

Riga

25.02.2020

Our Ref: 1.13p/LV-54

Answers to the questions provided by the Tenderers in the open competition „Detailed technical design review and design expertise services for Rail Baltica in Estonia”, Id No RBR 2019/14

RB Rail AS presents the following answers to the questions from the Tenderers:

No	Questions	Answers
1.	Regulations 15.1: extension 1 month.	Hereby Procurement commission informs that it has made a decision to extend the date for submission of proposals. The time for submission of proposals will be extended till 23.03.2020. Please follow up the information provided in the E-Tender system and RB Rail AS webpage.
2.	Regulations & Annex 3, 7.2: Could you confirm that the key experts have to be qualified in relevant area to provide Design Expertise Services in accordance with European Qualification Framework and not have necessary certificates or/and other legal recognition documents in accordance to the Estonia legislation ? There is discrepancy between the § 6.2 and the table 5 (Annex 3 : Technical specification) and the document 7. Regulations with amendments §7.2.	<p>Procurement commission kindly explains that in accordance with Section 7.5. of the open competition Regulations Key experts named in the Section 7.5. of the open competition Regulations shall have professional qualification/education according to the Country's (Country, where the qualification/education has been obtained) legislation for the provision of respective services in the field of his/her expertise (if necessary, by the respective Country's legislation).</p> <p>Thus, in case the Tenderer involves foreign Key experts (e.g. in case the qualification/education has been obtained outside Estonia) <u>in order to participate in the open competition (during the procurement stage), it is not mandatory for such experts to be certified / qualified or have respective education obtained in accordance with Estonian legislation.</u> Such foreign experts shall only have professional qualification/education obtained according to the Country's (Country, where the qualification/education has been obtained) legislation, in order to participate in the procurement.</p>

		<p>In accordance with Clause 6.1.5., 6.2., 6.3. and 6.5. of the Technical Specification of open competition Regulations, for the provision of the Design Expertise Services, <u>in case the Tenderer is awarded with the contract signing rights, the Tenderer shall follow requirements established in Technical Specification (Table No 5 "Key-Experts" and Table No 6 "Required non-exhaustive Additional Experts") and experts professional competence (qualification) shall be acknowledged by the respective Estonian authorities in accordance with the respective legislation of Estonia</u> for experts proposed for the provision of the Design Expertise Services during the fulfilment of the contract, as required.</p> <p>As regards discrepancies, Procurement Commission does not find any discrepancies between Clause 6.2. -table 5 "Key-Experts" of the Technical Specification and Section 7.2. "Legal standing and suitability to pursue the professional activity" of the Regulations.</p> <p>If assuming that the Tenderer considers that there are discrepancies between Section 7.5. of the open competition Regulations and Technical Specification documentation, Procurement commission notes that there are no discrepancies between both documents and requirements as Section 7.5. defines requirements to be fulfilled for participation in the procurement (during the procurement stage) and in Technical specification – for the contract fulfilment.</p>
3.	<p>Due to complexity of the tender and large amount of large amount of documentation which needs to be prepared, we kindly ask to postpone the submission deadline for 2 weeks.</p>	<p>Hereby Procurement commission informs that it has made a decision to extend the date for submission of proposals. The time for submission of proposals will be extended till 23.03.2020. Please follow up the information provided in the E-Tender system and RB Rail AS webpage.</p>

Document is approved by Procurement commission's decision made on 25 February 2020, Session minutes No 8, and is valid without signature.