

## APPENDIX 2: MINIMUM QUALIFICATION REQUIREMENTS

### 1. Background

- 1.1. On 30 September 2016 RB Rail AS, Ministry of Economic Affairs and Communications of the Republic of Estonia, Ministry of Transport of the Republic of Latvia, Ministry of Transport and Communications of the Republic of Lithuania, Estonian Technical Regulatory Authority, Rail Baltic Estonia OU, Eiropas Dzelzceļa līnijas SIA, Lietuvos geležinkeliai AB and Rail Baltica Statyba UAB concluded an Agreement on the Contracting Scheme for the Rail Baltic/Rail Baltica project (**Agreement on Contracting Scheme**).
- 1.2. According to the Agreement on Contracting Scheme, the Ministries and their designated implementing bodies are authorised to conduct procurement of certain supplies, works and services under the supervision of RB Rail AS (**Supervised National Procurement**).
- 1.3. Section 5.2.3 of the Agreement on Contracting Scheme obliges Beneficiaries and their designated Implementing Bodies to draft procurement documents for the Supervised National Procurement among other things on the basis of minimum set of requirements for the qualifications of economic operators, developed by RB Rail AS.

### 2. Minimum set of requirements

- 2.1. This document sets out the minimum set of requirements for the qualifications of economic operators which shall be taken into account by the contracting authorities (contracting entities) when drafting procurement documents for the procurement exercises within the Global Project.
- 2.2. The minimum set of requirements for the qualifications of economic operators is outlined in the Appendix 2, in line with the estimated value (in EUR) of the procurement exercise. Notwithstanding these minimum requirements, RB Rail AS or the respective Beneficiaries or Implementing Bodies in charge of the particular procurement exercises ("**Contracting Authorities**") shall apply the mandatory requirements set in the respective applicable national procurement law that are applicable to a particular procurement exercise.
- 2.3. Contracting Authorities (contracting entities) may set in relevant procurement documents additional requirements for the qualifications of economic operators insofar such are objectively justified and do not unnecessarily and inappropriately limit the competition between economic operators.
- 2.4. As an exception, in order to enhance the competition between the economic operators in a particular procurement and if setting of lesser requirements does not have a negative impact

on the quality of the to-be-procured works, services or goods, the Contracting Authorities (contracting entities) may set in relevant procurement documents lesser requirements for the qualification of economic operators by motivating the need to enhance the competition. This could be done, if setting of lesser requirements will not have a negative impact on the quality of the to-be-procured works, services or goods and this will be based on set objective facts which shall be recorded in a written and reproducible form for audit purposes (as part of the minutes of the meeting of the procurement commission or as a separate decision). The Contracting Authorities shall notify the Head of Procurement Department of RB Rail AS as soon as reasonably possible of their intention to deviate from any minimum qualification requirements stipulated in this document, providing details of such deviation together with justification. RB Rail AS shall have up to 10 working days to review the notification and to (1) accept it or (2) provide any objections and proposal(s) to resolve such objection(s), which need to be substantiated. If RB Rail AS has already confirmed before the elapse of the 10 working day period that there are no objections to any such intended deviations or RB Rail AS has not issued any objections within 10 working days, then the Contracting Authority may proceed with their decision to be recorded for audit purposes.

The Contracting Authorities can apply rules mentioned above in this section to the procurement exercises with an estimated value net, without VAT, as stated in the below sections with the minimum qualifications requirements, unless the Contracting authority within the above mentioned term (10 working days) has received an objection from RB Rail AS. RB Rail AS shall inform Procurement Reference Group on the decisions and on a basis on which decisions were made.

2.5. If any of minimum set of requirements regarding experts experience set out in Part 4 Technical and professional ability of Minimum Requirements for 144 000 EUR or higher value Procurement Exercises cannot be requested as qualification criteria, in accordance with the relevant applicable national procurement law, shall be requested as evaluation criteria instead.

### 3. Status

3.1. In case of discrepancies between the mandatory provisions of national legislation and the requirements for the qualifications of economic operators which are set in this document the mandatory provisions of national legislation which apply to the particular procurement exercise shall prevail.

3.2. This is a living document and RB Rail AS may update it as necessary. RB Rail AS will involve the Procurement Reference Group in discussions pertaining to updates to the document.

The newest version will be available on the web-page of RB Rail AS. RB Rail AS will notify the involved Contracting Authorities when publishing an updated version of this document.

