

REGULATIONS

FOR THE OPEN COMPETITION

EXPERT SERVICES FOR RAIL BALTICA GLOBAL PROJECT

(IDENTIFICATION NO RBR 2020/8)

With amendments from 18.05.2020



**Co-financed by the Connecting Europe
Facility of the European Union**

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1. ABBREVIATIONS AND TERMS

- 1.1. **Common procurement vocabulary (CPV)** – a nomenclature approved by the European Union which is applied in public procurement procedures;
- 1.2. **Framework Contract** - signed agreement between Contracting authorities and a Contractors (service providers) to provide services defined in this agreement;
- 1.3. **Centralised procurement body** - the joint stock company **RB Rail AS**, registration number **40103845025**, legal address: **Kr. Valdemāra iela 8-7**, Riga, LV-1010, Latvia;
- 1.4. **Contracting authority/ies** (also the Contracting entity/ies) -
 - 1.4.1. The joint stock company **RB Rail AS**, registration number 40103845025, legal address: **Kr. Valdemāra iela 8-7**, Riga, LV-1010, Latvia;
 - 1.4.2. **Eiropas Dzelzceļa Līnijas SIA**, registration number 40103836785, legal address Gogoļa iela 3, Rīga, LV 1050, Latvia;
 - 1.4.3. **Rail Baltica Estonia OU**, registration number 12734109, legal address Endla 16, 10142 Tallin, Estonia.
- 1.5. **Contractor** - service provider awarded the right to enter into the Contract in Open competition to provide services in accordance with requirements stipulated in Regulations and Contract;
- 1.6. **Open competition** (also the Procurement) - a procurement procedure” (identification number: RBR 2020/8) in which all interested Suppliers are entitled to submit their Proposals;
- 1.7. **Procurement commission** – commission the composition of which has been established by the joint stock company RB Rail AS, order No 1.9-6 dated 24 March 2020, issued by the Management Board of joint stock company RB Rail AS;
- 1.8. **Proposal** - documentation package the Tenderer submits to participate in the Open competition;
- 1.9. **Regulations** – regulations of the Open **competition** “Expert services for Rail Baltica Global Project” (identification number: RBR 2020/8), as well as all the enclosed annexes;
- 1.10. **Supplier** – a natural person or a legal person, a group or association of such persons in any combination thereof which offers to perform works, supply products or provide services accordingly;
- 1.11. **Tenderer** – a Supplier which has submitted a Proposal.

2. GENERAL INFORMATION

- 2.1. The identification number of the Open Competition is No RBR 2020/8
- 2.2. The Open competition is co-financed by the Contracting authority and Connecting Europe Facility (CEF).
- 2.3. Open competition is organized in accordance with the Public Procurement Law of the Republic of Latvia (hereinafter – Public Procurement Law) in effect on the date of publishing the contract notice.
- 2.4. Open competition is carried out using E-Tenders system (<https://www.eis.gov.lv/EKEIS/Supplier>) which is subsystem of the Electronic Procurement System (<https://www.eis.gov.lv/EIS/>).
- 2.5. The Regulations is freely available on Contracting authority's **profile in the E-Tenders** system at webpage <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and the webpage of the Contracting authority <http://railbaltica.org/tenders/>.
- 2.6. **Amendments to the Regulations and answers to Suppliers' questions shall be published on Contracting authority's profile in the E-Tenders system at webpage**

<https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and the Contracting authority's webpage <http://railbaltica.org/tenders/>. **It is the Supplier's responsibility to constantly follow** the information published on the webpages and to take it into consideration in preparation of its Proposal.

- 2.7. Contact person of the Contracting authority for Open competition is Procurement specialist, **Baiba Gulbe**, telephone: +371 29434266, e-mail address: baiba.gulbe@railbaltica.org.
- 2.8. The exchange of information between the Procurement commission and the Supplier shall be in writing (by sending documents electronically via e-mail or using E-Tenders system) in English (if information is submitted in Latvian, it shall be accompanied by a translation into English).
- 2.9. If the Supplier does not have access to the E-Tenders system, the Supplier shall follow the guidance for obtaining access to the system available on the Contracting authority's website at <http://www.railbaltica.org/procurement/e-procurement-system/>.
- 2.10. The Supplier can request additional information regarding the Regulations. Additional information can be requested in writing via the E-Tenders system or (in case the Supplier does not yet have access to the system) by sending it to the Procurement commission electronically via e-mail (see Section 2.7 of the Regulations). Any additional information must be requested in a timely fashion, so that the Procurement commission can reply on time - no later than 6 (six) days prior to the deadline of the Proposal submission. The Procurement commission shall provide response within 5 (five) business days from the day of receipt of the request from the Supplier.
- 2.11. The Supplier covers all expenses which are related to the preparation of the Proposal and its submission to the Contracting authority. Under no circumstances will the Contracting authority be liable for compensation of any costs and damages related to the preparation and submission of the Proposal (including, *inter alia*, costs associated with any site visits) or the **Supplier's participation in the** Procurement exercise.

3. THE RIGHTS OF THE PROCUREMENT COMMISSION

- 3.1. The Procurement commission has the rights to demand at any stage of the Open competition **that the Tenderer submits all or part of the documents which certify Tenderer's compliance to** the requirements for the selection of Tenderers. The Procurement commission does not demand documents or information which is already at its disposal or is available in public data bases.
- 3.2. If the Tenderer submits document derivatives (e.g. copies), then, in case of doubt about the authenticity of the submitted document derivation, the Procurement commission can demand that the Tenderer shows the original documents.
- 3.3. In the course of Proposal assessment, the Procurement commission has the right to demand that the included information is clarified.
- 3.4. If the Procurement commission determines that the information about the Tenderer, its subcontractors and persons upon whose capacity the Tenderer is relying that is included in the submitted documents is unclear or incomplete, it demands that the Tenderer or a competent institution clarifies or expands the information included in the Proposal. The deadline for submission of the necessary information is determined in proportion to the time which is required to prepare and submit such information. If the Procurement commission has demanded to clarify or expand upon the submitted documents but the Tenderer has not done this in accordance with the requirements stipulated by the Procurement commission, the Procurement commission is under no obligation to repeatedly demand that the information included in these documents be clarified or expanded upon. The Procurement commission has the right to reject all Proposals which are found not to comply with the requirements of the Procurement documentation.

4. THE OBLIGATIONS OF THE PROCUREMENT COMMISSION

- 4.1. The Procurement commission ensures the process documentation of the Open competition.

- 4.2. The Procurement commission ensures free and direct electronic access to the Open competition documents on Contracting **authority's profile at the E-Tenders system's** webpage <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and on the webpage of the Contracting authority <http://railbaltica.org/tenders/>.
- 4.3. If an interested Supplier has in a timely fashion in writing by post or electronically (including via E-Tenders system), or delivering in person requested additional information about the requirements included in Open competition documents regarding the preparation and submission of the Proposal or regarding the selection of Tenderers, the Procurement commission provides a response electronically within 5 (five) business days but not later than 6 (six) days before the deadline for submitting Proposals. Simultaneously with sending this information to the Supplier who had asked the question, the Contracting authority publishes this information on Contracting **authority's profile** in the **E-Tenders system's webpage** <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and on its webpage <http://railbaltica.org/tenders/> where Open competition documents are available, indicating the question asked.
- 4.4. If the Contracting authority has amended the Open competition documents, it publishes this information on Contracting **authority's profile** in the **E-Tenders system's webpage** <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and on the Contracting authority's webpage <http://railbaltica.org/tenders/> where Open competition documents are available, no later than 1 (one) day after the notification regarding the amendments has been submitted to Procurement Monitoring Bureau for publication. If Supplier wishes to receive relevant updates/notifications by email regarding the Procurement exercise (e.g. when amendments to the procurement package documentation are published), Supplier shall register as an interested supplier on the E-Tenders system for the particular Procurement exercise accordingly.
- 4.5. The exchange and storage of information is carried out in such a way that all data included in the Proposals is protected and the Contracting authority can check the content of the Proposals only after the expiration of the deadline for their submission. During the time from the deadline of submission of Proposals until the opening of the Proposals the Contracting authority does not disclose any information regarding the existence of other Proposals, therefore. During the time of Proposal assessment, the Contracting authority does not disclose any information regarding the assessment process until the announcement of the results.
- 4.6. The Procurement commission assesses the Tenderers and their Proposals based on the Public Procurement Law, Open competition documents, as well as other applicable regulatory enactments.
- 4.7. The Procurement commission prepares a report on the Open competition and publishes it on Contracting **authority's profile** in the **E-Tenders system's webpage** <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001> and on the Contracting authority's webpage <http://railbaltica.org/tenders/> within 5 (five) business days from the day when the decision about the results of the Open competition is made.

5. THE RIGHTS OF THE TENDERER

- 5.1. The Tenderer has the rights to submit registration documents for the Electronic Procurement System (if the Tenderer is not registered in Electronic Procurement System) in State Regional Development Agency (please see information here <http://www.railbaltica.org/procurement/e-procurement-system/>).
- 5.2. The Tenderer can request and within 3 (three) business days after submitting the request receive a copy of the Proposal opening sheet which is an annex to the Proposal opening session minutes.
- 5.3. If the Contracting authority gets the necessary information about the Tenderer directly from a **competent institution, through data bases or other sources and the Tenderer's submitted** information differs from information obtained by the Contracting authority, the Tenderer in question has the right to submit evidence to prove the correctness of the information the Tenderer has submitted, if the information obtained by the Contracting authority does not conform to the factual situation.

5.4. If a Tenderer believes that its rights have been violated or such violation is possible due to possible violation of the regulatory enactments of the European Union or other regulatory enactments, the Tenderer has the right to submit a complaint to the Procurement Monitoring Bureau according to the procedure stipulated in the Section 68 of Public Procurement Law regarding the Tenderer selection requirements, Technical specification or other requirements relating to Open competition, or relating to the activities by the Contracting authority or the Procurement commission during the Open competition.

6. SUBJECT-MATTER OF THE OPEN COMPETITION AND TENDERING PROCEDURE

6.1. Through the open competition Contracting authority intends to establish a list of expert companies having required qualification expert teams and experience in a particular Field of expertise who could be called on-demand basis to provide independent professional expert services throughout the implementation of Rail Baltica Global project.

6.2. The subject-matter is divided into following Lots, each **Lot's** CPV code mentioned in the table:

Lot No	Procurement part name	CPV code
1.	Environment	71000000-8 (Architectural, construction, Engineering and inspection services)
2.	1435 mm railway track design and superstructure components	71000000-8 (Architectural, construction, Engineering and inspection services)
3.	1435 mm railway Control, Command and Signalling	71000000-8 (Architectural, construction, Engineering and inspection services)
4.	Railway telecommunications	71000000-8 (Architectural, construction, Engineering and inspection services)
5.	Railway cable duct system	71000000-8 (Architectural, construction, Engineering and inspection services)
6.	Railway traction power supply	71000000-8 (Architectural, construction, Engineering and inspection services)
7.	Railway Non-traction power supply	71000000-8 (Architectural, construction, Engineering and inspection services)
8.	Railway tunnels and bridges	71000000-8 (Architectural, construction, Engineering and inspection services)
9.	Railway signaling for 1520 mm	71000000-8 (Architectural, construction, Engineering and inspection services)
10.	Railway operations	71000000-8 (Architectural, construction, Engineering and inspection services)
11.	Railway infrastructure maintenance	71000000-8 (Architectural, construction, Engineering and inspection services)
12.	Transport modelling and Economics	79000000-4 (Business services: law, marketing, consulting, recruitment, printing and security)

13.	Transport marketing	79000000-4 (Business services: law, marketing, consulting, recruitment, printing and security)
14.	Infrastructure management	79000000-4 (Business services: law, marketing, consulting, recruitment, printing and security)
15.	Intermodal logistics	79000000-4 (Business services: law, marketing, consulting, recruitment, printing and security)
16.	Finance	79000000-4 (Business services: law, marketing, consulting, recruitment, printing and security)
17.	Railway digital innovations	71000000-8 (Architectural, construction, Engineering and inspection services)
18.	Contract management, claims and dispute resolution	71000000-8 (Architectural, construction, Engineering and inspection services)
19.	Road and utilities design	71000000-8 (Architectural, construction, Engineering and inspection services)

- 6.3. The delivery of the Services will take place in Latvia, Estonia and Lithuania.
- 6.4. Period of provision of Services is 36 months with possible extension to 12 months. Maximum budget is
8 177 000,00 MEUR without VAT.
- 6.5. The Tenderer is not allowed to submit variants of the Proposal for the same Lot. If variants of the Proposal are submitted, then the Proposal will not be reviewed.
- 6.6. The Tenderer shall prepare and submit their Proposal for a particular Lot (or several Lots) covering all Fields of expertise of a corresponding lot as specified in Regulations and Technical specifications;
- 6.7. Procurement commission according to Regulation requirements selects the Tenderers for each Lot who meet the minimal qualification requirements dedicated for the corresponding Lot;
- 6.7.1. Procurement commission makes evaluation of the Proposals and scoring of selected Tenderers according to contract award criteria making the list of successful Tenderers for each Lot;
- 6.7.2. After evaluation and scoring from up to or 7(seven)Tenderers (if enough qualified Tenderers will be selected) with the highest scores shall be awarded with the rights to conclude a Framework Contract for a corresponding lot;
- 6.7.3. Conclusion of the Framework Contract with the Tenderers to whom the rights to enter into Framework agreement were awarded;
- 6.7.4. For the provision of Expert services Contracting authority shall appoint the Expert service providers with the assignments through the Direct Award or by conducting a Mini-Competition as stated in Framework agreement Section IV Appointment of an Assignment.

