*RB Rail AS open competition "****Riga node operation optimization study****”*

*Approved by Procurement Commission*
*session minutes No. 1 dated July 30, 2019*

REGULATION

for Open competition

"**RIGA NODE OPERATION OPTIMIZATION STUDY**”

(Identification No RBR 2019/9)

2019

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Regulation

1. General information

The identification number of this open competition is No RBR 2019/9.

The applicable CPV codes are:

Main CPV code: 71300000-1;

Additional CPV codes: 71311230-2; 71311300-4; 71311200-3.

The contracting entity is joint stock company RB Rail AS, legal address: K. Valdemara iela 8 - 7, Riga LV-1010, Latvia (hereinafter – **Contracting authority**).

The open competition is co-financed by the Contracting Authority and Connecting Europe Facility (CEF).

This open competition is organised in accordance with the Public Procurement Law of Latvia in effect on the date of publishing the contract notice.

This open competition is carried out using the E-Tenders system which is subsystem of the Electronic Procurement System (<https://www.eis.gov.lv/EKEIS/Supplier>).

The open competition regulation and all its annexes are freely available in Contracting authority’s profile in the E-Tenders system at webpage <https://www.eis.gov.lv/EKEIS/Supplier> and the Internet webpage of the Contracting authority <http://railbaltica.org/tenders/>.

Amendments to the open competition regulation and answers to suppliers’ questions shall be published on the E-Tenders system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and the Contracting authority's Internet webpage <http://railbaltica.org/tenders/>. It is the supplier’s responsibility to constantly follow the information published on the webpage and to take it into consideration in its proposal.

Contact person of the Contracting authority for this open competition - Procurement manager, Aiga Benfelde, telephone: +371 26360325, e-mail address: aiga.benfelde@railbaltica.org;

The procurement commission and the supplier exchange information in writing in English or Latvian (accompanied by a translation in English), by sending documents electronically via e-mail or using E-Tenders system.

The supplier can request additional information regarding the Regulation. Additional information can be requested in writing, by sending it to the procurement commission electronically via e-mail or using E-Tenders system. Additional information must be requested in a timely fashion, so that the procurement commission can give it a reply no later than 6 (six) days prior to the deadline for proposal submission. The procurement commission shall provide additional information within 5 (five) Working Days from the day of receipt of the request.

The supplier covers all expenses, which are related to the preparation of the Proposal and its submission to the Contracting authority. The submitted proposals are not returned to the Tenderer, unless specifically envisaged in the Regulations.

1. The rights of the procurement commission

The procurement commission has the right to demand at any stage of the open competition that the Tenderer submits all or part of the documents which certify Tenderer’s compliance to the requirements for the selection of tenderers. The procurement commission does not demand documents or information which is already at its disposal or is available in public data bases.

If the Tenderer submits document derivatives (e.g. copies), then in case of doubt about the authenticity of the submitted document derivation the procurement commission can demand that the Tenderer shows the original documents.

During proposal assessment, the procurement commission has the right to demand the clarification of the information provided in the proposal.

1. The obligations of the procurement commission

The procurement commission ensures the documentation of the process of the open competition procedure.

The procurement commission ensures free and direct electronic access to the open competition procedure documents in Contracting authority’s profile at the E-Tenders system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and at the Internet webpage of the Joint-Stock Company RB Rail AS <http://railbaltica.org/tenders/>.

If an interested Supplier has in a timely fashion in writing by post or electronically, or delivering in person, requested additional information about the requirements included in open competition procedure documents regarding the preparation and submission of the Proposal or regarding the selection of Tenderers, the procurement commission provides a response electronically within 5 (five) Working Days, but not later than 6 (six) days before the deadline for submitting proposals. Simultaneously by sending this information to the supplier who had asked the question, the Contracting authority publishes this information in Contracting authority’s profile on the E-Tenders system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and on its Internet webpage [http://railbaltica.org/tenders/](http://railbaltica.org/global-forum-day-1-presentations/), where open competition procedure documents are available, indicating the question asked.

If the Contracting authority amends the open competition procedure documents, this information shall be published in Contracting authority’s profile on the E-Tenders system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and on the Contracting authority's Internet webpage <http://railbaltica.org/tenders/>, where the open competition procedure documents are available, no later than 1 (one) day after the notification regarding the amendments has been submitted to Procurement Monitoring Bureau for publication.

The exchange and storage of information is carried out in such a way that all data included in the Proposals is protected and the Contracting authority can check the content of the Proposals only after the expiration of the deadline for their submission. In time between the day of the submission of Proposals till the moment of opening thereof the Contracting authority does not disclose information regarding the existence of other Proposals. In the time of Proposal assessment till the moment of the announcement of the results the Contracting authority does not disclose information regarding the assessment process.

The procurement commission assesses the Tenderers and their submitted Proposals based on the Public Procurement Law of Latvia, open competition procedure documents, as well as other regulatory enactments.

If the procurement commission determines that the information about the Tenderer, its subcontractors and persons upon whose capabilities the Tenderer is relying that is included in the submitted documents is unclear or incomplete, it demands that the Tenderer or a competent institution to clarify or expand the information included in the Proposal. The deadline for submission of the necessary information is determined in proportion to the time which is required to prepare and submit such information. If the procurement commission has demanded to clarify or expand upon the submitted documents, but the Tenderer has not done this in accordance with the requirements stipulated by the procurement commission, the procurement commission is under no obligation to repeatedly demand that the information included in these documents be clarified or expanded upon.

The procurement commission prepares a report on the open competition procedure and publishes it in Contracting authority’s profile on the E-Tenders system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and on the Contracting authority's webpage [http://railbaltica.org/tenders/](http://railbaltica.org/tenders/164-2/) within 5 (five) Working Days from day when the decision about the results of the open competition is taken.

1. The rights of the Tenderer

To submit tenderer’s Electronic Procurement System registration documents (if the tenderer is not registered in Electronic Procurement System) in State Regional Development Agency (please see information here <http://www.railbaltica.org/procurement/e-procurement-system/>).

The Tenderer can request and within 3 (three) Working Days after submitting the request to receive a copy of the Proposal opening sheet, which is an Annex to the Proposal opening meeting minutes.

If the Contracting authority gets the necessary information about the Tenderer directly from a competent institution, through data bases or other sources, the Tenderer in question has the right to submit a statement or a different document regarding the corresponding fact, if the information obtained by the Contracting authority does not conform to the factual situation.

If a Tenderer believes that its rights have been violated or such violation is possible due to possible violation of the regulatory enactments of the European Union or other regulatory enactments, the Tenderer has the right to submit a complaint to the Procurement Monitoring Bureau according to the procedure stipulated in the Public Procurement Law regarding the Tenderer selection requirements, technical specifications or other requirements relating to this open competition, or relating to the activities by the Contracting authority or the procurement commission during the open competition procedure.

1. **Subject-matter of the Open Competition**

The subject-matter of the open competition is Riga node operation optimization sudy.

Technical specification of the open competition is provided in Annex No 3 of the Regulations.

The study will have to cover area of the Riga node. The delivery of the study will take place in Latvia.

1. Tenderer

The proposal can be submitted by:

A supplier, who is a legal or natural person (hereinafter – Tenderer) and who complies with the selection criteria for tenderers;

A group of suppliers (hereinafter also – Tenderer, partnership) which complies with the selection criteria for tenderers:

A group of suppliers who have formed a partnership for this particular open competition. In this case all the members of the partnership shall be listed in Annex No 1 “Application” of the Regulations. If it will be decided to award contracting rights to such partnership, then prior to concluding the Contract the partnership shall at its discretion either enter into a partnership agreement (within the meaning of Latvian Civil Law Sections 2241-2280) and shall submit one copy of this agreement to the Contracting authority or establish a general or limited partnership (within the meaning of Latvian Commercial Law, Chapter IX and X) and notify the Contracting authority in writing.

An established and registered partnership (a general partnership or a limited partnership, within the meaning of Latvian Commercial Law, Chapter IX and X) (hereinafter also – Tenderer) which complies with the selection criteria for tenderers.