### Minimum Requirements for 40 000 – 144 000 EUR Procurement Exercises

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
1. Legal standing	- According to the relevant applicable national procurement law	- According to the relevant applicable national procurement law	- According to the relevant applicable national procurement law
2. Suitability to pursue the professional activity	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Register of Construction Merchants or an appropriate register of a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- If the Tenderer is a consortium, the member of the consortium which performs the respective works shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Register of Construction Merchants or an appropriate register of a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- If the Tenderer is a consortium, the member of the consortium which performs the respective services shall comply with the above requirements.</li> </ul>	- The Tenderer shall ensure that the goods/supplies are in conformity with the CE (Conformité Européenne) marking <sup>3</sup> requirements for their supplied goods if such goods are identified under the applicable product groups listed by the European Commission.
3. Economic and financial standing	- The Tenderer's average yearly turnover in the field of construction within the last three years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years,	- The Tenderer's average yearly turnover regarding services that are similar to the subject-matter of the tender within the last three years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years,	- The Tenderer's average turnover within the last three financial years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years, the requirement shall apply to Tenderer's actual operation period. <sup>6</sup>

<sup>3</sup> Refer also to [https://ec.europa.eu/growth/single-market/ce-marking/manufacturers\\_en](https://ec.europa.eu/growth/single-market/ce-marking/manufacturers_en)

<sup>6</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<p>the requirement shall apply to Tenderer's actual operation period.<sup>4</sup></p> <ul style="list-style-type: none"> <li>- The Tenderer shall have stable financial and economic performance, namely, in the previous audited year Tenderer's liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and the Tenderer shall have positive equity.</li> <li>- If the Tenderer is a consortium, the turnover of all members of a consortium together shall comply with the above requirement whereas the liquidity ratio of each member of the consortium shall comply with the above requirement.</li> </ul>	<p>the requirement shall apply to Tenderer's actual operation period.<sup>59</sup></p> <ul style="list-style-type: none"> <li>- The Tenderer shall have stable financial and economic performance, namely, in the previous audited year Tenderer's liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and the Tenderer shall have positive equity.</li> <li>- If the Tenderer is a consortium, the turnover of all members of a consortium together shall comply with the above requirement whereas the liquidity ratio of each member of the consortium shall comply with the above requirement.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall have stable financial and economic performance, namely, in the previous audited year Tenderer's liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and the Tenderer shall have positive equity.</li> <li>- If the Tenderer is a consortium, the turnover of all members of a consortium together shall comply with the above requirement whereas the liquidity ratio of each member of the consortium shall comply with the above requirement.</li> </ul>
4. Technical and professional ability	<ul style="list-style-type: none"> <li>- Within the last 7 (seven) years before the date of submission of the tender the Tenderer has gained experience as the main contractor in the execution of at least [ _ ( ) ]<sup>7</sup> [railway/ tunnel/ bridge/ station/ depo] construction works contracts, each with the value of not less than</li> </ul>	<ul style="list-style-type: none"> <li>- Within the last 7 (seven) years until the date of submission of the tender the Tenderer has gained experience as the main contractor in the execution of at least [ _ ( ) ]<sup>8</sup> contracts with the same subject-matter, each with the value of not less than 70% of the anticipated</li> </ul>	<ul style="list-style-type: none"> <li>- Within the last 5 (five) years until the date of submission of the tender the Tenderer has performed at least [ _ ( ) ] supplies of goods of a similar kind in the amount of 100% each of the anticipated supply amount of the ongoing tender.</li> </ul>

<sup>4</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

<sup>5</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

<sup>7</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>8</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<p>70% of the anticipated contract value of the ongoing tender. The contracts have to be completed.</p> <ul style="list-style-type: none"> <li>- The Tenderer shall have a valid professional indemnity insurance, a certificate of which shall be submitted together with the application/tender.</li> <li>- If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements. The member of the consortium upon whose qualification the consortium relied in order to qualify must fulfil the respective works for which the respective qualification was required.</li> </ul>	<p>contract value of the ongoing tender. The contracts have to be completed.</p> <ul style="list-style-type: none"> <li>- The Tenderer shall have a valid professional indemnity insurance, a certificate of which shall be submitted together with the application/tender.</li> <li>- If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements. The member of the consortium upon whose qualification the consortium relied in order to qualify must provide the respective services for which the respective qualification was required.</li> </ul>	<ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements.</li> </ul>
5. Quality assurance standards	<ul style="list-style-type: none"> <li>- The Tenderer shall have quality management system in place with a proven track record of providing quality works. The Tenderer shall submit signed references/testimonials.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall have quality management system in place with a proven track record of providing quality services. The Tenderer shall submit signed references/testimonials</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall have quality management system in place with a proven track record of providing quality goods. The Tenderer shall submit signed references/testimonials.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>
6. Environmental management standards	<ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, each member of the consortium shall</li> </ul>		<ul style="list-style-type: none"> <li>- The Tenderer shall have environmental management system that complies with ISO 14001:2015</li> </ul>