7. TENDERER

- 7.1. The Proposal can be submitted by:

- 7.1.1. A Supplier who is a legal or natural person (hereinafter – the Tenderer) which offers on the market to perform works, supply products or provide services accordingly and who complies with the selection criteria for Tenderers;
- 7.1.2. A group of Suppliers (hereinafter also – the Tenderer, partnership) which offer on the market to perform works, supply products or provide services accordingly and who complies with the selection criteria for Tenderers:
- (a) A group of Suppliers who have formed a partnership for Open competition. In this case all the members of the partnership shall be listed in Annex No 2 “**Application** for participating in the Open competition”. **If it will be** decided to award contracting rights to such partnership, then prior to concluding the Contract the partnership shall at its discretion either enter into a partnership agreement (within the meaning of the Civil Law of the Republic of Latvia, Sections 2241-2280) and shall submit one copy of this agreement to the Contracting authority or establish a general or limited partnership (within the meaning of the Commercial Law of the Republic of Latvia (hereinafter – the Commercial Law), Division IX and X) and notify the Contracting authority in writing;
 - (b) An established and registered partnership (a general partnership or a limited partnership within the meaning of the Commercial Law, Division IX and X) which complies with the selection criteria for Tenderers.

8. SELECTION CRITERIA FOR THE TENDERERS

8.1. Exclusion grounds

The Contracting authority shall exclude the Tenderer from further participation in the Open competition in any of the following circumstances:

No	Requirement	Documents to be submitted ¹
1.	<p>Within previous 3 (three) years before submission of the Proposal the Tenderer or a person who is Tenderer’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, has been found guilty of or has been subjected to coercive measures for committing any of the following criminal offences by such a public prosecutor’s order regarding punishment or a court judgement that has entered into force and may not be challenged and appealed:</p> <ul style="list-style-type: none"> a) establishment, management of, involvement in a criminal organization or in an organized group included in the criminal organization or other criminal formation, or participation in criminal offences committed by such an organization, b) bribe-taking, bribery, bribe misappropriation, intermediation in bribery, unauthorized participation in property transactions, taking of prohibited benefit, commercial bribing, unlawful claiming of 	<ul style="list-style-type: none"> - For a Tenderer and a person who is Tenderer’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, who is registered or residing in Latvia, the Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer and a person who is Tenderer’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, who is registered or residing outside of Latvia the Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence.

¹ If the Candidate submits the European single procurement document as the initial proof, there is no obligation to submit other documents, unless specifically requested by the Procurement commission.

No	Requirement	Documents to be submitted ¹
	<p>benefits, accepting or providing of benefits, trading influences,</p> <p>c) fraud, misappropriation or money-laundering,</p> <p>d) terrorism, terrorism funding, creation or organization of a terrorist group, traveling for terrorist purposes, justification of terrorism, calling to terrorism, terrorism threats or recruiting or training a person in performance of acts of terrorism,</p> <p>e) human trafficking,</p> <p>f) evasion from payment of taxes or similar payments.</p>	
2.	<p>It has been detected that on the last day of Proposal submission term or on the day when a decision has been made on possible granting of rights to conclude the procurement contract, the Tenderer has tax debts in Latvia or a country where it has been incorporated or is permanently residing, including debts of mandatory state social insurance contributions exceeding 150 euro in total in any of the countries.</p>	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence.
3.	<p>Tenderer’s insolvency proceedings have been announced, the Tenderer’s business activities have been suspended, the Tenderer is under liquidation.</p>	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence.
4.	<p>A person who drafted the procurement procedure documents (Contracting authority’s official or employee), Procurement commission member or expert is related to the Tenderer or is interested in selection of some Tenderer and the Contracting authority cannot prevent this situation by measures that cause less restrictions on Tenderer. A person who drafted the procurement procedure documents (Contracting authority’s official or employee), Procurement commission member or expert is presumed to be related to the Tenderer in any of the following cases:</p> <p>a) If he or she is a current and/or an ex-employee, official, shareholder, procura holder or member of a Tenderer or a subcontractor which is legal person and if such relationship with the legal person was terminated within the last 24 (twenty-four) months;</p>	<p>No obligation to submit documents, unless specifically requested by the Procurement commission.</p>

No	Requirement	Documents to be submitted ¹
	<p>b) If he or she is the father, mother, grandmother, grandfather, child, grandchild, adoptee, adopter, brother, sister, half-brother, half-sister or spouse (hereinafter – relative) of a Tenderer’s or subcontractor’s, which is a legal person, shareholder who owns at least 10% of the shares in a joint-stock company, shareholder in a limited liability company, procure holder or an official;</p> <p>c) If he or she is a relative of a Tenderer or a subcontractor which is a natural person.</p> <p>If the Tenderer is a partnership, consisting of natural or legal persons, a relation to the Tenderer is presumed also if a person who drafted the procurement procedure documents (Contracting authority’s official or employee), Procurement commission member or expert is related to a member of a partnership in any of the above-mentioned ways.</p>	
5.	<p>The Tenderer has an advantage that limits competition in the procurement procedure if it or its related legal person consulted the Contracting authority or otherwise was involved in preparing the Open competition, and the advantage cannot be prevented by less restrictive measures, and the Tenderer cannot prove that its or its related legal person’s participation in preparing the procurement procedure documents does not restrict competition.</p>	<p>No obligation to submit documents, unless specifically requested by the Procurement commission.</p>
6.	<p>Within the previous 12 (twelve) months before submission of the Proposals by such a decision of a competent authority or a court judgment which has entered into force and may not be challenged and appealed Tenderer has been found guilty of violating competition laws manifested as a horizontal cartel agreement, except for the case when the relevant authority, upon detecting violation of competition laws, has released the Tenderer from a fine or has decreased the fine for cooperation within a leniency program.</p>	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence or other objective proof of good standing. For example, a link to the database of the competent authority’s public database (website) listing all its decisions and validity thereof (provided that access to any such database/website is free of charge to the Contracting authority).
7.	<p>Within the previous 3 (three) years before submission of the Proposals by such a decision of a competent authority, a court judgment or a public prosecutor’s order which has entered into force and may not be challenged and appealed Tenderer has been found guilty and is punished for a violation manifested as employment of one or more persons who do</p>	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent

No	Requirement	Documents to be submitted ¹
	not possess the required employment permit or if it is illegal for such persons to reside in a Member State of the European Union.	authority of the country of registration or residence.
8.	Within the previous 12 (twelve) months before submission of the Proposals by such a decision of a competent authority, a court judgment or a public prosecutor’s order which has entered into force and may not be challenged and appealed Tenderer has been found guilty and is punished for a violation manifested as employment of a person without a written employment contract, by failing within the term specified in regulatory enactments to submit an informative employee declaration regarding this person, which must be submitted about persons, who start working.	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself from publicly available databases. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence.
9.	The Tenderer has provided false information to prove its compliance with provisions of this Section 8. of the Regulations or qualification criteria, or has not provided the required information at all.	No obligation to submit documents, unless specifically requested by the Procurement commission.
10.	The Tenderer is a registered offshore ² company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> - For a Tenderer which is registered in Latvia Contracting authority shall verify the information itself in publicly available databases. - For the Tenderer and each member of the partnership (if Tenderer is an unregistered partnership) which is a legal person registered abroad – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration.
11.	The owner or shareholder (with more than 25% of share capital) of the Tenderer who is registered in Republic of Latvia, is a registered offshore company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> - For a Tenderer which is registered in Latvia: <ul style="list-style-type: none"> - Contracting authority shall verify the information itself in publicly available databases; - if such information by publicly available data bases is not provided, Tenderer shall submit self – declaration which approves fact that there are no registered owners or shareholders of the Tenderer (with more than 25% of share capital) who are registered offshore.

² **Offshore:** low tax or tax-free country or territory in accordance with Corporate income tax law of the Republic of Latvia except Member States of EEA (European Economic Area) or its territories, Member States of the World Trade Organization Agreement on State Treaties or territories and such countries and territories with which European Union and Republic of Latvia has international agreements for open market in public procurement area.

No	Requirement	Documents to be submitted ¹
12.	The subcontractors indicated by the Tenderer whose share of services is equal to or exceeds 10% of the Contract price or person on whose capacities Tenderer is relying, is a registered offshore company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> - For a subcontractor whose share of services is equal to or exceeds 10% of the Contract price or person on whose capacities Tenderer is relying which is registered in Latvia Contracting authority shall verify the information itself in publicly available databases; - For a subcontractor or person on whose capacities Tenderer is relying which is a legal person registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration.
13.	<p>International or national sanctions or substantial sanctions by the European Union (EU) or the North Atlantic Treaty Organization (NATO) Member State affecting the interests of the financial and capital market has been imposed to the:</p> <ol style="list-style-type: none"> 1. Tenderer or a person who is the Tenderer’s management board or supervisory board member, beneficial owner³, person with representation rights or a procura holder, or a person who is authorised to represent the Tenderer in operations in relation to a branch, 2. member of the partnership or a person who is the partnership’s management board or supervisory board member, beneficial owner⁴, person with representation rights or a procura holder (if the Tenderer is a partnership), <p>and such sanctions can affect the execution of the Procurement contract.</p>	<ul style="list-style-type: none"> - For a Tenderer registered or residing in Latvia Contracting authority shall verify the information itself from the Register of Enterprises of the Republic of Latvia. - For a Tenderer registered or residing outside of Latvia Tenderer shall submit an appropriate statement from the competent authority of the country of registration or residence with all the information necessary for the examination regarding the Tenderer or a member of the partnership if the Tenderer is a partnership), including but not limited, information about beneficial owner or the fact that there is no possibility to find out the beneficial owner.

8.2. Legal standing and suitability to pursue the professional activity

(refers to all Lots Tenderer applies)

³ **Beneficial owner:** a natural person who is the owner of the customer - legal person - or who controls the customer, or on whose behalf, for whose benefit or in whose interests business relationship is being established or an individual transaction is being executed, and it is at least:

a) regarding legal persons - a natural person who owns, in the form of direct or indirect shareholding, more than 25 per cent of the capital shares or voting stock of the legal person or who directly or indirectly controls it;

b) regarding legal arrangements - a natural person who owns or in whose interests a legal arrangement has been established or operates, or who directly or indirectly exercises control over it, including who is the founder, proxy or supervisor (manager) of such legal arrangement.

⁴ Ibid.