* 1. A Supplier before applying for this procurement procedure must consider its applicability to the condition set out by Clause 5.1.3 of the Technical specification (Annex No 3 of the Regulations).
1. Selection criteria for Tenderers
	1. Exclusion grounds

The contracting authority shall exclude the tenderer from further participation in the open competition in any of the following circumstances:

| No | Requirement | Documents to be submitted *(no obligation to submit documents, unless specifically requested by the procurement commission)* |
| --- | --- | --- |
|  | Within previous 3 (three) years before submission of the Proposal the Tenderer or a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, has been found guilty of or has been subjected to coercive measures for committing any of the following criminal offences by such a public prosecutor’s order regarding punishment or a court judgement that has entered into force and may not be challenged and appealed:a) establishment, management of, involvement in a criminal organisation or in an organised group included in the criminal organisation or other criminal formation, or participation in criminal offences committed by such an organisation,b) bribe-taking, bribery, bribe misappropriation, intermediation in bribery, unauthorised participation in property transactions, taking of prohibited benefit, commercial bribing, unlawful claiming of benefits, accepting and providing of benefits, trading influences,c) fraud, misappropriation or money-laundering,d) terrorism, terrorism funding, creation or organization of a terrorist group, traveling for terrorist purposes, justification of terrorism, calling to terrorism, terrorism threats or recruiting or training a person in performance of acts of terrorism,e) human trafficking,f) evasion from payment of taxes and similar payments. | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | It has been detected that on the last day of Proposal submission term or on the day when a decision has been made on possible granting of rights to conclude the procurement contract, the Tenderer has tax debts in Latvia or a country where it has been incorporated or is permanently residing, including debts of mandatory state social insurance contributions exceeding 150 euro in total in any of the countries.  | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | Tenderer’s insolvency proceedings have been announced, the tenderer’s business activities have been suspended, the tenderer is under liquidation. | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | A person who drafted the procurement procedure documents (contracting authority’s official or employee), procurement commission member or expert is related to the tenderer, or is interested in selection of some tenderer, and the contracting authority cannot prevent this situation by measures that cause less restrictions on tenderers. A person who drafted the procurement procedure documents (contracting authority’s official or employee), procurement commission member or expert is presumed to be related to the tenderer in any of the following cases:* If he or she is a current or and ex-employee, official, shareholder, procura holder or member of a tenderer or a subcontractor which are legal persons and if such relationship with the legal person terminated within the last 24 months.
* If he or she is the father, mother, grandmother, grandfather, child, grandchild, adoptee, adopter, brother, sister, half-brother, half-sister or spouse (hereinafter – relative) of a tenderer’s or subcontractor’s, which is a legal person, shareholder who owns at least 10% of the shares in a joint-stock company, shareholder in a limited liability company, procure holder or an official.
* If he or she is a relative of a tenderer or a subcontractor which is a natural person.

If the tenderer is a partnership, consisting of natural or legal persons, a relation to the tenderer is presumed also if a person who drafted the procurement procedure documents (contracting authority’s official or employee), procurement commission member or expert is related to a member of a partnership in any of the above-mentioned ways. | No obligation to submit documents, unless specifically requested by the procurement commission. |
|  | The tenderer has an advantage that limits competition in the procurement procedure if it or its related legal person consulted the contracting authority or otherwise was involved in preparing the open competition, and the advantage cannot be prevented by less restrictive measures, and the tenderer cannot prove that its or its related legal person’s participation in preparing the procurement procedure does not restrict competition. | No obligation to submit documents, unless specifically requested by the procurement commission. |
|  | Within previous 12 (twelve) months before submission of the Proposal, by such a decision of a competent authority or a court judgment which has entered into force and may not be challenged and appealed, the tenderer has been found guilty of violating competition laws manifested as a horizontal cartel agreement, except for the case when the relevant authority, upon detecting violation of competition laws, has released the tenderer from a fine or has decreased the fine for cooperation within a leniency program. | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | Within previous 3 (three) years before submission of the Proposal, by such a decision of a competent authority or a court judgment which has entered into force and may not be challenged and appealed, the tenderer has been found guilty of a violation manifested as employment of one or more persons which do not possess the required employment permit or if it is illegal for such persons to reside in a Member State of the European Union.  | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | Within previous 12 (twelve) months before submission of the Proposal, by such a decision of a competent authority or a court judgment which has entered into force and may not be challenged and appealed, the tenderer has been found guilty of a violation manifested as employment of a person without a written employment contract, by failing within the term specified in regulatory enactments to submit an informative employee declaration regarding this person, which must be submitted about persons, who start working; | * For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer and a person who is the tenderer’s board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, which are registered or residing outside of Latvia the Tenderer should submit an appropriate statement from the competent authority of the country of registration or residence.
 |
|  | The tenderer has provided false information to prove its compliance with provisions of this Section 7.1, or qualification criteria, or has not provided the required information at all. | No obligation to submit documents, unless specifically requested by the procurement commission. |
| 1.
 | The tenderer is a registered offshore[[1]](#footnote-2) company (legal person) or offshore association of persons. | * For a tenderer which is registered in Latvia the Contracting Authority shall verify the information itself in publicly available databases.
* For the tenderer and each member of the partnership (if tenderer is a unregistered partnership) which is a legal person registered abroad – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration
 |
|  | The owner or shareholder (with more than 25% of share capital) of the tenderer which is registered in Republic of Latvia, is a registered offshore company (legal person) or offshore association of persons. | * For a tenderer which is registered in Latvia:
	+ the Contracting Authority shall verify the information itself in publicly available databases;
	+ if such information by publicly available data bases isn’t provided, tenderer shall submit self – declaration which approves fact that there are no registered owners or shareholders of the tenderer (with more than 25% of share capital) which are registered offshore.
 |
| 1.
 | The subcontractors indicated by the Tenderer whose share of work is equal to or exceeds 10% of the Contract price or person on whose capabilities tenderer is relying, is a registered offshore company (legal person) or offshore association of persons. | * For entities which are registered in Latvia:
	+ For a subcontractor whose share of work is equal to or exceeds 10% of the Contract price or person, on whose capabilities tenderer is relying, which is registered in Latvia, the Contracting Authority shall verify the information itself in publicly available databases;
	+ if such information by publicly available data bases isn’t provided, a subcontractor whose share of work is equal to or exceeds 10% of the Contract price or person, on whose capabilities tenderer is relying, shall submit self – declaration which approves fact that person isn’t registered offshore company.
* For a subcontractor or person on whose capabilities tenderer is relying, which is a legal person registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration.
 |
| 1.
 | International or national sanctions or substantial sanctions by the European Union (EU) or the North Atlantic Treaty Organization (NATO) Member State affecting the interests of the financial and capital market has been imposed to the:1. Tenderer or a person who is the Tenderer’s management board or supervisory board member, beneficial owner**]**, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch,
2. member of the partnership or a person who is the partnership’s management board or supervisory board member, beneficial owner**[[2]](#footnote-3)[2]**, person with representation rights or a procura holder (if the Tenderer is a partnership),

and such sanctions can affect the execution of the Procurement contract.  | * For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself from the Register of Enterprises of the Republic of Latvia.
* For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence with all the information necessary for the examination regarding the Tenderer or a member of the partnership if the Tenderer is a partnership), including but not limited, information about beneficial owner or the fact that there is no possibility to find out the beneficial owner.
 |

* 1. Legal standing and suitability to pursue the professional activity

| No | Requirement | Documents to be submitted |
| --- | --- | --- |
|  | The Tenderer or all members of the partnership (if the Tenderer is a partnership) must be registered in the Registry of Enterprises or Registry of Inhabitants, or an equivalent register in their country of residence, if the legislation of the respective country requires registration of natural or legal persons. | * For a Tenderer which is a legal person (or a member of a partnership, a person on whose abilities a Tenderer relies, a subcontractor whose share of work is equal to or exceeds 10% of the contract value) registered in Latvia the Contracting authority shall verify the information itself in publicly available databases.
* For a Tenderer which is a natural person (or a member of a partnership, a person on whose abilities a Tenderer relies, a subcontractor whose share of work is equal to or exceeds 10% of the contract value) – a copy of an identification card or passport.
* For a Tenderer (or a member of a partnership, a person on whose abilities a Tenderer relies, a subcontractor whose share of work is equal to or exceeds 10% of the contract value) which is a legal person registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration, shareholders, officials and procura holders (if any) can be determined.
* If a proposals is submitted by a partnership, the Proposal shall include an agreement (or letter of intention to enter into agreement) signed by all members on the participation in the procurement, which lists responsibilities of each and every partnership members and a joint commitment to fulfil the procurement contract, and which authorises one key member to sign the proposal and other documents, to receive and issue orders on behalf of the partnership members, and with whom all payments will be made.
* If the Proposal or any other document, including any agreement, is not signed by the legal representative of the Tenderer, members of the partnership, person on whose capabilities the Tenderer relies or sub-contractors, then a document certifying the rights of the persons who have signed the Proposal or any other documents, to represent the Tenderer, a member of the partnership, a person on whose capabilities the Tenderer is relying, or a sub-contractor (powers of attorney, authorization agreements etc.) must be included.
 |
|  | The representative of the Tenderer, or a member of a partnership, or a person on whose abilities a Tenderer relies, who has signed documents contained in the proposal, has the right of signature, i.e., it is an official having the right of signature or a person authorized by the Tenderer. | * A document confirming the right of signature (representation) of the representative of the Tenderer, or a member of a partnership, or a person on whose abilities a Tenderer relies, who signs the proposal. For a Tenderer which is a legal person (or a member of a partnership, a person on whose abilities a Tenderer relies, registered in Latvia the Contracting authority shall verify the information itself in publicly available databases.
* If the Tenderer, or a member of a partnership, or a person on whose abilities a Tenderer relies, submits a power of attorney (original or a copy certified by the Tenderer) there shall be additionally submitted documents confirming that the issuer of the power of attorney has the right of signature (representation) of the Tenderer.
 |