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	comply with the above requirements.		<p>standard or equivalent, if the Tenderer is the manufacturer of the goods. If the Tenderer is not the manufacturer of the goods they need to confirm the manufacturer's compliance with ISO 14001:2015 standard or equivalent.</p> <ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>

### Minimum Requirements for 144 000 EUR or higher value Procurement Exercises

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
1. Legal standing	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Commercial Register or an equivalent register of commercial activities in a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- The Tenderer shall not comply with the exclusion grounds set in the applicable national legislations and the tender documents.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Commercial Register or an equivalent register of commercial activities in a foreign state if its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- The Tenderer shall not comply with the exclusion grounds set in the applicable national legislations and the tender documents.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Commercial Register or an equivalent register of commercial activities in a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- The Tenderer shall not comply with the exclusion grounds set in the applicable national legislations and the tender documents.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>
2. Suitability to pursue the professional activity	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Register of Construction Merchants or an appropriate register of a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- If the Tenderer is a consortium, the member of the consortium which performs the respective works shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall be registered in the Register of Construction Merchants or an appropriate register of a foreign state of its establishment if regulatory enactments of the respective state envisage such a requirement.</li> <li>- If the Tenderer is a consortium, the member of the consortium which performs the respective services shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall ensure that the goods/supplies are in conformity with the CE (Conformité Européenne) marking requirements for their supplied goods if such goods are identified under the applicable product groups listed by the European Commission.</li> </ul>



Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
3. Economic and financial standing	<ul style="list-style-type: none"> <li>- The Tenderer's average yearly turnover in the field of construction within the last three years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years, the requirement shall apply to Tenderer's actual operation period.<sup>9</sup></li> <li>- The Tenderer shall have stable financial and economic performance, namely, in the previous audited year Tenderer's liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and the Tenderer shall have positive equity.</li> <li>- The Tenderer shall have a valid professional indemnity insurance, a certificate of which shall be submitted together with the application/tender.</li> <li>- If the Tenderer is a consortium, the turnover of all members of a</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer's average yearly turnover regarding services that are similar to the subject-matter of the tender within the last three years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years, the requirement shall apply to Tenderer's actual operation period.<sup>10</sup></li> <li>- The Tenderer shall have stable financial and economic performance, namely, in the previous audited year Tenderer's liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and the Tenderer shall have positive equity.</li> <li>- The Tenderer shall have a valid professional indemnity insurance, a certificate of which shall be submitted together with the application/tender.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer's average turnover within the last three financial years shall be at least 100% of the contract price estimated by the contracting authority (contracting entity). In the event the Tenderer has operated in the market for less than three years, the requirement shall apply to Tenderer's actual operation period.<sup>11</sup></li> <li>- If the Tenderer is a consortium, the turnover of all members of a consortium together shall comply with the above requirement.</li> </ul>

<sup>9</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

<sup>10</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

<sup>11</sup> In a case where the contract scope is highly specialised as to result in a serious likelihood of the overall turnover of suppliers being shaped to a large extent by other activities of little to minimum relevance to the scope of the contract, then the requested turnover may be that of the direct linkage to the subject-matter of the contract.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	consortium together shall comply with the above requirement whereas the liquidity ratio of each member of the consortium shall comply with the above requirement.	- If the Tenderer is a consortium, the turnover of all members of a consortium together shall comply with the above requirement whereas the liquidity ratio of each member of the consortium shall comply with the above requirement.	
4. Technical and professional ability <sup>12</sup>	<ul style="list-style-type: none"> <li>- Within the last 7 (seven) years before the date of submission of the tender the Tenderer has gained experience as the main contractor in the execution of at least [ _ ( ) ]<sup>13</sup> [railway/ tunnel/ bridge/ station/ depo] construction works contracts, each with the value of not less than 70% of the anticipated contract value of the ongoing tender. The contracts have to be completed.</li> <li>- For the purposes of railway track construction the Tenderer shall have the following key experts available throughout the term of the contract: <ol style="list-style-type: none"> <li>1. Responsible construction works manager who has the following qualifications:</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>- Within the last 7 (seven) years until the date of submission of the tender the Tenderer has gained experience as the main contractor in the execution of at least [ _ ( ) ]<sup>19</sup> contracts with the same subject-matter, each with the value of not less than 70% of the anticipated contract value of the ongoing tender. The contracts have to be completed.</li> <li>- For the purposes of railway construction supervision the Tenderer shall have available throughout the term of the contract a railway road construction supervisor who has the following qualifications: <ol style="list-style-type: none"> <li>1. Valid certificate or equivalent for supervision of railway road construction works;</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>- Within the last 5 (five) years until the date of submission of the tender the Tenderer has performed at least [2 (two)] supplies of goods of a similar kind in the amount of 100% each of the anticipated supply amount of the ongoing tender.</li> <li>- If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements.</li> </ul>

<sup>12</sup> The requirements for stated experts shall apply in case such experts are required.

