

Rīga

12.06.2019

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Answers to the questions from the interested suppliers No 1

RB Rail AS presents the following answers to the questions received within open competition "Rail Baltica control-command and signalling (CCS) subsystems procurement and deployment strategy" No RBR 2019/6 until 12 June, 2019 from the interested suppliers:

No	Questions	Answers
1.	Please clarify if the consultant who is implementing this project, still could carry out the construction supervision services for the related infrastructure.	Procurement commission would like to clarify, that this study is not related to the development of procurement documents for the construction supervision phase. Whether or not the Interested supplier must take into account the rules and obligations stated into the Section 5.4. of Annex No 3 "Technical specification" and Section 4.8., 17.2. of Annex No 9 "Draft Contract" regarding Conflict of Interest in the execution of the Service.
2.	Please can you confirm if bidding for tender RBR 2019/6 would preclude <i>Company</i> from participating in any future tenders to deliver ETCS / signalling on the Rail Baltica project? We would propose using a named team of individuals, ringfenced and subject to both strict information barriers and a non-disclosure agreement on the study itself. These individuals would not work thereafter on any future projects relating to ETCS delivery.	Procurement commission would like to clarify, that in any case procurement commission of particular procurement will evaluate, if the applicant Company or a related legal/natural person involved in the preparation of the procurement procedure tender documents has a competition restrictive advantage. Company has the rights to prove that Company's or related legal/natural person participation which have been involved in the preparation of the procurement procedure does not restrict competition. Considering the rules and obligations stated into the Section 5.4. of Annex No 3 "Technical specification" and Section 4.8., 17.2. of Annex No 9 "Draft Contract" regarding Conflict of Interest in the execution of the Service, separation of staff involved could be one of the ways of demonstrating the absence of competition restrictive advantages.

Procurement Commission Chairman



A. Benfelde