* 1. Economic and financial standing

| No | Requirement | Documents to be submitted |
| --- | --- | --- |
|  | The Tenderer’s or all members of the partnership together (if the Tenderer is a partnership and confirms the average financial turnover jointly), average financial turnover within the last 3 (three) financial years, i.e. 2016, 2017, 2018, is not less than 200 000,00 EUR (two hundred thousand *euros*). In the event the average financial turnover of a limited liability member of a limited partnership (within the meaning of Latvian Commercial Law, Chapter X) exceeds its investment in the limited partnership, the average financial turnover shall be recognised in the amount of the investment in the limited partnership.In the event the Tenderer or a member of a partnership (if the Tenderer is a partnership) has operated in the market for less than 3 (three) financial years, the requirement shall be met during the Tenderer’s actual operation period. | * Filled in and signed Annex No 6 of the Regulations.
* Audited or self-approved by a Tenderer (if the audited Annual report is not required by the law of the country of residence of the Tenderer) Annual reports for financial years 2016, 2017, 2018.
* For a limited partnership (within the meaning of Latvian Commercial Law, Chapter X) an additional document evidencing the amount of the investment by the limited liability partner (the partnership agreement or a document with a similarly binding legal effect).
* If the Tenderer is a partnership, it indicates the member of the partnership on whose abilities it relies to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the procurement contract, including this information in the agreement of cooperation or letter of intention to enter into agreement.
 |
|  | The Tenderer or member of the partnership (if the Tenderer is a partnership) on whose abilities the Tenderer is relying to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the contract and entity on whose abilities the Tenderer is relying to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the contract, shall have stable financial and economic performance, namely, in the last audited financial year liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and shall have positive equity. | * Audited or self-approved (if audit is not required by the law of the country of residence of the Tenderer) by a Tenderer or each member of the partnership (if the Tenderer is a partnership) on whose abilities the partnership is relying to certify it`s financial and economic performance and who will be financially responsible for the fulfilment of the contract, Annual report for previous audited financial year, showing the balance and calculation that proves liquidity ratio and positive equity.
* If the Tenderer is a partnership, it indicates the member of the partnership on whose abilities it relies to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the procurement contract, including this information in the agreement of cooperation or letter of intention to enter into agreement.
 |

* 1. Technical and professional ability of the tenderer

| No | Requirement | Documents to be submitted |
| --- | --- | --- |
|  | Within the previous 7 (seven) years (from 2012) until the date of submission of the Proposal the Tenderer has completed **at least 2 (two)** projects with minimum amount for each project at least EUR 100 000 (one hundred thousand euros) without VAT related to provision of consulting services for infrastructure optimization study for a railway node[[3]](#footnote-4), including software simulation of train operation timetable. The minimum parameters of the railway node are:* freight and passenger traffic;
* include one station having **at least 8 (eight) tracks with passenger platforms**: the station must not be terminus type of station;
* the number of trains arriving in the node should be **not less than 20 (twenty) trains during peak hour;**
* the number of the railway lines entering into the node must be no less than 4 (four).
 | * Filled in and signed Annex No 7 of the Regulations. A description including the schematic track layout and schedule for peak hour of the railway node shall be submitted.
* The procurement commission shall be entitled to request the Tenderer to submit written references in order to verify the correctness of information provided by the Tenderer set out in the form.
* The procurement commission shall make an assessment of reference projects relevance in each separate case.
* The procurement commission reserves the right to contact clients of the tenderer for the provision of further details and verification of the provided information.
 |
|  | The tenderer shall have a certified quality management system. | * Provide a certificate or a statement that the tenderer has a quality management system compliant with ISO 9001:2015 (or newer version) or equivalent.
 |

* 1. Technical and professional ability of the key experts

| No | Requirement | Documents to be submitted |
| --- | --- | --- |
|  | The Tenderer shall propose the following persons for the positions of the following key experts[[4]](#footnote-5). |  |
| * 1.
 | All key experts shall have a very good (at least C1 Level) English language skills – (based on Common European Framework of Reference for Languages[[5]](#footnote-6)) in understanding, speaking and writing. | * Self-declared information about each key experts’ language skills in Annex No 8 of the Regulations.
 |
|  | **Team leader, railway operation expert** meeting the following minimal requirements:1. Experience in the position of project manager within last 10 (ten) years for at least 3 (three) railway operational studies from which at least 2 (two) should be in different countries.
2. Experience in development of operational plan within last 10 (ten) years at least for 3 (three) railway stations including:
* train movements to the adjacent stations
* having at least 12 (twelve) arrivals of trains per peak hour
 | * Filled in and signed Annex No 8 of the Regulations.
 |
|  | **Railway infrastructure development expert** meeting the following minimal requirements:(i) Experience in development of railway infrastructure in urban agglomerations comparable to Riga within last 10 (ten) years at least for 3 (three) railway nodes including5[[6]](#footnote-7):* Development of stations, track layout and platforms
* Development of intermodality with other modes of public transport
 | * Filled in and signed Annex No 8 of the Regulations.
 |
|  | **Railway traffic simulation expert** meeting the following minimal requirements: (i) expierence within last 10 (ten) years in at least 3 (three) railway operational plans development projects covering both passenger and freight traffic modeling usign railway traffic modeling software. | * Filled in and signed Annex No 8 of the Regulations.
 |
|  | **1520 mm signalling expert** meeting the following minimal requirements:(i) At least 5 (five) years experience in the period of last 15 (fifteen) years as:* 1520 mm signalling expert for design or design supervision for 1520 mm railway signalling systems, **or**
* as main 1520 signalling expert working for 1520 mm railway infrastructure manager.
 | * Filled in and signed Annex No 8 of the Regulations.
 |

Information, provided in the Proposal to prove the compliance with above-mentioned requirements for Economic and financial standing (Section 7.3 of the Regulations), Technical and professional ability of the Tenderer (Section 7.4 of the Regulations), Technical and professional ability of the key experts (Section 7.5 of the Regulations) shall be clear and understandable without any additional analysis or external proof of the submitted information. The Contracting authority shall not be obliged to use additional sources of information in order to decide regarding Tenderer’s compliance with the qualification requirements. The Tenderer shall remain fully responsible for the provision of sufficiently detailed information in the Proposal required to confirm clearly the compliance with qualification requirements set in the Regulation.

Notices and other documents, which are issued by Latvian competent institutions, are accepted and recognized by the procurement commission, if they are issued no earlier than 1 (one) month prior to the date of submission of the Proposals. Notices and other documents, which are issued by foreign competent institutions, are accepted and recognized by the procurement commission, if they are issued no earlier than 6 (six) month prior to the date of opening of Proposals.

If the documents, with which a Tenderer registered or permanently residing abroad can certify its compliance with the requirements of Section 7.1 of the Regulations, are not issued or these documents are insufficient, such documents can be replaced with an oath or, if the regulatory enactments of the country in question do not allow for an oath, - with a certification by the Tenderer or by another person mentioned in Section 7.1(1) of the Regulations before a competent executive governmental or judicial institution, a sworn notary or a competent organization of a corresponding industry in their country of registration (permanent residence). **Regarding all documents submitted based on an oath given under law (e.g. self-statements, sworn-statements/declarations on oath), the Tenderer has**

 **to provide (indicate) legal grounds to law or enactment in accordance with such self-statements or declarations on oath have been given.**

If the Tenderer complies with any of the exclusion grounds mention in Section 7.1 (except tax debts) of the Regulations, the Tenderer indicates this fact in Annex No 1 of the Regulations.

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. This document must be submitted in paper format, and for each person upon whose capabilities the Tenderer relies, and for each of their indicated subcontractors, the share of whose work is equal to or exceeds 10 % (ten per cent) of the value of the Contract, but if the Tenderer is a partnership – for each member thereof. To fill in the ESPD the Tenderer uses the "ESPD.xml" file at the Internet webpage <http://espd.eis.gov.lv/>.

1. Reliance on the capabilities of other persons

For the fulfilment of the specific contract, in order to comply with the selection requirements for the Tenderers relating to the economic and financial standing and technical and professional ability (including regarding the team of key experts), the Tenderer may rely upon the capabilities of other persons, regardless of the legal nature of their mutual relationship. In this case:

The Tenderer indicates in the Proposal all persons upon whose capabilities it relies by filling in the table which is attached as Annex No 4 of the Regulations and proves to the Contracting authority that the Tenderer shall have available all the necessary resources for the fulfilment of the contract, by submitting a signed confirmation or agreement on cooperation and/or passing of resources to the Tenderer between such persons and the Tenderer. The confirmations and agreements on cooperation and passing of resources can be replaced by the Tenderer with any other type of documents with which the Tenderer is able to prove that the necessary resources will be available to the Tenderer and will be used during the term of fulfilment of the contract.

Documents on cooperation and passing of resources have to be sufficient to prove to the Contracting authority that the Tenderer will have the ability to fulfil the contract, as well as that during the validity of the contract the Tenderer will in fact use the resources of such person upon whose capabilities the Tenderer relies.

The Contracting authority may require joint and several liabilities for the execution of the Contract between the tenderer and a person on whose capabilities the Tenderer is relying.

