

## “Detailed Technical Design Review and Design Expertise Services for *Rail Baltica*”

### Extract of minutes of the meeting with the interested Suppliers

Rīga, 28 June 2019

In accordance with Section (2), Article 18 of Public Procurement Law of Latvia, Contracting authority RB Rail AS, the main coordinator of the *Rail Baltica* project, organizes meeting with the interested Suppliers (hereinafter – Suppliers or the market) for the upcoming procurement for Detailed Technical Design Review and Design Expertise Services for Rail Baltica project, in order to analyse the market with a purpose to decide on procurement strategy and the scope of works.

**Meeting opening at 13.00.**

**Meeting organized by** RB Rail AS, registration number 40103845025, registered address: K. Valdemāra iela 8-7, Rīga, LV-1010, Latvia.

**Venue of the meeting:** RB Rail AS office, address: K. Valdemāra iela 8-7, Rīga, LV-1010, Latvia.

#### **Meeting participants:**

Kaupo Sirk – Head of Civil works and Stations, RB Rail AS;  
Ēriks Diļevs – Roads and Utilities Team Leader, RB Rail AS;  
Baiba Ūbele – Procurement Specialist, RB Rail AS;  
Suppliers’ authorized representatives (annex No 1).

#### **Agenda:**

1. Introduction of the meeting rules;
2. Presentation of Detailed Technical Design Review and Design Expertise Services for *Rail Baltica* project;
3. Questions and answers regarding presented topics.

#### **The course of meeting:**

1. Suppliers sign and submit declarations of participation in the meeting;
2. Baiba Ūbele introduces to the meeting rules;
3. Kaupo Sirks’ and Ēriks Diļevs’ presentation (annex No 2);
4. Topics of discussion during questions and answers session and provided responses:

No	Topic	Responses / Explanations
1.	Capability of necessary experts to cover required scope of works for all design sections for each country.	<p>Indication from the market – not all local experts necessary for the provision of the services are / or will be available in the local market, thus the international market shall be engaged.</p> <p>Indication from the market - qualification requirements (experience) for experts shall be reasonable and in line with the subject-matter.</p> <p>Indication from the market on possible difficulties to comply with requirements for specific experience, e.g., experience related to railway design project with a certain length (km) of the designed section in combination with 1435 mm gauge railway.</p> <p>Indication from the market on possible difficulties to comply with requirements for the time frame for the experience gained within the last 7 – 10 years, considering the lack of similar projects completed within the last 10 years.</p>
2.	Estimated contract price.	<p>Indication from the market that approximate percentage from the Design fees for the Design expertise could be 10% of the Design fee, however, it depends on various aspects (scope of works, country, human resources necessary to be involved (foreign, local experts) etc.) and thus can vary. Estimated contract price is directly linked to the scope of works, therefore it cannot be precisely determined at the moment.</p> <p>Indication from the market on possible difficulties to calculate the price per kilometer as the quality of outcome (design) (and thus the total/final amount of work as well) is unknown yet, thus received suggestion from Supplier to apply the hourly rate. However, opinions on applying price per kilometer or the hourly rate differs within the market.</p> <p>Indication from the Contracting authority - Estimated contract price named during the meeting shall not be considered as final and can differ before launching the procurement.</p> <p>Indication from the Contracting authority on the background of possible approach for the price per kilometer: Design services shall be delivered in proper quality and services will be accepted by the Contracting authority only in case the services are provided in accordance with all requirements set in Agreement. Contracting authority is limited in its in-</p>

		<p>house human resources, it has strict budget and time-line, thus Contracting authority sees the approach of having the price per kilometer more reasonable and manageable. Approach is closely linked to the provision of the Detailed technical design services (split in Design sections, Design priority sections and construction objects).</p>
3.	<p>Time-period necessary for foreign experts to get certified / attested for required fields of expertise.</p>	<p>Indication from the market that the main issue could be related to the certification in general, considering requirements (e.g. for high-speed, 1435 mm gauge and TSI verified railway).</p> <p>Indication from the market that there are two levels of certification: Project specific certification (not a lifelong certification) and full-time certification.</p> <p>Indication from the market that not all experts' qualification shall be attested/certified (necessity for certification according to the national legislation).</p> <p>Indication from the Contracting authority regarding the certification necessary for the experts: According to the current Construction regulations in the Republic of Latvia, experts who will sign the experts' statement should hold a certificate and foreign experts can obtain local temporary certificate after proving previous experience, education and passing the examination.</p> <p>Indication from the Contracting authority – certification/attestation necessary for the experts and/or company to provide services in the respective country where the services shall be provided, will be requested before the provision of the services and only for the company awarded with the contract signing rights (not during the procurement phase for all Tenderers).</p>
4.	<p>Possible approach on dividing procurement in 3 lots (1 lot per each country (Latvia, Lithuania, Estonia) with several design sections in each lot.</p>	<p>Indication from Supplier that by including several design sections in one lot and thus having one contract per country, Suppliers' responsibilities will be too high to take charge of all 4 design sections, considering that in accordance with legislation of the Republic of Latvia Design expertise provider has the sole responsibility. However, opinions within the market differs.</p> <p>Indication from the Contracting authority on the background of possible approach for including several design sections in one lot (or in one procurement) per each country: From the project management (e.g. resource planning, considering limited in-house human resources,</p>

		demanding project time schedule, quality assurance, cost and time saving perspective) and global project implementation perspective Contracting authority sees this as the most efficient way to manage the procurement and contract.
5.	Type of procurement procedure.	Indication from the market to apply two stage procurement where only the qualified Tenderers are invited to submit their proposals.
6.	Construction supervision.	Indication from the Contracting authority, that this topic is not directly linked with the scope of the upcoming procurement.
7.	Scope of works.	Indication from the Contracting authority, that detailed requirements and scope of works will be developed and defined only in the procurement documentation. Nevertheless, the Tenderer shall use its professional experience and get acquainted with respective legislation of the Republic of Latvia.
8.	Time period for the Design Review and Expertise services.	Indication from the market is to give enough time for the Design Review (longer than the 30-40 days).

5. There are no other agenda items to discuss, therefore Baiba Ūbele declares to close the Meeting with the Suppliers.

**Meeting closed at 15.30.**

Statement:

1. Please note that the information provided in these Minutes of the meeting shall not be treated as a part of any requirements and is provided only for the information reasons in order to analyze the market with a purpose to decide on procurement strategy, develop the scope of works and establish requirements for the upcoming procurement. Procurement documentation will be established by Procurement commission and procurement launched in accordance with the Public Procurement Law of the Republic of Latvia and requirements included in the procurement documentation can differ from the information provided during the meeting.
2. Please note, that some information may not be precisely reflected in these Minutes or may not be reflected at all. In addition, summarized version of additional information received via e-mail is included in the Minutes of the meeting.

Enclosed:

1. Suppliers' declarations of participation on [...] pages [Not to be disclosed];
2. Ēriks Diļevs' and Kaupo Sirks' presentation on 14 pages.