No	Requirement	Documents to be submitted
1.	The Tenderer or all members of the partnership (if the Tenderer is a partnership) must be registered in the Registry of Enterprises or Registry of Inhabitants, or an equivalent register in their country of residence, if the legislation of the respective country requires registration of natural or legal persons.	<ul style="list-style-type: none"> - For a Tenderer (or a member of a partnership), a person on whose capacity Tenderer relies, subcontractor which is a legal person registered in Latvia Contracting authority shall verify the information itself in publicly available databases. - For a Tenderer (or a member of a partnership), a person on whose capacity Tenderer relies, subcontractor <u>who is a natural person</u> – a copy of an identification card or passport. - For a Tenderer (or a member of a partnership), a person on whose capacity Tenderer relies, a subcontractor <u>which is a legal person</u> registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration, shareholders, officials and procura holders (if any) can be determined. - <u>If a Proposal is submitted by a partnership</u>, the Proposal shall include an agreement (or letter of intention to enter into agreement) signed by all members on the participation in the Procurement which lists responsibilities of each and every partnership members and a joint commitment to fulfil the Contract and which authorizes one key member to sign the Proposal and other documents, to receive and issue orders on behalf of the partnership members, and with whom all payments will be made. In this document Tenderer additionally indicates the member of the partnership on whose capacity it relies to certify its financial and economic performance and who will be financially and economically responsible for the fulfilment of the Contract. - If the Proposal or any other document, including any agreement, is not signed by the legal representative of the Tenderer, members of the partnership, person on whose capacity Tenderer relies or subcontractors, then a document certifying the rights of the persons who has signed the Proposal or any other documents to represent the Tenderer, a member of the partnership, a person on whose capacity Tenderer is relying, or a subcontractor (powers of attorney, authorization agreements etc.) shall be included.
2.	The representative of the Tenderer, or a member of a partnership, or a person on whose capacity Tenderer relies who has signed documents contained in the Proposal has the right of signature, i.e., it is an official having the right of signature or a person authorized by the Tenderer.	<ul style="list-style-type: none"> - A document confirming the right of signature (representation) of the representative of the Tenderer or a member of a partnership, or a person on whose capacity Tenderer relies who signs the Proposal. For a Tenderer (or a member of a partnership), a person on whose capacity Tenderer relies which is a legal person registered in Latvia the Contracting authority shall verify the information itself in publicly available databases.

No	Requirement	Documents to be submitted
		<ul style="list-style-type: none"> - If the Tenderer (or a member of a partnership), or a person on whose capacity Tenderer relies, submits a power of attorney (original or a copy certified by the Tenderer) there shall be additionally submitted documents confirming that the issuer of the power of attorney has the right of signature (representation) of the Tenderer.

8.3. Economic and financial standing

No	Requirement	Documents to be submitted
1.	<p>Tenderer’s or all members of the partnership together (if the Tenderer is a partnership and confirms the average financial turnover jointly) average financial turnover within the last 3 (three) financial years (2017, 2018, 2019) is not less than 100 000 EUR (one hundred thousand euros) per year.</p> <p>In the event the average annual financial turnover of a limited partner of the limited partnership (within the meaning of The Commercial Law, Division X) exceeds its investment in the limited partnership, the average financial turnover shall be recognized in the amount of the investment in the limited partnership.</p> <p>In the event the Tenderer or a member of a partnership (if the Tenderer is a partnership) has operated in the market for less than 3 (three) financial years, the requirement shall be met during the Tenderer’s actual operation period.</p> <p>In the case the previous three financial years of particular Tenderer or member of the partnership differs from financial years stated in Regulations (2017, 2018, 2019), financial turnover shall be indicated for previous three financial years according to the Tenderer’s business operations.</p>	<ul style="list-style-type: none"> - Filled in and signed Annex No 3 (by the Tenderer or each member of the partnership (if the Tenderer is a partnership) on whose capabilities the Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract). - For a limited partnership (within the meaning of the Commercial Law, Division X) - an additional document evidencing the amount of the investment by the limited partner (the partnership agreement or a document with a similarly binding legal effect). - If the Proposal is submitted by a partnership, Tenderer <u>shall indicate the member of the partnership on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract</u> including this information in the agreement of cooperation (or letter of intent to enter into agreement) stipulated in Section 8.2. No 1 of the Regulations. - If the Tenderer is relying on any other entity’s capacity to certify its financial and economic performance and this entity will be financially and economically responsible for the fulfilment of the Contract, Tenderer along with the Proposal submits confirmation or agreement on cooperation and/or passing of resources to the Tenderer, signed between such entity and the Tenderer (please see the Section 9 of the Regulations for detailed information).
2.	<p>The Tenderer and each member of the partnership (if the Tenderer is a partnership) on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for the</p>	

No	Requirement	Documents to be submitted
	fulfilment of the Contract and other entity on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for the fulfilment of the Contract, shall have stable financial and economic performance, namely, in the last financial year (2019) liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 (one) and shall have positive equity.	

8.4. Technical and professional ability

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria for **each lot they applied** listed below.

The project/contract references indicated by the Tenderer should consist of a list of relevant services provided (i.e. not ongoing but fully completed) dates and clients, public or private, accompanied by statements issued by the clients and in some cases official documents issued by the relevant authorities within the country of client.

No	Requirement	Documents to be submitted
1.	The Tenderer for Lot (or Lots) applied has meet the minimum qualification requirements as stated in the Annex No 4	<ul style="list-style-type: none"> - Filled in relevant information in Tenderer’s qualification form (Annex No 4) and signed by the legal representative of the company. - Clients reference letters/official documents issued by authorities (if applicable to particular Lot) <p><i>If the Tenderer applies for more than one Lot, separate application form for each Lot shall be filled and submitted.</i></p>

8.5. Information provided in the Proposal to prove the compliance with above-mentioned requirements for Legal standing, Economic and financial standing (**Section 8.2.** and **Section 8.3.** of the Regulations), 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.

8.6. Notices and other documents mentioned in the **Section 8.1** of the Regulations which are issued by Latvian competent institutions are accepted and recognized by the Procurement commission, if they are issued no earlier than 1 (one) month prior to the date of submission of particular notices and documents. Notices and other documents mentioned in the **Section 8.1** of the Regulations which are issued by foreign competent institutions are accepted and recognized by the Procurement commission, if they are issued no earlier than 6 (six) month prior to the date of submission of notices and documents, if the issuer of the notice or document has not set shorter period of validity.

- 8.7. If the documents with which a Tenderer registered or permanently residing abroad can certify its compliance with the requirements of **Section 8.1** of the Regulations are not issued or these documents are insufficient, such documents can be replaced with an oath or, if the regulatory enactments of the country in question do not allow for an oath, - with a certification by the Tenderer or by another person mentioned in **Section 8.1** of the Regulations before a competent executive governmental or judicial institution, a sworn notary or a competent organization of a corresponding industry in their country of registration (permanent residence). Regarding all documents submitted based on an oath given under law (e.g. sworn-statements, declarations on oath etc.), the Tenderer must provide (indicate) legal grounds to law or enactment in accordance with such statements or declarations on oath have been given.
- 8.8. If the Tenderer complies with any of the exclusion grounds mentioned in Section 8.1 of the Regulations (except Section 8.1.(No. 2), 8.1. (No. 9) – 8.1. (No 13) of the Regulations), the Tenderer indicates this fact in **Annex No 2 “Application for participating in the Open competition”**.
- 8.9. The Tenderer to certify that it complies with the selection criteria for Tenderers may submit also the European single procurement document (hereinafter - ESPD) as initial proof. This document must be submitted electronically and for each person upon whose capacity Tenderer relies to certify its compliance with the requirements stipulated in the Regulations, and for each of their indicated subcontractors the share of whose work is equal to or exceeds 10 % (ten percent) of the value of the Contract but if the Tenderer is a partnership – for each member thereof. To fill in the ESPD the Tenderer uses the "ESPD.xml" file at the Internet webpage <http://espd.eis.gov.lv/>.

9. RELIANCE ON THE CAPACITY OF OTHER PERSONS

- 9.1. For the fulfilment of the specific contract, to comply with the selection requirements for the Tenderers relating to the economic and financial standing and technical and professional capacity, Tenderer may rely on the capacity of other persons regardless of the legal nature of their mutual relationship. In this case:
 - 9.1.1. The Tenderer indicates in the Proposal all persons on whose capacity it relies by filling in the table which is attached as **Annex No 2 “Application for participating in the Open competition”** and proves to the Contracting authority that the Tenderer shall have available all the necessary resources for the fulfilment of the Contract by submitting a signed confirmation or agreement on cooperation and/or passing of resources to the Tenderer between such persons and the Tenderer. The confirmations and agreements on cooperation and passing of resources can be replaced by the Tenderer with any other type of documents with which the Tenderer is able to prove that the necessary resources will be available to the Tenderer and will be used during the term of fulfilment of the Contract.
- 9.2. Documents on cooperation and passing of resources must be sufficient to prove to the Contracting authority that the Tenderer will have the ability to fulfil the Contract, as well as that during the validity of the Contract Tenderer will in fact use the resources of such person upon whose capacity it relies.
- 9.3. The Contracting authority shall require joint and several liability for the execution of the Contract between the:
 - 9.3.1. Tenderer and a person on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract;
 - 9.3.2. Each member of the partnership (if the Tenderer is a partnership) on whose capacity Tenderer is relying and who will be financially and economically responsible for fulfilment of the Contract.
- 9.4. The Contracting authority shall evaluate the person on whose capacity Tenderer to whom the rights to conclude the Contract should be assigned is relying according to **Section 8.1. (No.1) - 8.1. (No. 8)** and **Section 8.1. No.12 - 8.1. No 13** of the Regulations. In case such person will comply

with any of the exclusion grounds which are mentioned in **Section 8.1.** No 1- 8.1. No 8, 8.1. No 12 and 8.1. No 13 of the Regulations the Contracting authority shall request Tenderer to change such person. If the Tenderer shall not submit documents about another person which complies with the selection criteria within 10 (ten) business days from the date when the request was issued or sent to the Tender, the Contracting authority shall exclude such Tenderer from further participation in the Open competition.

10. SUBCONTRACTING

- 10.1. The Tenderer shall indicate in the Proposal all subcontractors of the Tenderer by filling in the table which is attached in **Annex No 2 “Application for participating in the Open competition”**.
- 10.2. The Contracting authority shall evaluate the subcontractor of the Tenderer to whom the rights to conclude the Contract should be assigned according to Sections 8.1. (No 2) – 8.1. (No 8) and 8.1. (No 12), of the Regulations. In case such subcontractor whose share of services is equal to or exceeds 10% of the Contract price, will comply with any of the exclusion grounds which are mentioned the Contracting authority shall request Tenderer to change such subcontractor. If the Tenderer shall not submit documents about another subcontractor which complies with the selection criteria within 10 (ten) business days from the date when the request was issued or sent to the Tender, the Contracting authority shall exclude such Tenderer from further participation in the Open competition.

11. FINANCIAL PROPOSAL

- 11.1. The Financial proposal shall be submitted together with **Annex No 2 “Application for participating in the Open competition”**.
- 11.2. The Tenderer shall specify the maximum threshold for hourly⁵ rate (one constant value for all Fields of expertise covered by the corresponding lot) as remuneration for Expert services provided by the Expert services provider. The number of experts involved in the provision of **Expert services doesn't affect the amount of remuneration** – hourly rate for the provision of Expert services is a constant value) by filling in **Annex No 2 “Application for participating in the Open competition”**. After contract award and during direct award or mini-competition procedures for the fulfilment of the specific tasks maximum hourly rate may be decreased.
- 11.3. The proposed hourly rate shall be determined in euro without value added tax (hereinafter – VAT).
- 11.4. The proposed hourly rate shall include all taxes, fees and payments, and all costs related to the fulfilment of Expert services, except VAT and costs to be reimbursed as specified in Technical specification (Annex No 1). The prices are fixed for all the term of the fulfilment of the Framework Contract and are not recalculated, except in cases stipulated in the Framework agreement.
- 11.5. The costs must be calculated and indicated with an accuracy of 2 (two) decimal places after comma. If more than 2 (two) decimal places after comma will be indicated, then only the first two decimal places will be considered.

12. CONTENTS AND FORM OF THE PROPOSAL

- 12.1. Proposal must be submitted electronically in E-Tenders subsystem of the Electronic Procurement System in accordance with the following options for the Tenderer:
 - 12.1.1. by using the available tools of E-Tenders subsystem, filling the attached forms of the E-Tenders subsystem for Procurement procedure;

⁵ Hourly rate - remuneration for Expert services provided by the Expert services provider within eight working hours per official business day.