The Contracting authority shall evaluate the person, on whose capabilities the Tenderer to whom the rights to conclude the Contract should be assigned is relying. In case such person will comply with any of the exclusion grounds which are mentioned in Section 7.1(1) to 7.1(8) and 7.1.(12) to 7.1.(13) of the Regulations, the Contracting authority shall request the Tenderer to change such person. If the Tenderer shall not submit documents about another person which complies with the selection criteria within 10 (ten) Working Days from the date when the request was issued or sent to the Tender, the Contracting authority shall exclude such Tenderer from further participation in the open competition.

1. Subcontracting

The Tenderer shall indicate in the Proposal all subcontractors of the Tenderer by filling in the table which is attached as Annex No 5 of the Regulations.

The Contracting authority shall evaluate the subcontractor, whose share of work is equal to or exceeds 10% of the Contract price, of the Tenderer to whom the rights to conclude the Contract should be assigned. In case such subcontractor will comply with any of the exclusion grounds which are mentioned in Section 7.1(2) to 7.1(8) and 7.1.(12) to 7.1.(13) of the Regulations, the Contracting authority shall request the Tenderer to change such subcontractor. If the Tenderer shall not submit documents about another subcontractor which complies with the selection criteria within 10 (ten) Working Days from the date when the request was issued or sent to the Tender, the Contracting authority shall exclude such Tenderer from further participation in the open competition.

1. Proposal (bid) security

The Tenderer shall submit a proposal (bid) security in the amount of **5 000,00 EUR** (five thousand*euros*) (hereinafter – Security) which should be valid until the conclusion of the contract but not less than 3 (three) months from the day of opening of the Proposal.

The Security may be:

A bank guarantee;

An insurance policy.

The bank guarantee must comply with the following requirements:

The guarantor must pledge to pay the Contracting authority the sum of the Security in cases stipulated in Section 10.7 of the Regulations.

The guarantee must be in force and effective for the term stipulated in Section 10.6 of the Regulations;

The guarantee must be irrevocable;

The Contracting authority shall not be obliged to demand the Security from the Tenderer prior to submitting the request to the guarantor;

The Uniform Rules for Demand Guaranties, ICC Publication No.758, issued by the International Chamber of Commerce (ICC), are applicable to the guarantee, but in matters which are not regulated by the aforementioned International Chamber of Commerce (ICC) Rules, the regulatory enactments of the Republic of Latvia are applicable to the guarantee. Claims and disputes in relation to this guarantee shall be examined in the court of the Republic of Latvia, in accordance with the laws of the Republic of Latvia.

The insurance policy must comply with the following requirements:

The insurer must pledge to pay the Company the sum of the Security in cases stipulated in Section 10.7.

The insurance policy must be in force for the term stipulated in Section 10.6 and be subject to realization from the opening of the Proposal, that is, the insurance premium must be paid by the moment of submitting the Proposal, which is proved by a payment certificate enclosed to the Proposal;

The insurance policy must pledge to pay the Contracting authority the sum of the Security in cases stipulated in Section 10.7 of the Regulations.

The insurance policy must be irrevocable;

The Contracting authority shall not be obliged to demand the Security from the Tenderer prior to submitting the request to the insurer;

Claims and disputes in relation to this insurance policy shall be examined in the court of the Republic of Latvia in accordance with the laws of the Republic of Latvia.

If the Tenderer is a partnership, then the Security must be formalized in such a way that it applies to all the members of the Tenderer (the name of the Tenderer in the Security must be the same as the name of the Tenderer in the proposal).

The Security shall be in force for the shortest of the terms listed below:

the term of validity of the Security stipulated in Section 10.1 of the Regulations;

until the Contract is concluded.

Upon the first request of the Contracting authority the Security giver shall pay the sum of the Security to the Contracting authority, if at least:

the Tenderer revokes its Proposal while the Security is in force,

the Tenderer, whose Proposal is selected in accordance with the contract award criteria, does not sign the Contract in the term stipulated by the Contracting authority.

* 1. Proposal (bid) Security document shall be submitted together with the Proposal (in E-Tenders system) as electronical document signed using E-Tenders system electronic signature.
		1. If the Tenderer fails to submit legally binding original of the Security document according to these regulations, the procurement commission excludes the Tenderer from participation in the open competition.
1. Financial proposal

The Financial proposal shall be submitted as part of Annex No 1 and Annex No 2 of the Regulations.

The proposed contract price shall be determined in *euro* without value added tax (hereinafter – VAT).

The proposed contract price is to be calculated and indicated with an accuracy of 2 (two) decimal places after comma. If more than 2 (two) decimal places after comma are indicated, then only the first two decimal places will be taken into account.

The proposed contract price shall include all taxes, fees and payments, and all costs related to the fulfilment of the specific work that can be reasonably estimated, except VAT, including but not limited to:

visits to the Contracting authority (cost of business trips and time of consultants),

field research,

purchase of external materials and researches,

purchase of external experts if applicable.

Contract price (lump-sum contract will be signed with the winner of this tender) will be fixed for all the term of the fulfilment of the Contract and will not be recalculated, except in cases stipulated in the Contract (if any).

Travel expenses will not be paid additionally, they must be calculated and included in other costs and into total proposed contract price.

1. Technical proposal

Tenderer shall submit technical proposal containing the description of the following aspects[[7]](#footnote-8):

**Study implementation methodology** (not more than 10 (ten) pages), covering:

* + - 1. Tenderer’s understanding of the objectives and scope of the study, requirements and conditions put forth by the Contracting authority;
			2. The method, how Tenderer is planning to achieve a comprehensive execution of the contract and deliver works required under each work package;

**Implementation schedule** (not more than 3 (three) pages), covering:

* + - 1. List of all activities necessary to achieve study timeline and ensure high-quality service in the period of execution of the Contract.
			2. Tenderer’s timeline and deadlines of all activities necessary to realise the Study.
1. Contents and form of the Proposal

Proposal must be submitted electronically in E-Tenders subsystem of the Electronic Procurement System, in accordance with the following options for the tenderer:

* + 1. by using the available tools of E-Tender subsystem, filling the attached forms of the E-Tender subsystem for this procurement procedure;
		2. by preparing and filling the necessary electronic documents outside the E-Tenders subsystem and attaching them to relevant requirements (in this situation, the tenderer takes responsibility for the correctness and compliance of the forms to requirements of documentation and form samples);
		3. by encrypting electronically prepared proposal outside subsystem of E-Tenders with data protection tools, provided by third parties, and protection with electronic key and password (in this situation, the tenderer takes responsibility for the correctness and compliance of the forms to requirements of documentation and form samples as well as ensuring capability to open and read the document);
	1. During preparation of the proposal, the tenderer respects:
		1. Application form and financial proposal must be filled separately, each in a separate electronic document, in line with forms attached to procurement process of E-Tenders subsystem in a Microsoft Office 2010 (or later) format and attached to the designated part of the procurement procedure;
		2. Upon submission, the tenderer signs the proposal with secure electronic signature and time-stamp or with electronic signature provided by Electronic Procurement System. The tenderer can use secure electronic signature and time-stamp and sign Application form, Technical proposal and Financial proposal separately. Proposal (its parts, if signed separately) are signed by authorized person, including authorization document (e.g. power of attorney).

The documents shall be included in the proposal in the following order (hereinafter – **Proposal**):

Separately from other documents: the original document of the Security (according to Section 10.8 of the Regulations).

Title page with title “Proposal for the open competition “Riga node operation optimization study” No RBR 2019/9, name, address and contact information of the Tenderer;

The table of contents with page numeration.

Application (financial proposal) in accordance with Section 11 and Annex No 1 of the Regulations.

Detailed financial proposal in accordance with Section 11 and Annex No 2 of the Regulations.

Information and documents confirming compliance of the Tenderer with the selection criteria for the Tenderers (Section 7.1 to 7.5 of the Regulations), or the corresponding European single procurement documents.

Information and documents relating to entities on whose capabilities the Tenderer is relying, or the corresponding European single procurement documents.

Information and documents relating to subcontractors and/or or the corresponding European single procurement documents.

Technical proposal prepared in accordance with Section 12 of the Regulations.

The Tenderer is not permitted to submit variants of the Proposal. If variants of the Proposal shall be submitted, the Proposal will not be reviewed.

The Tenderer may submit a Proposal only for the whole subject matter of the open competition in total.

The Proposal must be submitted in written form in English or Latvian (if submitted in Latvian, translation in English of the Proposal must be submitted).

The Proposal may contain original documents or their derivatives (e.g. copies). In the proposal or in reply to a request of the procurement commission the Tenderer shall submit only such original documents which have legal force. In order for the document to gain legal force it has to be issued and formatted in accordance with the Law on Legal Force of Documents, but public documents issued abroad shall be formatted and legalized in accordance with the requirements of the Document Legalization Law. When submitting the Proposal, the Tenderer has the right to certify the correctness of all submitted documents’ derivatives and translations with one certification.

The Proposal must be signed by a person who is legally representing the Tenderer or is authorized to represent the Tenderer in this open competition procedure.

