

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

Extract of minutes of the meeting with the interested Suppliers

Vilnius, 2 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: Novotel hotel, Gedimino pr.16, Vilnius, Lithuania

Meeting participants:

Kaupo Sirk – Head of Civil works and Stations, RB Rail AS;
Ēriks Diļevs – Roads and Utilities Team Leader, RB Rail AS;
Evaldas Katkus – Roads and Utilities Engineer, 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	Response
1.	Capability of necessary experts to cover required scope of work for all design sections for each country	<p>Indication from the market (Suppliers) - not all of experts necessary for the provision of the services are/will be available in the local market, thus the international market should be engaged.</p> <p>Indication from the market - qualification requirements for experts shall be reasonable and in line with the subject-matter. Indication from the market to consider the aspect that in some countries there are no specific requirements for the provision of expertise services, thus experience in e.g. the design can be considered as sufficient.</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>
2.	Estimated contract price for the design fee	<p>Indication from the market – Estimated contract price is directly linked to the scope of works and thus cannot be precisely determined at the moment. Estimated contract price depends on various aspects (scope of works, country, human resources necessary to be involved (foreign, local experts) etc.).</p> <p>Indication from the market – Estimated contract price should be indicated in the procurement documentation in order not to be exceeded.</p> <p>Indication from the Contracting authority - Estimated contract price named during the meeting shall not be considered as final and can differ while 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 time-line, 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 in Design sections, Design priority sections and construction objects).</p>

3.	Evaluation criteria	<p>Indication from the market – Technical proposal should be evaluated as part of Evaluation criteria for the Tenderers.</p> <p>Indication from the Contracting authority - Establishment of Evaluation criteria is Procurement commission`s responsibility and decision shall be made only within the Procurement commission.</p>
4.	Time period necessary for foreign experts to get certificates for required fields of expertise attested/certified	<p>Indication from the market that attestation process can last from two to three months (approximately), however, it depends on the respective certificate, experience and each countries` legislation.</p> <p>Indication from the Contracting authority, that 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>
5.	Design Guidelines, Safety requirements	<p>Indication from the Contracting authority regarding Safety requirements:</p> <p>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> <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>

6.	Liabilities	Indication from the Contracting authority: The Expertise provider shall be responsible for timely and efficient contract implementation pursuant to applicable national laws, regulations and standards, and pursuant to contract conditions.
7.	Geological investigations	Indication from the Contracting authority: The Expertise service provider shall check if the Designer has considered Geological investigation report results into the proposed Design solutions.
8.	Reliance on the capabilities of other persons / companies	Indication from the Contracting authority: The Tenderer has the rights to rely on the capabilities of other persons and involve subcontractors (legal or natural persons (companies, experts etc.)) in order to comply with qualification requirements or to provide the services).
9.	Possible conflict of interests	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.
10.	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 design sections in one lot (or one procurement) and thus having one contract, is acceptable for the market and costs would be lower than managing 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.

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

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 (fourteen) pages.