- 12.1.2. by preparing and filling the necessary electronic documents outside the E-Tenders subsystem and attaching them to relevant requirements (in this situation the Tenderer takes responsibility for the correctness and compliance of the forms to requirements of documentation and form samples);
 - 12.1.3. by encrypting electronically prepared Proposal outside of E-Tenders subsystem with data protection tools provided by third parties, and protection with electronic key and password (in this situation, Tenderer takes responsibility for the correctness and compliance of the forms to requirements of documentation and form samples as well as ensuring capability to open and read the document by the Contracting authority).
- 12.2. During preparation of the Proposal, Tenderer shall respect the following requirements:
- 12.2.1. Each document mentioned in Section 12.3 of the Regulations must be filled separately, each in a separate electronic document in line with forms attached to Procurement **on Contracting authority's profile in** E-Tenders subsystem (<https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001>) in a Microsoft Office 2010 (or later) format and attached to the Procurement;
 - 12.2.2. Upon submission, the Tenderer signs the Proposal with secure electronic signature and timestamp or with electronic signature provided by Electronic Procurement System. The Tenderer can use secure electronic signature and time-stamp and sign Application form, Financial proposal and other documents separately. Proposal (its parts, if signed separately) are signed by authorized person, including authorization document (e.g. power of attorney).
- 12.3. Documents to be included in the Proposal:
- 12.3.1. Application for participating in the Open competition in accordance with Annex No 2 “**Application for participating in the Open competition**”.
 - 12.3.2. Information and documents confirming compliance of the Tenderer with the selection criteria for the Tenderers (set in Section 8 of the Regulations), or the corresponding ESPD;
 - 12.3.3. Information and documents relating to other entities on whose capacity Tenderer is relying (in accordance with Section No9), or the corresponding ESPD;
 - 12.3.4. Information and documents relating to subcontractors (in accordance with Section 10) and/or the corresponding ESPD.
- 12.4. The Proposal may contain original documents or their derivatives (e.g. copies). In the Proposal or in reply to a request of the Procurement commission Tenderer shall submit only such original documents which have legal force. For the document to gain legal force it must be issued and formatted in accordance with the Law on Legal Force of Documents of the Republic of Latvia (<https://likumi.lv/ta/en/id/210205-law-on-legal-force-of-documents>) but public documents issued abroad shall be formatted and legalized in accordance with the requirements of the Document Legalization Law of the Republic of Latvia (<https://likumi.lv/ta/en/en/id/155411-document-legalisation-law>). Public documents issued abroad can be self-approved by the Tenderer, if it is applicable by the legislation of the respective country. When submitting the Proposal, the Tenderer has the right to certify the **correctness of all submitted documents' derivatives and translations with one certification**.
- 12.5. The Proposal must be signed by a person who is legally representing the Tenderer or is authorized to represent the Tenderer in this Open competition.
- 12.6. The Tenderer shall prepare Proposal in electronic form using the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001>.
- 12.7. The Proposal must be submitted in a written form in English or Latvian (if submitted in Latvian, translation in English of the Proposal must be provided together with the Proposal).

13. ENCRYPTION OF THE PROPOSAL INFORMATION

- 13.1. E-Tenders system which is a subsystem of the Electronic Procurement System ensures first level encryption of the information provided in the Proposal documents.
- 13.2. If the Tenderer applied additional encryption to the information in the Proposal (according to Section 12.1.3. of the Regulations), Tenderer must provide the Procurement commission with the electronic key with the password to unlock the information not later than in 15 (fifteen) minutes after the deadline of the Proposal submission.

14. SUBMISSION OF A PROPOSAL

- 14.1. The Proposal (documents referred to in the Section 12.3 of the Regulations) shall be submitted electronically using the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Procurement/24880> by:

11 June 2020 till 15:00 o'clock (Riga time).

- 14.2. The Tenderer may recall or amend its submitted Proposal before the expiry of the deadline for the submission of Proposals by using the E-Tenders system.
- 14.3. Only Proposals submitted via E-Tenders system will be accepted and evaluated for participation in the Open competition. Any Proposal submitted outside the E-Tenders system will be declared as submitted in a non-compliant manner and will not participate in the Open competition.

15. OPENING OF PROPOSALS

- 15.1. The Proposals will be opened on the E-Tenders system on 11 June 2020 starting at 15:00 Riga time during the opening session. On the E-Tenders system it is possible to follow the opening of submitted Proposals online.
- 15.2. The Proposals are opened by using the tools offered by E-Tenders system. The proposed price and other information that characterizes the Proposal (excluding confidential information) shall be published in the E-Tenders system.
- 15.3. The information regarding the Tenderer, the time of Proposal submission, the proposed price and other information that characterizes the Proposal is generated at the opening of the Proposals by E-Tenders system and written down in the Proposal opening sheet which shall be published on E-Tenders system and Contracting authority's webpage.

16. VERIFICATION OF PROPOSALS FOR COMPLIANCE

- 16.1. Following of the opening of Proposals Procurement commission shall proceed with the verification of compliance of Proposals received and opened in accordance with the opening procedure.
- 16.2. The Procurement commission verifies whether the submitted Proposals comply with the requirements stipulated in Section 12 of the Regulations and whether all required information and documents are submitted and selects for further evaluation the compliant Proposals.
- 16.3. Procurement commission verifies whether the Tenderers comply with the selection requirements specified in Section 8.2. – 48.4. of the Regulation
- 16.4. In accordance with Paragraph 16 of the Cabinet regulations No 107 of 28 February 2017 “Procedure of Procurement Procedures and **Design Contests**” Procurement Commission is entitled to carry out the eligibility check only to the Tenderers to whom the contract should be awarded.

17. VERIFICATION OF FINANCIAL PROPOSALS

- 17.1. The Procurement commission verifies whether Tenderers have completed Annex No 2 “**Application for participating in the Open competition**” in accordance with the requirements stated in Section 11 of Regulations.

- 17.2. The Procurement commission verifies whether there are any arithmetical errors, whether an abnormally low Proposal has been received, as well as assesses and compares the hourly rates/prices proposed.
- 17.3. The Procurement commission informs the Tenderer whose arithmetical errors have been corrected about the correction of arithmetical errors and the corrected Financial proposal.
- 17.4. When evaluating the Financial proposal, Procurement commission takes corrections into account.
- 17.5. The Procurement commission has the right to demand that the Tenderer explains the calculation upon which the Financial proposal is based and other related aspects to ascertain the objectivity of the Financial proposal and whether an abnormally low Proposal has been submitted.
- 17.6. The Procurement commission further evaluates the compliant Proposals which have not been declared as abnormally low Proposals.

18. CONTRACT AWARD CRITERIA

- 18.1. The Proposal selection criterion is the most economically advantageous proposal according to the evaluation methodology described in this Section below.
- 18.2. The economically most advantageous proposal shall be Proposal with the lowest proposed threshold for hourly rate (the only evaluation criterion), which complies with the requirements stipulated by the Regulations.
- 18.3. The Procurement commission determines and selects 7 (seven) Tenderers in accordance with Section 18.2 of the Regulations and entering in the Framework Contracts shall be awarded to the Tenderers ranked by the hourly rate price from lowest rate to the highest rate for each Lot.
- 18.4. Is after ranking there is more than one Tenderer in the same position, the Procurement commission will rank all of them at the same position and will award all qualified Tenderers ranked from 1 (first) to 7 (seventh) position.

19. TENDERER CHECK PRIOR TO MAKING THE DECISION REGARDING THE CONCLUSION OF THE FRAMEWORK CONTRACT

- 19.1. Prior to making the decision about assigning rights to conclude the Framework Contract, the Procurement commission performs a check regarding the existence of grounds for exclusion of tenderers for Tenderers (to whom the possible rights to conclude the Framework Contract shall be awarded), members of a partnership (if the Tenderer is a partnership), persons on whose capabilities the Tenderer is relying and subcontractors whose share of work is equal to or exceeds 10% of the Contract price (according to Section 8.1).
- 19.2. If, in accordance with the information published on the day of the last data update in a public database, on the last day of Proposal submission or on the day when the decision regarding the possible assignment of rights to conclude a Framework Contract is made, the Tenderer, member of a partnership (if the Tenderer is a partnership), a subcontractor whose share of work is equal to or exceeds 10% of the Contract price or a person on whose capabilities the Tenderer is relying have tax debts, including state mandatory insurance contributions debts, the total sum of which exceeds 150 euro, the Procurement commission informs the Tenderer and sets a deadline – 10 days from the day of issuing or receiving information – for the submission of a certificate evidencing absence of tax debt or decision to prolong the deadline or postpone payment of the tax or other objective evidence proving absence of a tax debt.
- 19.3. If the Tenderer fails to submit required evidence about itself before the deadline, the Procurement commission excludes the Tenderer from participation in the Open competition.

- 19.4. Change of persons upon whose capabilities the Tenderer is relying or subcontractors whose share of work is equal to or exceeds 10% of the Contract price is performed in accordance with Sections 9.4 and 10.2 respectively.
- 19.5. In the event the Tenderer or partnership member (if the Tenderer is a partnership) fails to comply with requirements stipulated in Section 8.1(1) and 8.1(3) – 8.1 (8) and has indicated this in the Proposal, upon request by the Procurement commission it submits an explanation about the implemented measures in order to restore reliability and prevent occurrences of the same or similar violations in future, as well as attaches evidence which proves the implemented measures, such as but not limited to evidence about compensating damages, on cooperation with investigating authorities, implemented technical, organisational or personnel measures, an assessment of a competent authority regarding the sufficiency of the implemented measures etc.
- 19.6. The Procurement commission assesses such information. If the Procurement commission deems the measures taken to be sufficient for the restoration of reliability and the prevention of similar cases in the future, it makes the decision not to exclude the Tenderer from participation in the open competition. If the measures taken are insufficient, the Procurement commission makes the decision to exclude the Tenderer from further participation in the open competition procedure.
- 19.7. If the Tenderer, within the indicated time, does not submit the requested information, the Procurement commission excludes the Tenderer from participation in the Open competition.

20. DECISION MAKING, ANNOUNCEMENT OF RESULTS AND ENTERING INTO A FRAMEWORK CONTRACT

- 20.1. The Procurement commission selects Tenderers in accordance with the set selection criteria for Tenderers, verifies the compliance of the Proposals with the requirements stipulated in the Regulations and chooses the Proposal in accordance with the contract award criteria as described in Section 18 of the Regulations.
- 20.2. Within 3 (three) business days from the date of decision about the Open competition results Procurement commission informs all Tenderers about the decision made by sending the information by post or electronically (including via the E-Tenders system) and keeping the evidence of the date and means of sending the information. The Procurement commission announces the name of the successful Tenderer, indicating:
 - 20.2.1. to the refused Tenderer - the reasons for refusing its Proposal;
 - 20.2.2. to the Tenderer who has submitted an eligible Proposal - the characterization of the successful Proposal and the relative advantages;
 - 20.2.3. the deadline by which the Tenderer may submit a complaint to the Procurement Monitoring Bureau regarding violations of the public procurement procedure.
- 20.3. If only 1 (one) Tenderer complies with all Tenderer selection requirements, Procurement commission prepares and includes in the Open competition report a justification of the fact that the set requirements for Tenderer selection are objective and commensurate. If the Procurement commission cannot justify that the set requirements for Tenderer selection are objective and commensurate, Procurement commission makes the decision to terminate the Procurement.
- 20.4. If the Procurement is terminated, Procurement commission within 3 (three) business days simultaneously informs all Tenderers about all the reasons because of which the Open competition is terminated and informs about the deadline within which a Tenderer may apply regarding the violations of the public procurement procedure to the Procurement Monitoring Bureau.