The Tenderer shall prepare Proposal in electronic form using the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier>.

The Proposal shall be valid for at least 3 (three) months from the day of opening (deadline for submission) of the Proposal.

1. Encryption of the proposal information
	1. E-Tender system which is subsystem of the Electronic Procurement System ensures first level encryption of the information provided in the proposal documents.
	2. If the Tenderer applied additional encryption to the information in the proposal (according to Section 14.1), Tender has to provide Procurement Commission with electronic key with the password to unlock the information not later than in 15 (fifteen) minutes after deadline of the proposal submission.
2. Submission of a Proposal

Proposal (documents referred to in the Section13 of the Regulations) shall be submitted electronically using the tools offered by the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier> by **September 6 till 15:00**.

The Tenderer may recall or amend its submitted Proposal before the expiry of the deadline for the submission of Proposals by using the tools offered by E-Tenders system.

Only Proposals submitted to the E-Tenders system will be accepted and evaluated for participation in the procurement procedure. Any Proposal submitted outside the E-Tenders system will be declared as submitted in a non-compliant manner and will not participate in the procurement procedure.

1. Opening of Proposals
	1. The Proposals will be opened in the E-Tenders system by **September 6 till 15:00** o’clock during the open meeting. It is possible to follow the opening of submitted proposals online in the E-Tenders system.

The Proposals are opened by using the tools offered by E-Tenders system, the proposed price and other information that characterizes the Proposal (excluding confidential information) shall be published in E-Tenders system, as well as notice of the presence of documents proving the Security.

The information regarding the Tenderer, the time of Proposal submission, the proposed price and other information that characterizes the Proposal is generated at the opening of the proposals by E-Tenders system and written down in the Proposal opening sheet, which shall be published in E-Tenders system and Contracting authorities web page.

1. Verification of proposal

Procurement commission verifies whether the submitted Proposals comply with the requirements stipulated in Section 13 of the Regulations and whether all required information and documents are submitted and selects for further evaluation the compliant Proposals.

The Procurement commission verifies whether the submitted Technical proposals comply with the requirements stipulated in Section 12 of the Regulations and selects for further evaluation the compliant Technical proposals.

1. Verification of financial proposals

The procurement commission verifies whether Tenderers have completed Annex No 1 “Application” and Annex No 2 “Detailed financial proposal” of the Regulations in accordance with the requirements.

The procurement commission verifies whether there are any arithmetical errors, whether an abnormally low Proposal has been received, as well as assesses and compares the contract prices proposed.

The procurement commission informs the Tenderer whose mathematical errors have been corrected about the correction of mathematical errors and the corrected financial proposal.

When evaluating the financial proposal, the procurement commission takes corrections into account.

The procurement commission has the right to demand that the Tenderer explains the calculation upon which the financial proposal is based and other related aspects in order to ascertain the objectivity of the financial proposal and whether an abnormally low Proposal has been submitted.

The procurement commission further evaluates the compliant Proposals which have not been declared as abnormally low proposals.

1. Contract award criteria
	1. The Proposal selection criterion is the most economically advantageous proposal, according to the evaluation methodology described in this Section below.
	2. The economically most advantageous proposal shall be the Proposal which will receive the highest sum of scores for the following criteria:

|  |  |  |
| --- | --- | --- |
|  | Evaluation criteria: | Points: |
|  | **Technical proposal** which will be evaluated in accordance with Section 19.5 of the Regulations. | **50** |
| A | Quality of methodology  | 40 |
| B | Quality of implementation schedule | 10 |
| 2 | **Financial proposal**, which will be evaluated in accordance with Section 19.6 of the Regulations. | **50** |
|  | **Total** | **100** |

* 1. The procurement commission shall sum up the points obtained by each Tenderer and the Contract shall be awarded to the Tenderer whose Proposal receives the highest score.

In case several Tenderers will obtain equal number of points, the procurement commission shall award the right to conclude the contract to the Tenderer which will obtain higher score for its financial proposal. If also this score will be equal, then the procurement commission shall award the right to conclude the contract to the Tenderer which submitted its Proposal first.

* 1. Evaluation of the quality of the Technical proposal
		1. Quality of the Technical proposal will be evaluated by comparing the Technical proposals according to the following criteria:

| No | Criteria | Points |
| --- | --- | --- |
| A: Quality of methodology  |
| a.1 | **Outstanding~~[[8]](#footnote-9)~~ level of detail**Study implementation methodology is structured, defined and justified on exceptional level. How the contracting requirements, expectations of the results and the aim of the procurement given in the Technical specification are aimed to be realized is shown with the high level of detail. There are no inconsistencies between different parts of the methodology. The Tenderer has produced (above and beyond what has been produced in the Technical specification) a very detailed, reasoned, extended description of the thoughts, plans and opinions on the planned service content, the provision of services methods and performance management, quality assurance, service to be performed as part of the job sequence. This is to include the various interrelationships, service results, reports and a preliminary structure of the Study.The contents of the Technical proposal conform with the Technical Specification, deliverables are outlined in the best practice of expertise, the description of provision of services provides very detailed vision about the way and means of provision of these services and an outstanding description of the specific tasks of deliverables.Tenderer has proposed to include expertise in the context of Tenderer’s experience from similar projects by indicating alternative methods or examples (based on Tenderer’s similar exercises) to achieve Study’s objectives and key factors for the selection of the most appropriate method. | 40 |
| a.2 | **Good[[9]](#footnote-10) level of detail** A clearly structured, defined and justified study implementation methodology is presented. How the contracting requirements, expectations of the results and the aim of the procurement given in the Technical specification are aimed to be realized is clearly shown. There are no inconsistencies between different parts of the methodology. The Tenderer has produced (above and beyond what has been produced in the Technical specification) an extended description of their thoughts and opinions on the planned service content, the provision of services methods and performance management, quality assurance, service to be performed as part of the job sequence. This is to include the various interrelationships, service results, reports and a preliminary table of contents of the study. The technical proposal details the engagement of experts (including non-key experts, if any) and justifies their role in the implementation of the Study. The contents of the Technical proposal conform with the Technical Specification, deliverables are outlined in the best practice of expertise, the description of provision of services provides reasonable vision about the way and means of provision of these services and clear description of the specific tasks of deliverables. | 25  |
| a.3 | **Satisfactory[[10]](#footnote-11) level of detail**A structured, defined and justified study implementation methodology is presented. An understanding is provided on how the procurement requirements, expectations of the results and the aim of the procurement given in the Technical specification are aimed to be realized, but minor shortcomings are found in the description’s level of detail and minor inconsistencies exist between different parts of the description. The Tenderer has produced (above and beyond what has been produced in the Technical specification) a partly extended description of the thoughts and opinions on the planned service content, the provision of services methods and performance management, quality assurance, service to be performed as part of the job sequence. This is to include the various interrelationships, service results, reports and a preliminary structure of the Study.The contents of the Technical proposal conform with the Technical Specification, deliverables are outlined in the best practice of industry, the description of provision of services provides an idea about the way and means of provision of these services and a good description of the specific tasks of deliverables. | 15 |
| a.4 | **Poor[[11]](#footnote-12) level of detail**A structured, defined and justified study implementation methodology is presented, however gaps are clearly present. An understanding is provided on how the procurement requirements, expectations of the results and the aim of the procurement given in the Technical specification are aimed to be realized, but shortcomings are found in the description’s level of detail and inconsistencies exist between different parts of the description. The Tenderer has produced a general description of the thoughts and opinions on the planned service content, the provision of services methods and performance management, quality assurance, service to be performed as part of the job sequence. This is to include the various interrelationships, service results, reports and a preliminary structure of the Study.The contents of the Technical proposal conform with the Technical Specification, deliverables are outlined in the best practice of industry, the description of provision of services provides an idea about the way and means of provision of these services and a description of the specific tasks of deliverables. | 10 |
| a.5 | **Insufficient[[12]](#footnote-13) level of detail**The Tenderer has failed to propose study implementation methodology in a clear and justified manner.To satisfy the criterion under assessment a poorly structured, defined and justified description is presented. The proposed study implementation methodology consists of unanswered or significantly inadequate and incomplete solutions to the required specific tasks. Aspects named in the Technical specification are not covered, and the solutions offered are consistently inadequately described, the description of provision of services does not provide an understanding on the way and means of provision of these services or is not realistic. Clear inconsistencies exist between different parts of the Technical proposal. | 0 |
| B: Quality of Implementation schedule |
| b.1 | **Highly Detailed**The Tenderer has produced (above and beyond what has been specified in the Technical specification and Agreement) the schedule with the detailed, reasoned and extended structure for the implementation of the services. The key deadlines specified in the Agreement, resource plan, detalisation and additional milestones of the service implementation are exhaustively covered in the proposed Gantt Chart. | 10 |
| b.2 | **Medium level of detail**The Tenderer has produced (above and beyond what has been specified in the Technical specification and Agreement) the schedule with the partially extended structure for the implementation of the services. The key deadlines specified in the Agreement, resource plan, sufficicient detalisation and additional milestones of the service implementation are partially covered in the proposed Gantt Chart. | 6 |
| b.3 | **Low level of details**The Tenderer has produced (above and beyond what has been specified in the Technical specification and Agreement) the schedule with the general structure for the implementation of theservices. The key deadlines specified in the Agreement, detalisation and additional milestones of the service implementation are generally covered without further detalisation in the proposed Gantt Chart. The Gantt Chart structure contains some minor issues in relation with the requirements of Technical specification and/or not addressing the requirements in a sufficient manner and/or leaving open risks/interpretation. | 3 |
| b.4 | **Insufficient level of detail**The Tenderer has failed to produce the general structure, the detailed and understandable proposal for the Gantt Chart above and beyond what has been specified in the Technical specification and Agreement. The Gantt Chart structure does not address all or a major part of the significant requirements included in the technical specification, with minor deviations and or insufficient information provided to fully understand the Tenderer’s intentions in the successful delivery or missing descriptions to understand the proposed methods, and/or significant open risk/interpretation left in by the Tenderer. | 0 |

The procurement commission shall obtain the final score for each Technical proposal in this criterion by summing up all points obtained by the particular Technical proposal in this criterion and dividing the sum with the number of members of the procurement commission which participated in the evaluation of the Technical proposals. The result shall be used as the points for the particular Technical proposal for the purposes of Section 19.3. of the Regulations.

