	Energy subsystem technology expert	3.	Railway overhead catenary system expert	4.	Energy subsystem control command system expert	5.	Railway construction planning expert	6.	State energy sector expert	7.	Economist
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<p>3. Page 17 of 96 – item 10.8 of the RBR 2018/8 identifies that “Proposal (bid) Security document shall be submitted together with the Proposal (in E-Tenders system) as electronic document signed by secure electronic signature”</p> <p>We have always updated to E-Tender systems a scanned copy of the original “Proposal (bid) Security document” received from the bank, is it possible to it this way? What RB Rail AS Procurement Commission means by “secure electronic signature” of the document? Also, please confirm whether the original hard copy of the “Proposal (bid) Security</p>	<p>Proposal (Bid) Security is issued by the bank and the issuer (bank) has to issue this document electronically with secure electronic signature. That document shall be submitted in the E-Tenders system.</p> <p>In situations, when bank is unable to provide electronically issued Proposal (Bid) Security document signed with secure electronic signature, the Tenderer shall use the process described in the response provided on 22 June 2018 for this open competition.</p>																

	document" should be submitted to your premises.	
4.	<p>Page 18 of 96 – item 12.1 of the RBR 2018/8 identifies that "Tenderer shall submit a methodology document (consisting of not more than 40 pages) containing the description of the following aspects"</p> <ul style="list-style-type: none"> - Our technical proposal aims to include pictures, diagrams, drawings, etc, is it possible to include additional information as annexes to the main document? - Is there any required format (font size or type, margins, A4/A3 sheets, etc) for the technical proposal? 	<p>RB Rail AS invites the tenderers to provide concentrated information on the relevant matters of Open competition in the technical proposal not exceeding 40 pages according to the conditions specified in Section 12 of Open competition regulation. All annexes of the technical proposal shall be treated as inseparable parts of the technical proposal, therefore, the limit of a maximum of 40 pages applies to annexes also.</p> <p>No specific format requirements for the technical proposal are specified in Open competition regulation. However, the tenderer shall prepare the technical proposal in commonly used and perceivable formats.</p>
5.	<p>Page 67 of 96 – item 2.3. of the RBR 2018/8 identifies that "Licensing requirements. By signing this Agreement, the declaration is made by the Contractor that the Contractor is professionally qualified, registered, and licensed to practice in the Republic of Latvia".</p> <p>We assume that EU companies are able to work in Latvia without any additional registration procedure, is our assumption right?</p>	<p>The contractor is not expected to carry out any registration procedure in Latvia.</p> <p>However, the contractor shall ensure that there are no restrictions forbidding them to carry out activities related to the implementation of the study in Estonia, Latvia and Lithuania.</p>
6.	<p>Page 34 of 96 – Annex No 2: Detailed Financial Proposal of the RBR 2018/8:</p> <ul style="list-style-type: none"> - In order to fill the "Annex n°2 Detailed Financial Proposal", it is expressly requested to state the VAT applicable to the execution of the services rendered. We understand that the services provided from another EU country outside the baltics to Rail Baltica SA are VAT exempted according to Article 151 a bis of 	<p>The tenderer shall indicate only the value exclusive of VAT. The field for indicated VAT shall remain empty for the cases when services would be provided from another EU country than the Republic of Latvia.</p> <p>VAT application will be based on customer-supplier status at the time of rendering services.</p> <p>It is not necessary to sign Annex 2 separately, as the application for participation in the Open competition</p>

	<p>the COUNCIL DIRECTIVE 2006/112/EC of 28 November 2006 on the common system of value added tax relative to the Exemptions relating to certain Transactions treated as exports. Could you please confirm this aspect to proceed correctly with the tender?</p> <p>- "Annex n°2" form downloaded from Rail Baltica website does not incorporate any signature at the bottom of each page, is it necessary to sign Annex 2?</p>	<p>will be signed as whole by the authorized representative.</p>
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Procurement Commission Vice-Chairman



Antanas Šnirpūnas