- 20.5. The Procurement commission when informing about the results has the right not to disclose **specific/confidential information, if it may infringe upon public interests or if the Tenderer's legal commercial interests or the conditions of competition would be violated.**
- 20.6. As soon as possible but not later than within 5 (five) working days from day when the decision about the results of the Open competition is taken, Procurement commission prepares a report on the Open competition and publishes it on the **Contracting authority's profile in E-Tenders system's webpage** <https://www.eis.gov.lv/EKES/Supplier/Organizer/3001> and on Contracting authority's webpage <http://railbaltica.org/en/procurements>.
- 20.7. The selected Tenderer upon receiving the notification from Procurement commission must:
- 20.7.1. within 5 (five) business days – to submit to the Contracting authority a copy of partnership agreement or notification regarding the establishment of the partnership, if required pursuant to requirements under Section 7.1.2.a) of the Regulations;
- 20.7.2. within 10 (ten) days upon receiving the invitation - to sign the Framework agreement.
- 20.8. The Framework Contract is concluded based on the selected Tenderer's Proposal and in accordance with Annex No 5 "**Draft Framework Contract**".
- 20.9. The Procurement commission has the right to choose and rank the next most economically advantageous proposal, if the Tenderer in the time stipulated by the Regulations:
- 20.9.1. refuses to conclude a partnership contract or to establish the partnership in the cases and deadlines defined by the Regulations or in the cases and deadlines defined by the Regulations does not submit a copy of the partnership contract, or does not inform of the founding of a partnership company;
- 20.9.2. refuses to conclude the Framework Contract or does not submit a signed Framework agreement within the deadlines defined in the Regulations.
- 20.10. In any of such a case mentioned in Section 20.9 of the Regulations Procurement commission is entitled to terminate this Open competition without selecting any Proposal or to select the next most economically advantageous proposal. For either of these decisions a written decision must be made.

ANNEXES:

1. Technical specification on 19 (nineteen) pages;
2. Application for participation in the Open competition on 3 (three) pages;
3. **Confirmation of the Tenderer's financial standing** on 1 (one) page;
4. Qualification requirements for the previous experience of the Tenderer on 1 (one) page, 19 Lots;
5. Draft Framework Contract on 40 (fourty)pages.

ANNEX NO 1: TECHNICAL SPECIFICATION

TECHNICAL SPECIFICATION

“Expert services for Rail Baltica Global Project”

**Co-financed by the Connecting Europe
Facility of the European Union**

Riga
2020

1. INTRODUCTION TO RAIL BALTICA

The Baltic countries Estonia, Latvia and Lithuania have historically been linked to the east-west railway transport axis using the 1520mm gauge railway system. Because of the existing historical and technical constraints, the existing rail system is incompatible with mainland European standards, thus there is a consensus that Estonia, Latvia and Lithuania need to be fully integrated into the wider European rail transport system. Currently there is no efficient 1435 mm railway connection along the Warsaw-Kaunas-Riga-Tallinn axis, i.e. there are missing links or significant bottlenecks. Thus, there are no direct passenger or freight services along the railway axis as the existing infrastructure does not allow for competitive services compared to alternative modes of transport. Thus, the clear majority of the North-South freight is being transported by road transport and the overall accessibility in the region is low.

The ambitions of the Rail Baltica Global project (Global Project) are:

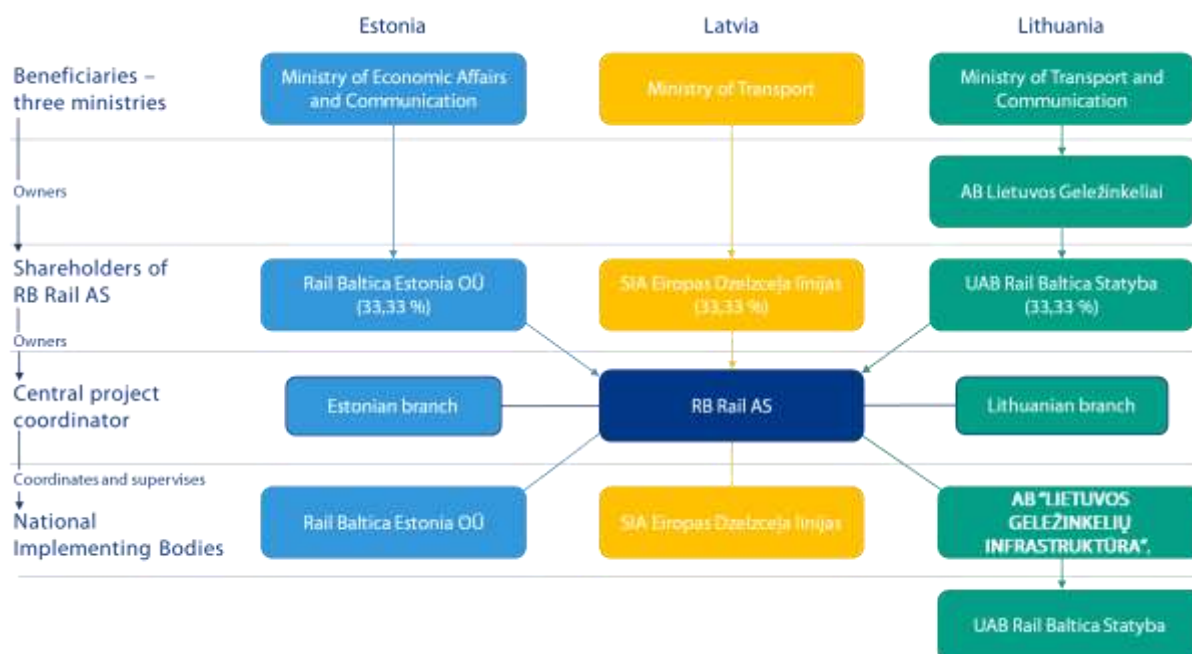
- to become a powerful catalyst for sustainable economic growth in the Baltic States;
- to set a new standard of passenger and freight mobility;
- to ensure a new economic corridor will emerge;
- sustainable employment and educational opportunities;
- an environmentally sustainable infrastructure;
- new opportunities for multimodal freight logistics development;
- new intermodal transport solutions for passengers;
- safety and performance improvements;
- a new value platform for digitalization and innovation;
- completion of Baltic integration in the European Union transport ecosystem.

Rail Baltica is already designed to become a part of the EU TEN-T North Sea – Baltic Core Network Corridor, which links Europe’s largest ports of Rotterdam, Hamburg and Antwerp – through the Netherlands, Belgium, Germany and Poland – with the three Baltic States, further connecting to Finland via the Gulf of Finland short sea shipping connections with a future fixed link possibility between Tallinn and Helsinki. Further northbound extension of this corridor shall pave the way for future connectivity also with the emerging Arctic corridor, especially in light of the lucrative prospects of the alternative Northern Circle maritime route development between Europe and Asia. Furthermore, the North Sea – Baltic Corridor crosses with the Baltic-Adriatic Corridor in Warsaw, paving the way for new supply chain development between the Baltic and Adriatic seas, connecting the Baltics with the hitherto inadequately accessible Southern European markets. In a similar fashion, Rail Baltica shall strengthen the synergies between North-South and West-East freight flows, creating new trans-shipment and logistics development opportunities along the Europe and Asia overland trade routes. The new Rail Baltica infrastructure would, therefore, not only put the Baltics firmly on the European rail logistics map, but also create massive opportunities for value creation along this infrastructure with such secondary economic benefits as commercial property development, revitalization of dilapidated urban areas, private spin-off investment, new business formation, technology transfer and innovation, tourism development and other catalytic effects. Rail Baltica aims to promote these effects from the early stages of the Global Project, learning from the key global success stories and benchmarks in this regard.

The Principal RB Rail AS (RBR) was established by the Republics of Estonia, Latvia and Lithuania, via state-owned holding companies, to coordinate the development and

construction of the fast-conventional standard gauge railway line on the North Sea – Baltic TEN-T Core Network Corridor (Rail Baltica II) linking three Baltic states with Poland and the rest of the EU.

The diagram below illustrates the shareholder and project governance structure of the Rail Baltica project.



RBR together with governments of Estonia, Latvia and Lithuania (represented by the ministries in charge of transport policy) have applied for the CEF co-financing in 2015, 2016 and 2017 (three applications in total). The applications were successful and INEA grants are available to support the Global Project expenses.

Rail Baltica is a joint project of three EU Member States – Estonia, Latvia and Lithuania – and concerns the building of a fast conventional double-track 1435 mm gauge electrified and ERTMS equipped mixed use railway line on the route from Tallinn through Pärnu (EE), Riga (LV), Panevėžys (LT), Kaunas (LT) to the Lithuania/Poland state border (including a Kaunas – Vilnius spur) with a design speed of 240km/h. In the longer term, the railway line could potentially be extended to include a fixed link between Helsinki and Tallinn, as well as integrate the railway link to Warsaw and beyond.

The expected core outcome of the Rail Baltica Global Project is a European gauge (1435mm) double-track railway line of almost 900 km in length meant for both passenger and freight transport and the required additional infrastructure (to ensure full operability of the railway). It will be interoperable with the TEN-T Network in the rest of Europe and competitive in terms of quality with other modes of transport in the region. The indicative timeline and phasing of the project implementation can be found here: <http://www.railbaltica.org/about-rail-baltica/project-timeline/>.

2. SCOPE OF THE SERVICES AND SERVICE COVERAGE

Principal and National implementing bodies seeks for the support from Expert service providers to receive an independent professional expert opinion/advice (including the preparation of supporting documentation, studies, feasibility solution studies, economic analysis, tax advisory, legal advisory etc. studies and services) in planning, implementing and monitoring the Rail Baltica Global Project at all stages of its implementation.

Through the applicable public procurement procedures Principal and the National implementing bodies intends to select the list of experienced Expert service providers who shall be available on-demand basis throughout the period of validity of the Framework Agreements for the provision of Expert Services in various fields.

Principal seeks for the support from Expert Service Providers throughout the implementation of Rail Baltica Global project involving expert teams in following examples described the tasks and activities envisaged to be covered by the framework agreement:

a) **Contracts’ of any type (service, supply works) implementation: review of actual contract implementation status and/or advise on taking further actions; support for independent disputes’ resolution; review and/or advise on design documentation;** monitoring contract implementation progress and technical compliance; on-site status reporting during construction contract implementation; design and construction assessment/expertise (including Detail Technical Design (DTD) revision/advisory services); provision of independent advice on technical, legal issues; review and/or advice on the documentation provided by a provider of particular Service provider, claims and disputes resolution consultations, assistance in contract management incl. FIDIC contracts advisory/secretary services;

b) Commissioning: review and/or report on actual amount of works implemented; review and/or report of the works implemented against the requirements of global parameters of Rail Baltica project, applicable standards and local legislation; review and/or report on the works implemented against the maintenance requirements; review and/or report on the data to be provided during the commissioning process;

2. **Studies’ preparation: reviewing reports and/or advising on taking further actions** based on the review results; preparing small scale studies on a subject matter; economic analysis, scenario analysis and related calculations, creation of graphical layouts and contents, market analysis, manuals/ instructions/technical specifications development;

3. Financial: financing resources planning/allocation; financing advisory/tax advising; reviewing/advising/preparing the insurance policy conditions and regulations.

4. Rail Baltica Global Project management: review and/or advice on the fulfilment of the Rail Baltica Global Project definition, technical parameters, standards, technical specifications for interoperability, global parameters of Rail Baltica project; assistance to Principal on various Rail Baltica project implementation matters; carrying out small and medium scale studies, peer review and similar tasks; market research; benchmarking technical, financial and legal checks and audits, as well as on-the-spot visits and/or audits to the sites and premises where the activities implemented within the Rail Baltica Global Project or are planned to be carried out; participation and/or leading the meetings (preparing minutes thereof), and/or making the presentations on the subjects concerned.

Please note, that there could be more activities not described here, but corresponds to the Project scope and included under this Framework.

All deliverables should be in written form or served as mutual advice according to Assignment order.

3. PROCUREMENT LOTS, FIELDS OF EXPERTISE, DESCRIPTION AND REQUIREMENTS

To carry out the entrusted tasks, Principal will need a support from Expert Service Providers covering the following Fields of Expertise grouped to form the corresponding lots that are created to be a part of procurement:

No.	Procurement Lot	Service fields and scope	Specific requirements for expert teams
1.	Environment	Environmental management plan; Zero impact strategy implementation plan; EIA matters assessment; DTD review assistance; Noise and vibration; Cultural heritage; Spatial planning; Archaeology; Adaptation to climate change; Climate change mitigation; Flora and fauna.	The Tenderer should provide experts team consisting of: EIA expert; Spatial planning expert; Cultural heritage experts incl. archeological expert; Species and habitats experts
2.	1435 mm railway track design and superstructure components	1435mm railway track superstructure components superstructure components strategy 1435 mm railway track design,	Track designer; Superstructure expert; Railway system designer; Railway track and superstructure construction expert.