* 1. Evaluation of the Financial proposal

The procurement commission shall award the maximum available points for the Financial proposal to the Financial proposal with the lowest proposed price.

Other Financial proposals shall receive score in accordance with the following formula:

$$points=\frac{lowest proposed price from the compliant proposals}{Tenderer^{'}s proposed price}×50$$

1. Tenderer check prior to making the decision regarding the conclusion of the contract

Prior to making the decision about assigning rights to conclude the Contract, the procurement commission performs a check regarding the existence of grounds for exclusion of tenderers for Tenderers, members of a partnership (if the Tenderer is a partnership), persons on whose capabilities the Tenderer is relying and subcontractors whose share of work is equal to or exceeds 10% of the Contract value.

If, in accordance with the information published on the day of the last data update in a public database, on the last day of Proposal submission or on the day when the decision regarding the possible assignment of rights to conclude a Contract is made, the Tenderer, member of a partnership (if the Tenderer is a partnership), a subcontractor whose share of work is equal to or exceeds 10% of the Contract price or a person on whose capabilities the Tenderer is relying have tax debts, including state mandatory insurance contributions debts, the total sum of which exceeds 150 euro, the procurement commission informs the Tenderer and sets a deadline – 10 days from the day of issuing or receiving information – for the submission of a certificate evidencing absence of tax debt or decision to prolong the deadline or postpone payment of the tax, an agreement on payment of the tax or other objective evidence proving absence of a tax debt.

If the Tenderer fails to submit required evidence about itself before the deadline, the procurement commission excludes the Tenderer from participation in the open competition.

Change of persons upon whose capabilities the Tenderer is relying or subcontractors whose share of work is equal to or exceeds 10% of the Contract price is performed in accordance with Sections 8.2 and 9.2 of the Regulations respectively.

In the event the Tenderer or partnership member (if the Tenderer is a partnership) fails to comply with requirements stipulated in Section 7.1 and has indicated this in the Proposal, upon request by the procurement commission it submits an explanation about the implemented measures in order to restore reliability and prevent occurrences of the same or similar violations in future, as well as attaches evidence which proves the implemented measures, such as but not limited to evidence about compensating damages, on cooperation with investigating authorities, implemented technical, organisational or personnel measures, an assessment of a competent authority regarding the sufficiency of the implemented measures etc. The procurement commission assesses such information. If the procurement commission deems the measures taken to be sufficient for the restoration of reliability and the prevention of similar cases in the future, it makes the decision not to exclude the Tenderer from participation in the open competition. If the measures taken are insufficient, the procurement commission makes the decision to exclude the Tenderer from further participation in the open competition procedure. If the Tenderer, within the indicated time, does not submit the requested information, the procurement commission excludes the Tenderer from participation in the open competition.

1. Decision making, Announcement of results and entering into a Contract

The procurement commission selects the Tenderers in accordance with the set selection criteria for Tenderers, verifies the compliance of the Proposals with the requirements stipulated in the Regulation and chooses the Proposal in accordance with the contract award criteria as described in Section 19 of the Regulations. The Tenderer whose Proposal shall receive the highest score shall be selected.

Within 3 (three) Working Days from the date of decision about the open competition results the procurement commission informs all the Tenderers about the decision made by sending the information by post or electronically and keeping the evidence of the date and mode of sending the information. The procurement commission announces the name of the chosen Tenderer, indicating:

to the refused Tenderer the reasons for refusing its Proposal;

to the Tenderer who has submitted an eligible Proposal, the characterization of the chosen proposal and the relative advantages;

the deadline by which the Tenderer may submit a complaint to the Procurement Monitoring Bureau regarding violations of the public procurement procedure.

If only 1 (one) Tenderer complies with all the Tenderer selection requirements, the procurement commission prepares and includes in the open competition procedure report a justification of the fact that the set requirements for tenderer selection are objective and commensurate. If the procurement commission cannot justify that the set requirements for tenderer selection are objective and commensurate, it makes the decision to terminate the public procurement procedure.

If the public procurement procedure is terminated, the procurement commission within 3 (three) Working Days simultaneously informs all Tenderers about all the reasons because of which the open competition procedure is terminated and informs about the deadline within which a Tenderer may submit an application regarding the violations of the public procurement procedure to the Procurement Monitoring Bureau.

The procurement commission, when informing of the results, has the right not to disclose specific information, if it may infringe upon public interests or if the Tenderer’s legal commercial interests or the conditions of competition would be violated.

As soon as possible, but not later than within 5 (five) Working Days from day when the decision about the results of the open competition is taken, the procurement commission prepares a report on the open competition procedure and publishes it on the E-procurement system’s webpage <https://www.eis.gov.lv/EKEIS/Supplier> and on Contracting Authority’s webpage <http://www.railbaltica.org/tenders/>.

**The selected Tenderer upon receiving the notification from procurement commission must:**

within 5 (five) Working Days submit cooperation or partnership agreement if required pursuant to requirements under Section 6.1.2 of the Regulations.

The Contract is concluded on the basis of the Tenderer's Proposal and in accordance with Annex No 9 of the Regulations.

The procurement commission has the right to choose the next most economically advantageous Proposal, if the Tenderer in the time stipulated by the Regulation:

refuses to conclude a partnership contract in the cases and deadlines defined by the Regulation, or in the cases and deadlines defined by the Regulation does not submit a copy of the partnership contractor does not inform of the founding of a partnership company;

refuses to conclude the Contract or does not submit a signed Contract within the deadlines defined in the Regulation.

Prior to making the decision regarding the conclusion of the contract with the next Tenderer, the procurement commission assesses whether the next Tenderer is one market participant together with the initially selected Tenderer. If the next selected Tenderer is found to be one market participant together with the initially selected Tenderer, the procurement commission makes a decision to terminate the open competition without selecting any Proposal. If the next chosen Tenderer also refuses to conclude the contract or does not submit a signed public procurement contract within the deadline set by the procurement commission, the procurement commission makes the decision to terminate the open competition without selecting any Proposal.

1. Annexes:
2. Application form on 2 (two) pages;
3. Detailed financial proposal form on 2 (two) pages;
4. Technical Specification on 21 (twenty-one) page;
5. Table “Entities on whose capabilities the Tenderer relies” on 1 (one) page;
6. Table “Subcontractors” on 1 (one) page;
7. Table “Confirmation of Tenderers Financial and Economic standing” on 1 (one) page;
8. Table “Experience of Tenderer” on 3 (three) pages;
9. Table “Experience of Key expert” on 4 (four) pages;
10. Draft Contract on 48 (forty-eight) pages.

