

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

Extract of minutes of the meeting with the interested Suppliers

Tallinn, 3 July 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, organises meeting with the interested Suppliers (hereinafter – Suppliers and/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: Endla 16 (2nd floor), Tallinn, Estonia.

Meeting participants:

Kaupo Sirk – Head of Civil works and Stations, RB Rail AS;
Ēriks Diļevs – Roads and Utilities Team Leader, RB Rail AS;
Marko Toode – Roads Engineer, RB Rail AS;
Kaur Laansalu - Technical Project Manager, 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 Sirk’s and Ēriks Diļev’s presentation (annex No 2);
4. Topics of discussion during question and answers session and provided responses:

No	Topic	Responses / Explanations
1.	Capability of necessary experts to cover required scope of work for all design sections for each country.	<p>Indication from the market - not all of experts necessary for the provision of the services are/will be available in the local market, thus the international market shall be engaged.</p> <p>Indication from the market - qualification requirements for experts shall be reasonable and in line with the subject-matter.</p> <p>Indication from the market regarding the necessity to set clear/explicit definitions of the experts to be proposed (role, responsibilities, qualification etc.).</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 years.</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>
2.	Estimated contract price.	<p>Indication from the market – estimated contract price depends on various aspects (country, human resources necessary to be involved (foreign, local experts) etc.).</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-house human resources, it has strict budget and timeline, thus Contracting authority sees the approach of having the price per kilometer more reasonable and easier to manage. Approach is closely linked to the provision of the Detailed technical design services (split</p>

		in Design sections, Design priority sections and construction objects).
3.	Time period necessary for foreign experts to get certificates for required fields of expertise attested/certified.	Indication from the market – time period necessary depends on certification obtained (in case European certificates, attestation will be done quicker, in case certification from the third countries, attestation can take more time), however, the market does not see attestation/certification as an obstacle delaying the provision of the services in Estonia.
4.	Design Guidelines, BIM requirements, Safety requirements.	<p>Indication from the Contracting authority regarding Design Guidelines: Design Guidelines is the main set of documents developed for Rail Baltica project defining the technical parameters of the railway to be designed. It is also the main document against which the Consultant shall verify the Design. In addition to Design Guidelines the Consultant shall check Design against Technical Conditions and Design Conditions issued by the Affected Parties and the Authorities. All before named will be made available for the Consultant during the procurement process.</p> <p>Indication from the Contracting authority regarding certification: In Estonia the competence is proved based on the natural person who shall be certified according to European Qualification Framework. For company to rely on the natural persons competence then the natural person must be registered as specialist under companies name in Register of Economic Activities of Estonia.</p> <p>Indication from the Contracting authority regarding scope of the Design: The current scope of the Design on which the Consultant shall provide his Review and Expert services comprises from design for Civil Engineering works such as railway substructure, railway superstructure, railway bridges, separated grade crossings, ecoducts etc. Even that the design does not include electrification and ICT solutions in detail solutions in conceptual level will be developed to avoid problems in the future when developing of those designs in future. Thus, also the Consultant is expected to assess the conceptual designs to confirm that they allow future development of the designs without necessity to re-design Civil Engineering Detailed Technical Designs.</p> <p>Indication from the Contracting authority regarding BIM: In Estonia the legislation does not regulate BIM requirements neither is there Authority who is tasked with national supervision of BIM related topics.</p>

		<p>Indication from the Contracting authority regarding Safety requirements: The main guiding documents to ensure safety of the railway are Design Guidelines (DG) and Technical Specifications for Interoperability (TSIs) to which design compliance must be verified. The Contracting Authority will also employ Notified Body (NoBo) already during Design phase of the Project to help assuring the compliance with TSIs. It is expected the Consultant to co-operate with NoBo closely during the implementation of its Services. In addition, it is expected that Consultant will use its expertise to assure best engineering practices are implemented in the Design. Contracting Authority is also developing its RAMS (Reliability, Availability, Maintainability, and Safety) strategy and systems to ensure highest care is ensured.</p>
5.	Language of the deliverables and time period for review of the deliverables.	<p>Indication from the Contracting authority regarding language of the deliverables: It is expected that the final deliverables will be delivered in both, Estonian and English, at the moment. However, detailed information regarding language requirements will be included in the Technical specification of the upcoming procurement.</p> <p>Indication from the Contracting authority regarding the time period for the review of deliverables: It is expected to foresee 40 calendar days for the first review of the deliverable, and it is expected to have several reviews. However, exact time and requirements will be developed and included in the procurement documentation.</p>
6.	Insurance requirements.	<p>Indication from the market that insurance requirements should be reasonable and in line with the subject-matter and estimated contract price and should not exceed 1 (one) million euros (in comparison with the current estimated contract price).</p>
7.	Possible conflict of interests.	<p>Indication from the Contracting authority: Contracting authority is not in a position to foresee and name all the possible situations of conflict of interests what could arise during the procurement process or fulfilment of the procurement contract, or to provide any response on the matter, including to foresee the influence of any upcoming obstacles. Nevertheless, Expertise service provider shall ascertain and ensure the absence of conflict of interests already before submitting the proposal and act in accordance with legislation of the respective country where the services will be provided. Each such case raised shall be reviewed separately and in accordance with legislation of the respective country.</p>

8.	Possible approach on dividing procurement in 3 lots (1 lot per each country (Latvia, Lithuania, Estonia) with several design sections in each lot.	Indication from the market that including several (e.g. three) design sections in one lot (or one procurement) and thus having one contract, is acceptable for the market and costs would be lower than having several contracts. 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, 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.
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5. There are no other agenda items to discuss, therefore Baiba Ūbele declares to close the Meeting with the Suppliers.

Meeting closed at 14.30.

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 (fourteen) pages.