		DTD design solution review/consultations.	
3.	1435 mm railway Control, Command and Signalling	Interlocking; European train control system (ETCS Level 2); Traffic Management System (TMS); Automatic Train Operations (ATO); Track side elements (point switch machines, axle counters); Auxiliary systems (point monitoring and preventive maintenance, vehicle health monitoring, hot-box detection, meteorological condition detection).	The Tenderer should provide experts team consisting of: Signaling/Interlocking designer ETCS designer TMS designer Designer of auxiliary systems Expert in construction supervision of interlocking Expert in putting in operation of signaling equipment
4.	Railway telecommunications	Radio communications (GSM-R, FRMCS); Backbone telecommunications network; Access telecommunications network; Vehicle health monitoring incl. hot box detection Review of CCS Study; Consulting regarding interface with civil works; Review of proposed solutions in DTD; Review/support during design of signalling, telecommunications and power supply subsystems."	The Tenderer should provide experts team consisting of: GSM-R (FRMCS) radio coverage designer; GSM-R (FRMCS) radio site designer; Railway telecommunication system designer; Telecommunication Expert in construction supervision and construction methods

5.	Railway cable duct system	<p>Cable duct and pipe systems for signalling, telecommunications, traction/ non-traction power supply, Manholes; Cable laying.</p> <p>Consulting regarding interface between civil works and subsystems design projects;</p> <p>Review of proposed cable duct solutions in DTD.</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Railway cable duct system designer on detailed technical design level;</p> <p>Expert in cable duct system construction (construction supervision and construction methods).</p>
6.	Railway traction power supply	<p>Railway traction power supply</p> <p>Scope detalisation/definition/review for ENE deployment and procurement, DTD design solution review, verification of design solutions, preparation of technical conditions for Affected parties; analysis/proposal of design options for specific cases; analysis/development of strategic decisions; review/update of DG</p> <p>Railway AC catenary</p> <p>Railway electromagnetic compatibility and earthing and bonding</p> <p>SCADA for traction</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Railway catenary designer with experience in 25 kV AC catenary</p> <p>Railway catenary designer with experience in 3 kV DC catenary</p> <p>EMC and earthing and bonding designer for co-located 25 kV/ 3 kV systems</p> <p>Traction power supply designer</p>

7.	Railway Non-traction power supply	<p>Railway power supply (for signalling, telecommunications, lighting, technical equipment on stations);</p> <p>Point heating; Renewable energy.</p> <p>For DTD preparation process, i.e. for design option analysis and DTD review/approval process; development for feeding solutions;</p> <p>Consulting regarding interface with civil works;</p> <p>Review of proposed solutions in DTD;</p> <p>Support during design of signalling, telecommunications and power supply subsystems."</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>The Tenderer should provide experts team consisting of electrical engineers (or related experts)</p> <p>Railway low-/medium-voltage power supply system designer</p> <p>Point heating system designer</p> <p>Railway renewable energy system designer</p>
8.	Railway tunnels and bridges	<p>Fire safety requirements</p> <p>Security, Safety, Emergency, Evacuation requirements</p> <p>Communication, utility systems, Ventilation</p> <p>Design, Inspection, Maintenance, monitoring of tunnels</p> <p>Operation plan, Tunnel mouth design, Pressure variations, Construction technology, Railway Bridge design, Fatigue, Construction Materials, Wind stability</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Senior design bridge experts,</p> <p>Senior design tunnel experts,</p> <p>Expert team should include expert with competence as leading design/ senior designer who within last 5 years work in this position and complete at least one railway bridge or tunnel</p>

		<p>Structure-Soil interaction, Track-Structure interaction</p> <p>Dynamic behaviour of structures</p> <p>Maintenance and monitoring of structures</p> <p>For design options analysis and DTD development review/approval process for design options analysis and design development review on more complex and specific topics and situations</p>	<p>construction project where infrastructure is compliant with SRT TSI.</p>
9.	Railway signalling for 1520 mm	<p>Signalling for 1520 mm</p> <p>DTD design solution review & other studies, Engineering requirements on signalling, train protection, interlocking and TMS;</p> <p>Engineering and installation requirements on track side elements (point switch machine, track side signal; track circuits);</p> <p>Requirement on interface between CCS and civil works, track subsystem, cabling, telecommunications, non-traction power supply;</p> <p>Engineering and installation of point monitoring and preventive maintenance systems;</p> <p>Development of railway safety critical systems</p>	<p>The Tenderer shall provide experts team consisting of:</p> <p>CCS designer for 1520 mm railway with ALSN;</p> <p>Expert in construction supervision and putting in operation of CCS subsystems;</p>

10.	Railway operations	<p>Rolling stock maintenance depot</p> <p>Railway health, safety, environment</p> <p>1435 mm rolling stock fleet /maintenance, Rolling stock maintenance strategy development (additional studies)</p> <p>RAMS DTD review, DG update, TS for RAMS study preparation, peer -review of RAMS study</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Railway trial operations expert; Rolling stock expert; Railway safety expert; Operational expert of railway infrastructure</p>
11.	Railway infrastructure maintenance	<p>Maintenance strategy maintenance strategy development (additional studies), review of IMF preliminary design (spatial planning, master design, DTD) process implemented by IBs,</p> <p>Maintenance machinery</p> <p>Maintenance plan</p>	<p>The tenderer should provide Experts or Expert team covering but not limited to the fields of expertise:</p> <p>General railway infrastructure maintenance; Development of railway infrastructure Maintenance Plans and maintenance facility management; Innovative technologies in railway infrastructure maintenance; High-speed railway infrastructure maintenance; Winter maintenance of railway infrastructure / cold climatic conditions."</p>

			Expert with experience in high speed railway infrastructure-maintained development plan.
12.	Transport modelling and Economics	<p>Passenger and freight transport modelling, Microeconomics and macroeconomics</p> <p>Passenger and freight demand analysis studies related to the demand model, e.g. route and mode choice changes over time, mid and long-term mobility scenarios definition.</p> <p>Evaluation of the socio-economic impact of RB project related (but not limited) to regional economic impact, key variables forecast, business environment and labour market, land use and relocation of labour market demand and supply; studies related (but not limited) to value of time, regulation (pricing, governance), competitive services and tariffs, socio-economics analyses; studies related (but not limited) to urban areas regeneration, integration with urban mobility, impacts on accessibility of non-urban areas</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Experts with proven experience in transport modelling/economics projects</p> <p>analyst(s) holding MSc or Doctorates in quantitative disciplines (economics, applied econometrics, mathematical modelling, statistics, etc.)</p>
13.	Transport marketing	<p>Mobility and logistics market research. Mobility and logistics market research</p> <p>Early product development & prototyping, Branding & creative services</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Experts with proven experience in marketing strategy development,</p>

		<p>Development of technical specifications for Marketing Strategy/industry best practices incorporation for a long-term marketing plan procurement. And implementation of the Marketing Strategy. such areas as brand development and awareness, route promotion, marketing partnerships, early product development and prototyping for freight and passenger mobility, client attraction and engagement, early customer orientation, gauging of future customer expectations, market readiness promotion, pricing considerations, market targeting and competitive landscape assessment, value proposition formulation and development</p>	
14.	Infrastructure management	<p>Railway infrastructure access charging and capacity allocation model</p> <p>Building on the insights of the Rail Baltica Infrastructure Management Study⁶, a comprehensive infrastructure access charging and capacity allocation model shall be developed with a view of ensuring a sustainable balance between ensuring long-term commercial viability of Rail Baltica and promoting traffic development and wider socio-economic benefits.</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Expert with previous position or knowledge in position at an EU railway infrastructure management organization, managing a network that includes railway infrastructure matching or exceeding Rail Baltica TSI P2/F1 parameters (250km/h; mixed</p>

⁶ <http://www.railbaltica.org/wp-content/uploads/2019/04/RB-AS-Infrastructure-Management-Study-Final-Report.pdf>

		<p>Future user engagement and commercialization,</p> <p>Development of competitive services in an open-access market (including passenger high-speed; regional; freight); engagement of terminal operators, property developers, multimodal station developers; development of open-access freight and passenger rail services; attraction of investors in and around Rail Baltica. Promotion of greenfield construction and operational synergies with other types of infrastructure (including digital/5G, energy, industrial, defence etc).</p> <p>Institutional governance and transition planning</p> <p>RB Rail aims to assist the Baltic governments in reaching political decisions regarding future infrastructure management model and efficient institutional arrangements underpinning it. The project is committed to promoting well-functioning future Rail Baltica services and investment market; transparent and non-discriminatory infrastructure access; synergies and one-stop-shop solutions for users; efficient multimodal integration and synergies with other infrastructure along the Rail Baltica corridor. In addition, an efficient and seamless transition path must be developed and</p>	<p>traffic; ERTMS etc); open access market.</p>
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		implemented from project delivery to infrastructure management.	
15.	Intermodal logistics	<p>Rail freight business Studies and support for potential pilot activities in the development of future rail freight services, including but not limited to determination of critical prerequisites of rail freight development along Rail Baltica; interfaces with RUs and operators; rail freight corridor development; 1435/1520 intramodality; access charging and tariff policy etc.</p> <p>Intermodal Logistics and Supply Chain Development</p> <p><u>Studies and support for potential pilot activities</u> aimed at early development of Rail Baltica future rail freight services as part of wider multi-/intermodal freight supply chains, including but not limited to traffic development; interfaces with RUs and operators; 1435/1520mm intermodality; access charging; freight/industrial village development (including optimum functionalities, layouts, technologies); multimodal integration; rolling stock; combined transport; assembly logistics; e-commerce and postal services; customs;</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>Experts with experience logistics with various multimodal integrity option benchmarking experience.</p> <p>As well as university background or academics background.</p> <p>Expert with knowledge of air and rail international contractual law (COTIF for the rail)</p>

		<p>veterinary/phytosanitary, temperature-controlled/cold chain services; digital documentation; traceability; automation.</p> <p><u>Advisory and support services</u> to promote the development of long-term added-value logistics services, as well as leveraging intermodal logistics capability as an enabler of industrial development and trade competitiveness (and solutions to promote synergies between transport/logistics and trade/industry).</p> <p><u>Development and simulation</u> of whole supply chain cost competitiveness (involving Rail Baltica and other services) vis-a-vis competing services.</p> <p><u>Advanced studies and practical applications</u> of air-rail, road-rail and other integrated logistics solutions, building on the Rail Baltica Airport Integration and Piggyback Transportation studies and emerging global best practice benchmarking. Development may also include project cargo, including but not limited to defence and specialist industrial logistics.</p>	
16.	Finance	<p>Insurance broker consultation services, preparation of insurance program, advisory services during insurance procurement, consultation services for DTD, D&B or CONSTRUCTION</p>	<p>The Tenderer should provide experts team consisting of:</p>

		<p>Procurements regarding insurance clauses.</p> <p>Insurance contracts management and other insurance related matters advisory. This includes insurance of JV depending on the programme defined by the broker limitations of CEF eligibility period.</p> <p>Alternative financing options analysis for point type objects and other specific cases</p> <p>Tax advisory services Tax advisory on VAT and CIT in EE, LV, LT</p> <p>Payroll and tax compliance outsourcing Payroll and tax compliance outsourcing in EE, LT, LV</p>	<p>Experts with experience on advisory services for large scale infrastructure financing projects.</p> <p>Experience with consultancy of foreign financial institutions</p>
17.	Railway digital innovations	<p>Cybersecurity, sustainable ICT, open data and systems, telecommunications and networking, data integration, "IOT" and autonomous systems for railway operations/monitoring & maintenance</p> <p>innovative solutions for railway operation and maintenance, and for passengers/ freight operators, including but not limited to solutions to increase efficiency and attractiveness of rail to promote modal shift (and thus increase traffic), integration with other transport modes, and also synergies with initiatives such as CEF2 Digital, rural</p>	<p>The Tenderer should provide experts team consisting of:</p> <p>IT experts, transport engineers,</p>

		<p>development projects, etc. Possible tasks/studies include investigation of options for data integration across transport modes, use of autonomous systems for operations & maintenance, cybersecurity and trusted systems, wayside sensors/monitoring solutions, etc. It must be noted that topics/subjects in this area will evolve.</p>	
18.	<p>Contract management, claims and dispute resolution</p>	<p>Claims management</p> <p>Dispute resolution</p> <p>Quantum analysis</p> <p>Delay and disruption analysis</p> <p>Services within Contract implementation control (incl. DTDs) FIDIC contracts</p> <p>Review of Contract conditions/ advisory and solutions development for cases</p> <p>Programme Review</p> <p>Advisory and Management of Delays/Extension of Time and Cost Claims</p>	<p>Service provider must provide an expert team that consists of Senior Experts and Consultants in the Claims Management, Dispute Resolution, Quantum Analysis and Delay Analysis -in particular Assignment orders we could ask experts to be certified members of one the following institutions: Chartered Institute of Arbitrators, Institution of Civil Engineers, Royal Institution of Chartered Surveyors and/or AACE International or equivalent.</p>
19.	<p>Road and utilities design</p>	<p>Road design, water wastewater, heat and gas design, drainage systems design</p> <p>Road design, longitudinal profile, road substructure and superstructure design, road slope and ditch</p>	<p>Service provider must provide an expert team with certified expert if the Assignment order consider developing expertise in field,</p>

		design and other related issues to relocated and new road design solutions.	where LV, LT, EE legislation requires appropriate certification. There will be experts of engineers (or related experts) in field of road design, water and wastewater mains design, gas, bride, tunnel. and melioration needed.
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Please note, that the specific requirements for expert teams is not limited and will be described more precise in next stage- with particular Assignment order will be issued. The requirements of Public Procurement Law will be met in the preparation of particular Assignment orders and setting requirements for experts needed to fulfil the task.