**Annex No 1: Application**

[form of the Tenderer's company]

2019.\_\_\_.\_\_\_\_\_\_\_

No\_\_\_\_\_\_\_\_\_\_\_\_

**APPLICATION FOR PARTICIPATION IN THE OPEN COMPETITION**

**”Riga node operation optimization study”, ID No RBR 2019/9**

|  |
| --- |
|  |
| Name of the Tenderer or members of the partnership |
|  |
| Registration number of the Tenderer or members of the partnership |
|  |
| VAT payer registration number |
|  |
| Legal address |
|  |
| Actual address |
|  |
| Bank |
|  |
| Bank account (IBAN) |
|  |
| Bank code (SWIFT) |
|  |  |
| telephone number | e-mail |
|  |
| contact person: name, surname, position |

1. Confirms participation in the open competition “Riga node operation optimization study”No RBR 2019/9.
2. Proposes to deliver services in accordance with the Technical specification and this Proposal for the following price (excluding VAT):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. (If applicable): Informs that the following persons comply with the following exclusion grounds:

|  |  |
| --- | --- |
| Name of the entity (person) | Exclusion ground and brief description of the violation |
| [●] |  |
| [●] |  |
| [●] |  |

1. Confirms that the Regulation is clear and understandable, that it does not have any objections and complaints and that in the case of granting the right to enter into a contract it shall fulfil all conditions of the Regulation as well as enter into a procurement contract in accordance with the draft contract enclosed with the Regulation.
2. Confirms the period of validity of its Proposal for 3 (three) months from the day of opening of the Proposal.
3. Guarantees that all information and documents provided are true.
4. **We meet the criteria of (*please mark*):**

 a small  medium  other

sized enterprise[[13]](#footnote-14) as defined in the Article 2 of the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprise.[[14]](#footnote-15)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

Information about representation rights: *[reference to Statutes, attorney of law etc.]*

Annex No 2: DETAILED Financial Proposal

**For the open competition**

**“Riga node operation optimization study”** (Identification No RBR 2019/9)

| No | Position | Name | Hourly rate (excl. Vat), EUR | No of hours | Total fee (excl. VAT), EUR |
| --- | --- | --- | --- | --- | --- |
| **Inception report** |
| Proposed key experts: |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| Other experts (indicate all other experts which will be involved in the execution of the Contract, if any) |
| 5 |  |  |  |  |  |
| ... |  |  |  |  |  |
| **First interim report** |
| Proposed key experts: |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| Other experts (indicate all other experts which will be involved in the execution of the Contract, if any) |
| 5 |  |  |  |  |  |
| ... |  |  |  |  |  |
| **Second interim report** |
| Proposed key experts: |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| Other experts (indicate all other experts which will be involved in the execution of the Contract, if any) |
| 5 |  |  |  |  |  |
| ... |  |  |  |  |  |
| **Draft Final Report** |
| Proposed key experts: |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| Other experts (indicate all other experts which will be involved in the execution of the Contract, if any) |
| 5 |  |  |  |  |  |
| ... |  |  |  |  |  |
| **Final report** |
| Proposed key experts: |
| 1 |  |  |  |  |  |
| 2 |  |  |  |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |
| Other experts (indicate all other experts which will be involved in the execution of the Contract, if any) |
| 5 |  |  |  |  |  |
| ... |  |  |  |  |  |
| Travel costs:*[Note: Travel expenses will not be paid additionally, they must be calculated and included in other costs.]* |
| Total price of the contract (excl. VAT \_\_%) |  |
| VAT \_\_% |  |
| Total price of the contract including VAT \_\_% |  |

On the basis of the calculation above we hereby propose to perform the Services in accordance with the Technical Specification and the Contract for the contract price:

|  |  |  |  |
| --- | --- | --- | --- |
| **Proposed contract price (excl. VAT), EUR** | **VAT,** **%** | **VAT,****EUR** | **Total proposed contract price EUR (including VAT)** |
|  |  |  |  |

We confirm that this Financial Proposal includes all fees and costs related to the performance of the Services in accordance with the Technical Specification and the Contract. We confirm that fees and costs which are not indicated separately are included in one or another of the indicated fees and costs.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

Annex No 3: technical SPECIFICATION (please refer to a separate document)

TECHNICAL SPECIFICATION

FOR open competition

**“Riga node operation optimization study**”



Riga, 2019

Annex No 4: Entities on whose capabilities the tenderer relies

|  |  |  |
| --- | --- | --- |
| No | Name | Description of the capabilities |
| 1 |  |  |
| 2 |  |  |
| n+1 |  |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

Annex No 5: Subcontractors

|  |  |  |
| --- | --- | --- |
| No | Name of the sub-contractor | Sub-contracted tasks |
| **Description of the sub-contracted task** | **Amount, EUR (without VAT)** | **% from the proposed price** |
| **I** | **Total amount of the sub-contracted tasks is equal to or exceeds 10% from the proposed contract price** |  |  |  |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| n+1 |  |  |  |  |
|  |  |  |  |  |
| **Total:** |  |  |
| **II** | **Total amount of the sub-contracted tasks is smaller than 10% from the proposed contract price** |  |  |  |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| n+1 |  |  |  |  |
|  |  |  |  |  |
| **Total:** |  |  |
| **Total (I+II)** |  |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

Annex No 6: CONFIRMATION OF TENDERERS FINANCIAL STANDING

(7.3.(1)) The Tenderer’s or all members of the partnership together (if the Tenderer is a partnership and confirms the average financial turnover jointly), average financial turnover within the last 3 (three) financial years, i.e. 2016, 2017, 2018, is not less than 200 000,00 EUR (two hundred thousand euros).

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Year** | **Total Turnover in EUR** | **Notes** |
| Tenderer or member of the partnership (if the Tenderer is a partnership) |
| 1 | 2016 |  |  |
| 2 | 2017 |  |  |
| 3 | 2018 |  |  |
| **Average within last 3 (three) financial years** |  |  |
| *If the Tenderer is partnership, please continue and provide info regarding each member and partnership in total:* |
| 1 | 2016 |  |  |
| 2 | 2017 |  |  |
| 3 | 2018 |  |  |

(7.3.(2)) The Tenderer or member of the partnership (if the Tenderer is a partnership) on whose abilities the Tenderer is relying to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the contract and entity on whose abilities the Tenderer is relying to certify it`s financial and economic performance and who will be financially and economically responsible for the fulfilment of the contract, shall have stable financial and economic performance, namely, in the last audited financial year liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 and shall have positive equity.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of the Tenderer/member of partnership/entity \*

$$liquidity ratio=\frac{current assets}{short-term liabilities}=\\_\\_\\_\\_\\_\\_$$

$$equity ratio=total assets-total liabilities=\\_\\_\\_\\_\\_\\_\\_$$

*\*Please continue and provide information regarding each entity to which this requirement applies.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

Annex No 7: Experience of Tenderer

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No | Description of the services which characterize the required experience | Duration of the project and services(from\_\_\_to (month/year))  | Contract price (EUR\*, excl. VAT) | Contracting authority | Contact information for references |
| Within the previous 7 (seven) years (from 2012) until the date of submission of the Proposal the Tenderer has completed **at least 2 (two)** projects with minimum amount for each project at least EUR 100 000 (one hundred thousand euros) without VAT related to provision of consulting services for infrastructure optimization study for a railway node[[15]](#footnote-16), including software simulation of train operation timetable. The minimum parameters of the railway node are:* freight and passenger traffic;
* include one station having **at least 8 (eight) tracks with passenger platforms**: the station must not be terminus type of station;
* the number of trains arriving in the node should be **not less than 20 (twenty) trains during peak hour;**
* the number of the railway lines entering into the node must be no less than 4 (four).
 |
| Project title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |
| 1. | **Requirement** | **Tenderers description** |  |  |  |  |
| Consulting services for infrastructure optimization study for a railway node |  |
| Software simulation of train operation timetable |  |
| The minimum parameters of the railway node: |  |
| 1. freight and passenger traffic
 |  |
| 1. include one station having **at least 8 (eight) tracks with passenger platforms**: the station must not be terminus type of station
 |  |
| 1. the number of trains arriving in the node should be **not less than 20 (twenty) trains during peak hour**
 |  |
| 1. the number of the railway lines entering into the node must be not less than 4 (four).
 |  |
| Project title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |
| 2. | **Requirement** | **Tenderers description** |  |  |  |  |
| Consulting services for infrastructure optimization study for a railway node |  |
| Software simulation of train operation timetable |  |
| The minimum parameters of the railway node are: |  |
| 1. freight and passenger traffic
 |  |
| 1. include one station having **at least 8 (eight) tracks with passenger platforms**: the station must not be terminus type of station
 |  |
| 1. the number of trains arriving in the node should be **not less than 20 (twenty) trains during peak hour**
 |  |
| 1. the number of the railway lines entering into the node must be not less than 4 (four).
 |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the representative of the Tenderer*]
Position: [*position of the representative of the Tenderer*]

\* If the value of the contract is in another currency than euro, for the purposes of this proposal it should be recalculated in euro in accordance with the currency exchange rate published by the European Central Bank on the date of signing of this document.

Annex No 8: Experience of key expertS

|  |  |
| --- | --- |
| No | Expert’s role in team: **Team leader, Railway operation expert** Name, Surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Professional experience:**  |
| Project No.  | Employer, Project, Contracting authority | Period of employment or participation in the project (month/year – month/year) | **Description of the responsibilities** of the expert in the project, were the experience was gained according to required experience stated in Section 7.5. for respective expert | **Description of project** |
| * + - * 1. Expierence in the position of **project manager** within last 10 (ten) years of at least 2 (two) railway operational studies in different country
 | Implementation period(from-to) | Scope | Country | Contact information for references |
| 1. |  |  |  |  |  |  |  |
| 2. |  |  |  |  |  |  |  |
|  |  |  | * + - * 1. Experience in **development of operational plan** within last 10 (ten) years at least for **3 (three) railway stations** including:
				2. train movements to the adjacent stations
				3. having at least 12 (twelve) arrivals of trains per peak hour
 | Implementation period(from-to) | Scope | Country/Station | Contact information for references |
| 3. |  |  |  |  |  |  |  |
| 4. |  |  |  |  |  |  |  |
| 5. |  |  |  |  |  |  |  |

**English language skills[[16]](#footnote-17):**

|  |  |  |
| --- | --- | --- |
| Understanding | Speaking | Writing |
| Listening | Reading | Spoken interaction | Spoken production |
| *Enter level* | *Enter level* | *Enter level* | *Enter level* | *Enter level* |

Levels: A1/A2 - Basic user; B1/B2 - Independent user; C1/C2 - Proficient user.