<sup>13</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>19</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<p>1.1. Valid certificate for railway track construction work managing or equivalent;</p> <p>1.2. Within the last 7 (seven) years has gained experience in a role of a responsible construction works manager in at least [ _ ( ) ]<sup>14</sup> construction works projects that have been completed in the agreed term and quality, from which:</p> <ul style="list-style-type: none"> <li>○ At least 1 (one) is a railway track construction project with the length of railway not less than 80% of the anticipated km of the ongoing tender;</li> <li>○ Within at least 1 (one) railway catenary external electricity networks have been installed with the length of not less than 80% of the anticipated km of the ongoing tender;</li> </ul>	<p>2. Within the last 7 (seven) years until the date of submission of the tender has gained experience in a role as a railway track construction supervisor in at least [ _ ( ) ]<sup>20</sup> railway track construction projects that have been completed in the agreed term and quality, where he has supervised at least the following activities:</p> <ul style="list-style-type: none"> <li>○ Within at least 1 (one) project: construction of railway track with length of not less than 80% of the anticipated km of the ongoing tender;</li> <li>○ Within at least 1 (one) project: installation of railway shunts.</li> </ul> <p>- In addition, for the purposes of bridge construction supervision the Tenderer shall have available throughout the term of the contract a bridge construction supervisor who has the following qualifications:</p>	

<sup>14</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>20</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<ul style="list-style-type: none"> <li>○ Within at least (1) one control, command and signalling system has been installed with the length of not less than 80% of the anticipated km of the ongoing tender.</li> </ul> <p>2. Railway track construction works manager who has the following qualifications:</p> <p>2.1. Valid certificate for railway road construction works managing or equivalent;</p> <p>2.2. Within the last 7 (seven) years has gained experience in a role of a railway road construction works manager in at least [ _ ( ) ]<sup>15</sup> railway construction works project with the length of railway not less than 80% of the anticipated km of the ongoing tender that has been completed in the agreed term and quality.</p>	<p>1. Valid certificate or equivalent for supervision of bridge construction works;</p> <p>2. Within the last 7 (seven) years until the date of submission of the tender has gained experience in supervising construction of at least [ _ ( ) ]<sup>21</sup> railway bridges with the length of at least 100% of the anticipated length of a bridge of the ongoing tender that have been completed in the agreed term and quality.</p> <p>- In addition, for the purposes of tunnel construction supervision the Tenderer shall have available throughout the term of the contract a tunnel construction supervisor who has the following qualifications:</p> <p>1. Valid certificate or equivalent for supervision of tunnel construction works;</p> <p>2. Within the last 7 (seven) years until the date of submission of the tender has gained</p>	

<sup>15</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>21</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<ul style="list-style-type: none"> <li>- In addition, for the purposes of constructing bridges the Tenderer shall have available throughout the term of the contract a bridge construction works manager who has the following qualifications: <ol style="list-style-type: none"> <li>1. Valid certificate for bridge construction works managing or equivalent;</li> <li>2. Within the last 7 (seven) years has gained experience in a role of a bridge construction works manager with regard to construction of at least [ _ ( ) ]<sup>16</sup> railway bridges with the length of at least 100% of the anticipated length of a bridge of the ongoing tender that have been completed in the agreed term and quality.</li> </ol> </li> <li>- In addition, for the purposes of constructing tunnels the Tenderer shall have available throughout the term of the contract a tunnel construction works manager who has the following qualifications:</li> </ul>	<ul style="list-style-type: none"> <li>experience in supervising construction of at least [ _ ( ) ]<sup>22</sup> railway tunnels with the length of at least 100% of the anticipated length of a tunnel of the ongoing tender that have been completed in the agreed term and quality.</li> <li>- In addition, for the purposes of station and depo construction supervision the Tenderer shall have available throughout the term of the contract an electric installations', electronic communications systems' and grid, heating systems', ventilation systems', recuperation and cooling systems', water and sewage systems' construction works supervisor (a supervisor for each system) with the following qualifications: <ol style="list-style-type: none"> <li>1. Valid certificate or equivalent for the respective construction works supervision;</li> <li>2. Within the last 7 (seven) years has gained experience in supervising the respective</li> </ol> </li> </ul>	