4. IMPLEMENTATION OF ASSEGMENT ORDERS

The selected Service providers at any time may be invited to submit a proposal for the provision of services. The process how Service providers are selected to perform the specific task is described in the Framework agreement Section IV.

Place of Performance of services.

It is assumed that the Service provider's expert team carries out its duties for a specific task within each individual part of the procurement either remotely at the premises of the company or at the location of the Rail Baltica project -Riga, Tallinn or Vilnius.

In expert rates, Service provider should include all costs related to performance of the expert team, as well as meet the requirements of the tasks, ensuring separate time records, where the same expert works on a number of tasks or in separate lots at the same time period.

Principal reserves the right to request the Service provider to replace a team member in case of any of the following reasons:

- repeated careless performance of duties;
- incompetence or negligence;
- non-fulfilment of obligations or duties stipulated in the Framework agreement;
- poor knowledge of English language (unsatisfactory presentation, writing skills in English);
- termination of employment relations or cooperation agreement with the Service provider.

Failure of the Service provider to propose an expert or expert team with required qualification might lead to exclusion from the Framework agreement.

The Service provider shall ensure necessary effort, means, resources and personnel required for the successful provision of services.

The Service provider shall be responsible for ensuring that its experts included in service contract are available throughout the service provision period.

The Service provider must keep records and other supporting documentation (original supporting documents) as evidence that the Contract is performed correctly, and the expenses were actually incurred. These must be available for review upon the request of Principal.

The Service provider shall carry out the tasks, prepare and provide all documents, reports, minutes of the meetings and any other information material required for the provision of the services.

During the implementation of services, the Service provider shall identify possible risks at early stage and propose a mitigation measures in Assignment order to successfully deliver services on time.

As a part of services, the Service provider shall prepare information material in a fully comprehensive and understandable way, by providing explicit and full source details (initial information, evidences etc.) used for the analysis and provision of services. The deliverables shall include detailed explanation of methods employed that lead to the solutions delivered by the Service provider.

The Principal shall have no influence on outcome results (reports, summary, advice, decisions etc.) **delivered by the Service provider. However, the Service provider shall consider Principal's reasoned observations on the initial information used and analysis methods employed by the Service provider to provide outcome results of the services.** The implementation of such observations is subject to the approval of the services by the Principal.

Upon a request by the Principal, the Service provider shall take part at the meetings, forums, discussions, etc. organised by the Principal or where the Principal shall take part. Meetings could be organized in person or online.

When necessary, the Service provider shall prepare informative materials or work report presentations to be presented to these meetings.

5. OBLIGATIONS AND RESPONSIBILITIES OF EXPERT SERVICE PROVIDERS

It is assumed by the Principal, that Expert service provider:

- a) ensures high level expert team availability on demand basis and ensure high quality service outcome in all service lots applicable to the Tenderers proposal.
- b) proposes an optimum structure for the Project Team, based on the Services Requested in the terms of reference, and where possible propose a core team with cross-functional roles.
- c) Performs the Assignments in compliance with its provisions and all legal obligations under applicable EU, international and national law within the set deadlines and to the highest professional, diligence and ethical standards and be fully independent.
- d) prepare detailed proposal for services to be provided. The proposal includes Team of experts arranged for the services (CV etc. documentation), graphical representation of main Services milestones and deadlines of deliverables as required in particular Assignment order and taking into account these Technical specifications. Service provision programme shall cover possible risks for implementation and mitigation measures to avoid those risks in Assignment order to complete the Service on time.
- e) shall make its own arrangements for office facilities, personal computers and other facilities of appropriate performance and security standard for service provision
- f) shall ensure that its team members (experts etc.) involved in service provision are adequately supported and equipped. In particular, the Service provider shall ensure that there is enough administrative, secretarial and interpreting provision to enable team members to concentrate on their primary responsibilities. The Service provider must also transfer funds as necessary to support its activities under the Contract and ensure that his employees are paid regularly and in a timely manner. Costs for administration of service contract and office operation including telecommunication costs shall be included.
- g) Expert service provider rejects the proposed Assignment order if he recognizes the possibility of conflict of interest.

The particular assignments shall be carried out by experts or expert team who comply with the technical and professional qualifications mentioned in Assignment order or if there are no other requirements, team members qualification should corresponds to levels stated below of The Framework for Qualifications of the European Higher Education Area- from Team leader -Level 7 or 8, to secretariat at Level 5.

	Knowledge	Skills	Responsibility and autonomy
Level 5 ^[1] The learning outcomes relevant to Level 5 are	Comprehensive, specialised, factual and theoretical knowledge within a field of work or study and an awareness of the boundaries of that knowledge	A comprehensive range of cognitive and practical skills required to develop creative solutions to abstract problems	Exercise management and supervision in contexts of work or study activities where there is unpredictable change; review and develop performance of self and others

Level 6 ^[2] The learning outcomes relevant to Level 6 are	Advanced knowledge of a field of work or study, involving a critical understanding of theories and principles	Advanced skills, demonstrating mastery and innovation, required to solve complex and unpredictable problems in a specialised field of work or study	Manage complex technical or professional activities or projects, taking responsibility for decision-making in unpredictable work or study contexts; take responsibility for managing professional development of individuals and groups
Level 7 ^[3] The learning outcomes relevant to Level 7 are	Highly specialised knowledge, some of which is at the forefront of knowledge in a field of work or study, as the basis for original thinking and/or research Critical awareness of knowledge issues in a field and at the interface between different fields	Specialised problem-solving skills required in research and/or innovation in Assignment order to develop new knowledge and procedures and to integrate knowledge from different fields	Manage and transform work or study contexts that are complex, unpredictable and require new strategic approaches; take responsibility for contributing to professional knowledge and practice and/or for reviewing the strategic performance of teams
Level 8 ^[4] The learning outcomes relevant to Level 8 are	Knowledge at the most advanced frontier of a field of work or study and at the interface between fields	The most advanced and specialised skills and techniques, including synthesis and evaluation, required to solve critical problems in research and/or innovation and to extend and redefine existing knowledge or professional practice	Demonstrate substantial authority, innovation, autonomy, scholarly and professional integrity and sustained commitment to the development of new ideas or processes at the forefront of work or study contexts including research

Conflicts of interests

It is assumed by the Principal, that Expert service provider's all experts its free from conflicts of interest in the tasks or responsibilities accorded to them.

6. REIMBURSEMENT OF TRAVEL EXPENSES

In case the Principal for the implementation of a particular Assignment order requires an expert to **travel from his/her place of residence or Tenderer's office (whatever is applicable) for more than 200 km one way**, the Principal shall reimburse incurred travel⁷ expenses and accommodation allowance **and daily allowance (only when the implementation of the Assignment requires overnight stay)** for every Expert included in a particular Assignment order.

⁷ The point of departure shall be limited to the location in Europe.

For the implementation of an Assignment order where traveling is included, the Expert shall ensure average level economical travel and accommodation expenses.

The following travel expenses are subject to reimbursement:

- Bus travel - for a distance of less than 400 km one way;
- Second-class rail travel - for a distance of less than 400 km one way;
- Economy class air travel - for a distance of more than 400 km one way;
- A travel expense (a return ticket) shall not exceed 500 EUR. Travel expense exceeding 500 EUR on return ticket will be reimbursed at 500 EUR max.

Accommodation allowance limit is 120 EUR/per day.

Daily allowance (covers expenditures for meals, local transport etc) limit is 40 EUR/per day.

The Principal does not reimburse other expenditures or that exceed the limits set above.

All other costs related to delivery of particular Assignment order shall be included in hourly rate.

7. QUALITY REQUIREMENTS OF THE COMPLETED ASSIGNMENTS

All completed and delivered assignments must be of such quality as to require no further correction by the Principal. The Service Provider must ensure, inter alia, that all specific instructions from the Principal are followed, that the assignment is complete, accurate and consistent and that the agreed deadline is respected scrupulously. Each assignment may be assessed by the Principal. This assessment in no way diminishes the Service Provider's obligation to ensure that all assignments can be used as sent, without any further revision or correction by the Principal.

The Principal shall measure all completed assignments by using following Key Performance Indicators:

A. QUALITY if the quality of the assignment is assessed as being of an:
high standard (+3),
good standards (+2),
poor standard (+1);

B. DEADLINES:
clearly set timescale for fulfilment of assignment by Service provider and the agreed deadline is respected scrupulously by Service Provider (+3),
the timescale for fulfilment of assignment is not clearly set by Tenderer and/or agreed deadline is not respected by Tenderer (+1);

C. COOPERATION if cooperation is:
very good (+3),
good, but not in all matters (+2),
poor cooperation (+1).

(when evaluating the cooperation matters following issues could be taken into account - timely response as set in the Assignment order, Service Providers understanding of the assignment, timely submission of the Assignment order and/or invoices to the Principal);

The Principal shall calculate the final score for each assignment by summing up all points obtained for the particular assignment and dividing the sum with 3 (three). The Principal records the resulting KPI.

ANNEX NO 2: APPLICATION FORM

TENDERER'S APPLICATION
FOR PARTICIPATION IN THE PROCUREMENT
ID. NO RBR 2020/8
"Expert services for Rail Baltica Global project"

Tenderer _____,

(Name of the Tenderer or members of the Partnership)

(Registration number of the Tenderer or member of the partnership)

(Legal address)/ (Actual address)

(Telephone and e-mail)

represented by _____,

(Name, surname and position of the manager or an authorised person)

by submitting this application:

1. confirms its participation in the open competition organised by the RB Rail AS "Expert services for Rail Baltica Global project";
2. confirms the participation in

(Procurement Lot name and No)

3. **confirms the expert's team will be available to deliver expert services in accordance** with the conditions specified in Terms of reference and Framework agreement for the following Procurement Lots (as indicated in Regulations) at **maximum hourly rate:**

LOT No and name	Max. Expert Hourly rate EUR, excl. VAT
...

And conforms, that the above-mentioned rates are:

- understood as compensation for 8 hours worked in a working day,
- fixed maximum price limit during the all term of the Framework Agreement,
- revisable regarding mini competitions scope and can be reduced,
- quoted in EURO,
- without VAT,

- inclusive of any obligations arising from the technical specifications, the terms and conditions of the Framework Agreement and
 - inclusive of all billing elements and general expenses connected with the services to be tendered, including attendance at meetings in all three countries- Latvia, Lithuania and Estonia, except travel expenses which will be compensated according to assignment (if required).
4. declares that for the purposes of qualifying for the open competition we rely on the capabilities of the following entities:

No	Name, registration number and registered address of the entity	Capabilities on which the Tenderer relies
1.		
2.		
3.		
...

