

Rīga

07.05.2020

Our Ref: 1.13p/LV-109

Answers to the questions from the interested suppliers No 2

RB Rail AS presents the following answers to the questions received within open *competition* **“Expert services for Rail Baltica Global Project”** ID No RBR 2020/8 until 05 May 2020 from the interested suppliers:

No	Questions	Answers
1.	Ad annex No.4: Can the project references be understood as company-related as well as expert-related? In other words: Does a project reference count if it was carried out by our expert who works in our company but has implemented the project in his previous career?	Procurement commission clarifies that experience of the tenderer (company) is not the same as the experience of the expert. <u>The tenderer may rely on the capabilities (including previous experience) only in case, if this expert has gained experience as a contracting entity (was legally responsible for the fulfilment of the contract under which respective experience was gained) and will be involved in the provision of expert services as a member of a partnership (consortium) or as subcontractor.</u> If the expert has gained experience as an employee or is continuing his professional career as an employee, previous experience can't be transmitted in this case. Please be aware that experience for the experts involved in the provision of specific expert services will be asked before launch of particular assignment order after framework agreement will be concluded with the winners of this competition. Tenderer is free to choose resources and type of legal bounds how to enter for competition.
2.	Ad annex No.4: We have understood that at this stage only descriptions of the project references are requested as the document states that <i>annexes attached by the Tenderer are on its own discretion</i> . Our assumption therefore is that at this stage no additional documents are mandatory. Is our understanding correct?	Procurement commission would like to refer to Clause 8.5. where stated, that “... Technical and professional ability (Section 8.4 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 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 Regulations.

3.	<p>Ad annex No.2 (page 46): The table in chapter 3 asks for “Max. Expert Hourly rate”.</p> <ul style="list-style-type: none"> ○ Is it possible to indicate a separate hourly rate for subcontractors? ○ As most lots ask for different experts within the lot we would like to know if the hourly rate has to be the same for each expert in this lot or if the different roles can have different rates (e.g. a different rate for the EIA expert and the archaeological expert in Lot 1)? 	<p>Procurement commission clarifies, that according to Clause 11.2. of Regulations the Tenderer shall indicate only one maximum hourly rate for each lot. Other rates shall not be indicated.</p> <p>Please note, that after contract award and during direct award or mini-competition procedures for the fulfilment of the specific tasks maximum hourly rate may be decreased according to specific task and team of experts involved in the provision of services. There are not planned to ask for different rates.</p>
4.	<p>We are part of a wider group of companies within the Rail industry, can you please confirm if we are successful on this tender, will it affect our wider group from bidding for future contracts of work later for RB?</p>	<p>Procurement commission clarifies, that successful bidding in this competition will not exclude supplier or wider group of companies which are connected with particular supplier from bidding for future RB Rail AS procurements.</p> <p>Please note, that Potential risk of conflict of interests will be assessed before launch of each assignment order. Please pay your attention also to Clause 4.9. of Draft Framework Agreement (Annex No 5 of Regulations) explaining also Conflict of Interest matters. (please see <i>“Answers to the questions from the interested suppliers No 1” dated on 29.04.2020 Answer given to question No.1.</i>)</p>
5.	<p>LOT 1 We cannot see reference to a requirement for Strategic Environmental Assessment (SEA) in the list of services, however, we are required to provide two examples of SEA within the last five years - can you please clarify if this is a requirement or not? Thank you.</p>	<p>Procurement commission clarifies, that fields of expertise are described in general manner and there could be more specific tasks of services related to Environmental field of expertise, including Strategic Environmental impact assessment issues as well. As described in clause 8.4. (Technical and professional ability) of Regulations <i>“The Tenderer for Lot (or Lots) applied has meet the minimum qualification requirements as stated in the Annex No 4,</i> meaning for Lot 1 minimum qualification requirements are the following: The Tenderer within the previous 5 (five) years (including year 2020 till the submission of the proposal) has completed at least 2 (two) EIA (Environmental Impact Assessment) and 2 (two) SEA (Strategic Environmental Assessment) procedures. One of the EIA procedures must be performed in transport sector (railway, roads etc.)</p>

6.	<p>In relation to the requirements under Lot 12 Transport modelling and Economics the requirements read:</p> <ol style="list-style-type: none"> 1. The Tenderer within the previous 5(five) years has gained experience in at least 2 projects in relation with transport demand modelling (e.g. urban mobility, railway demand forecast, intramodality planning, stated preference surveys). 2. The Tenderer within the previous 5 (five) years has gained experience in at least 2 projects in relation with economic studies (e.g. urban regeneration and planning, regional development, competition and regulation economics). <p>Does a Tenderer need to satisfy "1 or 2" or "1 and 2"?</p>	<p>Procurement commission clarifies that Tenderer should satisfy both – 1 and 2 -qualification requirements.</p>
7.	<p>Concerning offer process for “Expert services for the Rail Baltica Global Project, RBR 2020/8”, we have couple of general questions related to procurement lots and their specific requirements.</p> <p>We noticed that there isn’t own procurement lot for construction management services and supervision. However, quite a number of procurements lots required that expertise.</p> <p>Do You value or is there a role for an independent rail infrastructure construction expert service providers in procurement lots’ expert teams?</p> <p>Alternatively could You think of adding own procurement lot for construction management and supervision expertise?</p>	<p>Procurement Commission clarifies that Lot No 2 includes railway track and superstructure construction related consultancy services. Please take a note that subject matter of this open competition doesn’t intend pure railway construction management or supervision services.</p> <p>Although Procurement Commission is not in charge to clarify issues on overall procurement strategy matters of Rail Baltica Global Project, please be informed for Rail Baltica project procurement plan for year 2020 - available here: https://www.railbaltica.org/procurements/.</p> <p>Technical supervision services will be procured out of scope of this open competition.</p> <p>Please follow up to latest procurement news on website https://www.railbaltica.org/tenders/# or apply for procurement news on website: https://www.railbaltica.org/tenders/#.</p> <p>Additional Procurement Lots will not be added.</p>

Procurement Commission Chairman

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