<sup>16</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>22</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<ol style="list-style-type: none"> <li>Valid certificate for tunnel construction works managing or equivalent;</li> <li>Within the last 7 (seven) years has gained experience in a role of a tunnel construction works manager with regard to construction of at least [ _ ( )<sup>17</sup> ] railway tunnels with the length of at least 100% of the anticipated length of a tunnel of the ongoing tender that have been completed in the agreed term and quality.</li> </ol> <ul style="list-style-type: none"> <li>In addition, for the purposes of constructing stations and depots the Tenderer shall have available throughout the term of the contract an electric installations', electronic communications systems', and grid, heating systems', ventilation systems', recuperation and cooling systems', water and sewage systems' construction works manager (a manager for each system) with the following qualifications:</li> </ul>	<p>construction works with regard to construction of at least [ _ ( )<sup>23</sup> ] respective systems in public or industrial buildings of a comparable size to the size of buildings in the ongoing tender that have been completed in the agreed term and quality.</p> <ul style="list-style-type: none"> <li>If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements. The member of the consortium upon whose qualification the consortium relied in order to qualify must provide the respective services for which the respective qualification was required.</li> </ul>	

<sup>17</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

<sup>23</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<ol style="list-style-type: none"> <li>Valid certificate or equivalent for managing of the respective construction works managing;</li> <li>Within the last 7 (seven) years has gained experience in a role of the respective construction works manager with regard to construction of at least [ _ ( _ )<sup>18</sup> ] respective systems in public or industrial buildings of a comparable size to the size of buildings in of the ongoing tender that have been completed in the agreed term and quality.</li> </ol> <ul style="list-style-type: none"> <li>If the Tenderer is a consortium, members of the consortium together shall comply with the above requirements. The member of the consortium upon whose qualification the consortium relied in order to qualify must fulfil the respective works for which the respective qualification was required.</li> </ul>		
5. Quality assurance standards	<ul style="list-style-type: none"> <li>The Tenderer shall have quality management system that complies with ISO 9001:2015 standard or equivalent.</li> </ul>	<ul style="list-style-type: none"> <li>The Tenderer shall have quality management system that complies with ISO 9001:2015 standard or equivalent.</li> </ul>	<ul style="list-style-type: none"> <li>The Tenderer shall have quality management system that complies with ISO 9001:2015 standard or equivalent.</li> </ul>

<sup>18</sup> Shall be mentioned number of projects. Projects shall be no less than 1.

Requirement	Procurement of works e.g. railway, tunnels, bridges, stations, depots	Procurement of services e.g. design, design supervision, construction supervision, engineering consultancy services	Procurement of goods e.g. sand, gravel, cement, rails, sleepers
	<ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>
6. Environmental management standards	<ul style="list-style-type: none"> <li>- The Tenderer shall have an environmental management system that complies with ISO 14001:2015 standard or equivalent.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- If the subject matter of the procurement exercise requires the addressing of environmental issues, the Tenderer shall be required to submit evidences of experience of addressing similar issues in previous contracts.</li> </ul>	<ul style="list-style-type: none"> <li>- The Tenderer shall have environmental management system that complies with ISO 14001:2015 standard or equivalent.</li> <li>- If the Tenderer is a consortium, each member of the consortium shall comply with the above requirements.</li> </ul>

### **Minimum Requirements for Procurement Exercises from 10 000 EUR to 39 999 EUR**

Application of the following self-declaration by the Tenderer, together with minimum requirements stipulated in the relevant applicable national procurement law. If the mandatory requirements in the relevant applicable national procurement law already cover any of the following requirements, requesting evidence to be submitted by the Tenderer or if such data is available without cost to the Contracting Authority, then the specific item is not required as a self-declaration.

1. The Tenderer has the legal right to undertake the works and/or provide the services and/or supply the goods required;
2. The Tenderer has prepared the quotation / proposal taking fully into account the requirements of the procurement documentation and all the clarifications issued by the Contracting Authority;
3. The Tenderer's offered works/services/goods are free from all liens, interests or other rights of third parties;
4. The Tenderer has prepared the quotation without connection with any other person, company, or parties likewise submitting a quotation and that it is in all respects for in good faith, bona fide, without collusion or fraud;
5. The Tenderer is not in bankruptcy, liquidation and its business activities have not been stopped for any similar reasons;
6. The Tenderer is not under investigation in relation with and has not been charged for any unlawful activity;