I confirm that I have consented that my candidature is proposed in the open competition “Riga node operation optimization study”, Id. No. RBR 2019/9.

I confirm that in case the Tenderer [*name of the tenderer or members of the partnership*] will conclude the contract as the result of the open competition, I will participate in the execution of the contract.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the expert*]

|  |  |
| --- | --- |
| No | Expert’s role in team: **Railway infrastructure development expert** Name, Surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Professional experience:**  |
| Project No.  | Employer, Project, Contracting authority | Period of employment or participation in the project (month/year – month/year) | **Description of the responsibilities** of the expert in the project, were the experience was gained according to required experience in Section 7.5. for respective expert. | **Description of project** |
| **Requirements:**Experience in development of **railway infrastructure in urban agglomerations** comparable to Riga within last 10 (ten) years at least for 3 (three) railway nodes including[[17]](#footnote-18): | **Descriptio**n of the responsibilities of the expert in the project, were the experience was gained | Implementation period | Scope | Contact information for references |
| 1. |  |  | Development of stations, track layout and platforms |  |  |  |  |
| Development of intermodality with other modes of public transport |  |
| 2. |  |  | Development of stations, track layout and platforms |  |  |  |  |
| Development of intermodality with other modes of public transport |  |
| 3. |  |  |  |  |  |  |  |
| 4. |  |  | *Please add additional lines if required….* |  |  |  |  |

**English language skills[[18]](#footnote-19):**

|  |  |  |
| --- | --- | --- |
| Understanding | Speaking | Writing |
| Listening | Reading | Spoken interaction | Spoken production |
| *Enter level* | *Enter level* | *Enter level* | *Enter level* | *Enter level* |

Levels: A1/A2 - Basic user; B1/B2 - Independent user; C1/C2 - Proficient user.

I confirm that I have consented that my candidature is proposed in the open competition “Riga node operation optimization study”, Id. No. RBR 2019/9.

I confirm that in case the Tenderer [*name of the tenderer or members of the partnership*] will conclude the contract as the result of the open competition, I will participate in the execution of the contract.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the expert*]

|  |  |
| --- | --- |
| No | Expert’s role in team: **Railway traffic simulation expert** Name, Surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Professional experience:**  |
| Project No.  | Employer, Project, Contracting authority | Period of employment or participation in the project (month/year – month/year) | **Description of the responsibilities** of the expert in the project, were the experience was gained according to required experience in Section 7.5. for respective expert. | **Description of project** |
| **Requirements:**expierence within **last 10 (ten) years** in at least **3 (three) railway operational plan projects** covering both passenger and freight traffic modelling using railway infrastructure and traffic modelling software. | **Descriptio**n of the responsibilities of the expert in the project, were the experience was gained | Implementation period | Scope | Contact information for references |
| 1. |  |  | covering passenger and freight traffic |  |  |  |  |
| using railway infrastructure and traffic modelling software |  |
| 2. |  |  | covering passenger and freight traffic |  |  |  |  |
| using railway infrastructure and traffic modelling software |  |
| 3. |  |  | covering passenger and freight traffic |  |  |  |  |
| using railway infrastructure and traffic modelling software |  |

**English language skills[[19]](#footnote-20):**

|  |  |  |
| --- | --- | --- |
| Understanding | Speaking | Writing |
| Listening | Reading | Spoken interaction | Spoken production |
| *Enter level* | *Enter level* | *Enter level* | *Enter level* | *Enter level* |

Levels: A1/A2 - Basic user; B1/B2 - Independent user; C1/C2 - Proficient user.

I confirm that I have consented that my candidature is proposed in the open competition “Riga node operation optimization study”, Id. No. RBR 2019/9.

I confirm that in case the Tenderer [*name of the tenderer or members of the partnership*] will conclude the contract as the result of the open competition, I will participate in the execution of the contract.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the expert*]

|  |  |
| --- | --- |
| No | Expert’s role in team: **1520 mm signalling expert** Name, Surname\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Professional experience:**  |
| No.  | Employer, Project, Contracting authority | Period of employment or participation in the project (month/year – month/year) | **Description** of the responsibilities of the expert, were the experience was gained (At least 5 (five) years experience in the period of last 15 (fifteen) years as:* 1520 mm signalling expert for design or design supervision for 1520 mm railway signalling systems, **or**
* as main 1520 signalling expert working for 1520 mm railway infrastructure manager)
 | Contact information for references |
| 1. |  |  |  |  |
| … |  |  |  |  |

**English language skills[[20]](#footnote-21):**

|  |  |  |
| --- | --- | --- |
| Understanding | Speaking | Writing |
| Listening | Reading | Spoken interaction | Spoken production |
| *Enter level* | *Enter level* | *Enter level* | *Enter level* | *Enter level* |

Levels: A1/A2 - Basic user; B1/B2 - Independent user; C1/C2 - Proficient user.

I confirm that I have consented that my candidature is proposed in the open competition “Riga node operation optimization study”, Id. No. RBR 2019/9.

I confirm that in case the Tenderer [*name of the tenderer or members of the partnership*] will conclude the contract as the result of the open competition, I will participate in the execution of the contract.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date: [*date of signing*]
Name: [*name of the expert*]

Annex No 9: Draft contract (please refer to a separate document)

1. **Offshore**: low tax or tax-free country or territory in accordance with Corporate income tax law of the Republic of Latvia except Member States of EEA (European Economic Area) or its territories, Member States of the World Trade Organization Agreement on State Treaties or territories and such countries and territories with which European Union and Republic of Latvia has international agreements for open market in public procurement area. [↑](#footnote-ref-2)
2. [2] Ibd. [↑](#footnote-ref-3)
3. **Node:** complex railway configuration, which include stations, tracks, junctions, bridges, tunnels, service and maintenance facilities to serve cargo and passenger flows in a geographical location, typically a city. [↑](#footnote-ref-4)
4. Key experts cannot serve several roles. [↑](#footnote-ref-5)
5. See <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr> [↑](#footnote-ref-6)
6. Requirements could be covered by different projects. [↑](#footnote-ref-7)
7. Technical proposal shall not be formed on the rewrited requirements from the Technical specification, but shall provide the clear Tenderer‘s approach to fulfill the requirements of Technical specification and contract conditions. [↑](#footnote-ref-8)
8. **Outstanding** here and elsewhere means a detailed and well-structured description comprising features which exceeds the required quality and performance set out in the Technical specification, with many, and/or additional to the ones mentioned in the Technical specification, alternatives analysed, options are substantiated including by taking into account the particular tasks of this particular project. [↑](#footnote-ref-9)
9. **Good** here and elsewhere means a detailed and well-structured description comprising features which fully meets the required quality and performance set out in the Technical specification. [↑](#footnote-ref-10)
10. **Satisfactory** here and elsewhere means a description, which generally meets the required quality and performance set out in the Technical specification but with some minor issues negatively deviating from the Technical specification and limited additional analysis or substantiation including by taking into account the particular tasks of this particular project. [↑](#footnote-ref-11)
11. **Poor** here and elsewhere means a description, which partly meets the required quality and performance set out in the Technical specification but with some significant issues negatively deviating from the Technical specification and limited analysis or substantiation including by taking into account the particular tasks of this particular project. [↑](#footnote-ref-12)
12. **Insufficient** here and elsewhere means a description, which does not meet the required quality and performance set out in the Technical specification in some areas but with some major issues negatively deviating from the Technical specification and very limited or no additional analysis or substantiation including by taking into account the particular tasks of this particular project. [↑](#footnote-ref-13)
13. The information on the size of the Tenderer is used solely for statistical purposes and is not in any way whatsoever used in the evaluation of the Tenderer or the Proposal. [↑](#footnote-ref-14)
14. Available here - <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2003.124.01.0036.01.ENG&toc=OJ:L:2003:124:TOC> [↑](#footnote-ref-15)
15. **Node**: complex railway configuration, which include stations, tracks, junctions, bridges, tunnels, service and maintenance facilities to serve cargo and passenger flows in a geographical location, typically a city. [↑](#footnote-ref-16)
16. Language skill level is based on Common European Framework of Reference for Languages (see <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr>) [↑](#footnote-ref-17)
17. Both requirements could be covered by different projects (in that case indicate respective subrequirement) [↑](#footnote-ref-18)
18. Language skill level is based on Common European Framework of Reference for Languages (see <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr>) [↑](#footnote-ref-19)
19. Language skill level is based on Common European Framework of Reference for Languages (see <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr>) [↑](#footnote-ref-20)
20. Language skill level is based on Common European Framework of Reference for Languages (see <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr>) [↑](#footnote-ref-21)