5. declares that for the purposes to provide the services for the open competition we sub-contract of the following entities:

No	Name, registration number and registered address of the entity	Subcontractors expertise fields	<i>Size of entity sized enterprise as defined in the Article 2 of the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprise.</i>
1.			
2.			
3.			
...	

6. (if applicable) Informs, that the following persons comply with the following exclusion grounds

No	Name of the entity (and person)	Exclusion ground and brief description of the violation
1.		
2.		
3.		
...

7. confirms that it is informed of the fact that, upon the fulfilment of any cases regarding the exclusion of tenderers referred to in Section 8.1 of the Regulation during the procurement process, the Proposal of the Tenderer may be refused or, in the case of granting the right to enter into the Framework agreement, the Contracting authority may refuse to enter into the Framework agreement;
8. confirms that, if the Tenderer will be awarded entering into Framework agreement, Tenderer will provide **the services in accordance with the requirements of "Technical specification for Expert services" for Lot No _____ (insert Lot number and name).**
9. confirms that the Regulation is clear and understandable, that it does not have any objections and complaints and that in case of granting the right to enter into the Framework agreement it shall undertake to fulfil all conditions of the Regulation as well as enter into the Framework agreement in accordance with the Framework agreement enclosed with the Regulation;
10. confirms that in the preparation and submission of its Proposal, Tenderer has fully considered all the clarifications issued by the Contracting authority;

11. agrees that the Contracting authority reserves itself the right to reject any or all Proposals and cancel the procurement process before entry into Framework agreement on the grounds specified in the Regulations or the law;
12. guarantees that all information and documents provided are true;
13. confirms⁸ that meets the criteria of (please indicate by ticking relevant box):
 a small medium other

sized enterprise⁹ as defined in the Article 2 of the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprise.¹⁰

_____ [date
of signing] _____

[name and position of the representative of the Tenderer]

(document of representations rights enclosed)

⁸ Tenderer must indicate size of enterprise for each member of the partnership, if the Tenderer is a partnership.

⁹ The information on the size of the Tenderer is used solely for statistical purposes and is not in any way whatsoever used in the evaluation of the Tenderer or the Proposal.

¹⁰ Available here - http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2003.124.01.0036.01.ENG&toc=OJ.L:2003:124:TOC

ANNEX NO 3: CONFIRMATION OF FINANCIAL STANDING

CONFIRMATION OF TENDERER'S FINANCIAL STANDING FOR THE OPEN COMPETITION

- Section 8.3.1 of the Regulations

Tenderer's or all members of the partnership together (if the Tenderer is a partnership and confirms the average financial turnover jointly) average financial turnover within the last 3 (three) financial years (2017, 2018, 2019) is not less than **100 000 EUR (one hundred thousand euros)** per year.

In the event the average annual financial turnover of a limited partner of the limited partnership (within the meaning of the Commercial Law, Division X) exceeds its investment in the limited partnership, the average financial turnover shall be recognized in the amount of the investment in the limited partnership.

In the event the Tenderer or a member of a partnership (if the Tenderer is a partnership) has operated in the market for less than 3 (three) financial years, the **requirement shall be met during the Tenderer's actual operation period.**

No	Year	Total Turnover in EUR	Notes
The Tenderer or member of the partnership (if the Tenderer is a partnership) on whose capacity Tenderer is relying to certify its financial and economic performance (Section 8.3.1 of the Regulations) and who will be financially and economically responsible for fulfilment of the Contract or other entity on whose capacity Tenderer is relying (if the Tenderer is relying on other entity's capacity) to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract:			
Name of the Tenderer/member of a partnership/other entity			
1.	2017		
2.	2018		
3.	2019		
Average annual turnover within the last 3 (three) financial years			

- Section 8.3.2 of the Regulations

The Tenderer and each member of the partnership (if the Tenderer is a partnership) on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for the fulfilment of the Contract and other entity on whose capacity Tenderer is relying to certify its financial and economic performance and who will be financially and economically responsible for the fulfilment of the Contract, shall have stable financial and economic performance, namely, in the last financial year (2019) liquidity ratio (current assets divided by short-term liabilities) shall be equal to or exceed 1 (one) and shall have positive equity.

Name of the Tenderer/member of partnership/other entity

$$\text{liquidity ratio} = \frac{\text{current assets}}{\text{short-term liabilities}} = \underline{\hspace{2cm}}$$

$$\text{equity} = \text{total assets} - \text{total liabilities} = \underline{\hspace{2cm}}$$

[date of signing]

[name and position of the representative of the Tenderer]

ANNEX NO 4: QUALIFICATION REQUIREMENTS FOR THE PREVIOUS EXPERIENCE OF THE TENDERER AND DESCRIPTION OF THE TENDERERS EXPERIENCE

Lot No 1 Environment

Fields of expertise: Noise and vibration, Cultural heritage, Spatial planning, Archaeology investigation, Environment, Adaptation to climate change, Climate change mitigation, Flora and fauna

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from__to (month/year))	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: 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.)				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.				
2.				
3.				
4.				

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 2 1435 mm railway track design and superstructure components

Fields of expertise: 1435 mm railway track design, 1435mm railway track superstructure components.

No	Description of the delivered services which characterize the required experience including technical parameters.	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years (including year 2020 till the submission of the proposal) has completed at least 2 (two) Railway track or platform detailed technical design or construction projects.</p> <p>Each reference project shall be compliant with TSI INF requirements and include the scope of:</p> <p>a) 10 km railway section with design speed of at least 200 km/h; OR b) 1 railway station with 8 or more tracks and 2 passenger platforms.</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 3 1435 mm Railway Control, Command and Signalling

Fields of expertise: Interlocking; European train control system (ETCS Level 2);Traffic Management System (TMS);Automatic Train Operations (ATO);Track side elements (point switch machines, axle counters);Auxiliary systems (point monitoring and preventive maintenance, vehicle health monitoring, box detection , meteorological condition detection).

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from__to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has completed at least 2 (two) Railway control, command and signalling detailed technical design or construction projects compliant with TSI CCS requirements and include the scope of:</p> <p>a) <u>10 km railway section with design speed of at least 200 km/h</u> OR b) <u>1 railway station with 8or more tracks and 2 passenger platform</u></p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible))-

- 1.
2.

Lot No 4 Railway telecommunications

Fields of expertise: Radio communications (GSM-R); Backbone telecommunications network; Access telecommunications network;

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered(from ___to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has completed at least 2 (two) railway telecommunication detailed technical design* or construction projects. Scope of each reference project shall include:</p> <p>a) 10 km railway section with design speed of at least 200 km/h and compliance with TSI CCS requirements (only for GSM-R);</p> <p>OR</p> <p>b) 1 railway station with 8 or more tracks and 2 passenger platforms.</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

**Approved by the authorities in order to start construction*

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 5: Railway cable duct system

Fields of expertise: Cable duct and pipe systems for signalling, telecommunications, traction/ non-traction power supply, Manholes, Cable laying.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references	
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in at least 2 (two) railway cable duct system detailed technical design* or construction projects.</p> <p>Scope of each reference project shall include:</p> <p>a) 10 km railway section with design speed of at least 200 km/h. OR</p> <p>b) 1 railway station with 8 or more tracks and 2 passenger platforms</p>					
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities			
1.	Project title	Tenderers description			
2.	Project title	Tenderers description			

**Approved by the authorities in order to start construction*

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible))-

- 1.
2.

Lot No 6: Railway traction power supply

Fields of expertise: Railway AC and DC catenary systems, Railway electromagnetic compatibility (EMC) and earthing and bonding, SCADA for traction

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from__to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in at least 2 (two) railway traction power supply detailed technical design or construction projects for 25kV electrification system were projects is compliant with TSI ENE requirements and include the scope of:</p> <p>a) 20 km railway section with design speed of at least 249 km/h. OR</p> <p>b) 1 railway station with 8 or more tracks and 2 passenger platform</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 7: Railway Non-traction power supply

Fields of expertise: Railway power supply (for signalling, telecommunications, lighting, technical equipment on stations);

Point heating, Renewable energy.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has completed at least 2 (two) Railway Non-traction power supply detailed technical design or construction projects. Scope of each reference project shall include:				
<ul style="list-style-type: none"> a) 20 km railway section with design speed of at least 200 km/h. OR b) 1 railway station with 8 or more tracks and 2 passenger platforms 				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

1.

Lot No 8: Railway tunnels and bridges

Field of expertise: "Fire safety requirements, security, safety, emergency, evacuation requirements, communication, utility systems, ventilation design, inspection, maintenance, monitoring of tunnels, operation plan, =tunnel mouth design, pressure variations, construction technology, railway bridge design, fatigue, construction materials, wind stability, structure-soil interaction, track-structure interaction, dynamic behaviour of structures, maintenance and monitoring of structures

No	Description of the delivered services which characterize the required experience including technical parameters	Contract period when services were delivered (from___to (month/year))	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: 1) The Tenderer within the previous 7 (seven) years has gained experience in at least 1 (one) design of railway-tunnel for high-speed railway line with designed speed above 160 km/h where tunnel construction has been started and/ or completed. Tunnel must be compliant with TSI requirements or TSI verified. 2) The Tenderer within the previous 7 (seven) years has gained experience in at least 2 (two) railway bridge designs, where bridge is constructed for high speed railway line with speed above 200 km/h and each of the structure should be at least 150 m long. Bridges must be TSI verified.				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Tunnel Project title	Tenderers description		
3.	Bridge Project title			
4	Bridge Project title			

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract *(if possible)*:-

1.

Lot No 9: Railway signalling for 1520 mm

Fields of Expertise: Engineering requirements on signalling, train protection, interlocking and TMS; Engineering and installation requirements on track side elements (point switch machine, track side signal; track circuits); Requirement on interface between CCS and civil works, track subsystem, cabling, telecommunications, non-traction power supply; Engineering and installation of point monitoring and preventive maintenance systems; Development of railway safety critical systems

No	Description of the delivered services which characterize the required experience (including technical parameters)	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has completed at least 2 (two) signalling detailed technical design or construction projects of 1520 mm railway with ALSN signalling system</p> <p>Each reference project shall include the scope of:</p> <p>a) 10 km railway section with design speed of at least 100 km/h OR</p> <p>b) 1 railway station with 8 or more tracks and 2 passenger platform</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible))-1.

2.

Lot No 10: Railway operations

Fields of Expertise: Railway operations incl. test phase and trial operations, train operation safety, rolling stock maintenance, rolling stock maintenance facility planning and technology, railway health, safety, environment

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has completed at least 2 (two) projects in field of: railway operations, rolling stock maintenance, train operation safety. Scope of each reference project shall include: a) Railway operations on railway line section with design speed of at least 200 km/h and compliant with TSI requirements for rolling stock; and infrastructure; OR b) Rolling stock maintenance or maintenance facility design/operation for trains with operational speed at least 200 km/h and compliant with TSI requirements for rolling stock; and infrastructure;</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-1.

2.

Lot No 11: Railway infrastructure maintenance

Field of expertise Maintenance Strategy, maintenance machinery, maintenance plan, maintenance work procedures, maintenance facility planning and technology, RAMS.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered(from ___to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous <u>20 (twenty)</u> years has developed and completed at least 1 (one) railway infrastructure maintenance development plan/study/strategy for Railway Infrastructure Manager OR has completed at least 1 (one) Railway Infrastructure maintenance facility design or /and construction project for the needs of high-speed line (with operational speed of at least 200 km/h) Infrastructure Manager.</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 12: Transport modelling and Economics

Field of expertise: Transport demand modelling, microeconomics, macroeconomics, urban economics and planning.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation:</p> <p>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, intermodality planning, stated preference surveys).</p> <p>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>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		
3.	Project title	Tenderers description		
4.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-1.

2.

Lot No 13: Transport marketing

Fields of Expertise: Mobility and logistics market research, early product development & prototyping, branding & creative services B2B, B2B2C and B2C communication, market and customer research.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in the development and implementation of comprehensive marketing strategies in at least 2 (two) reference projects across at least 2 transport companies/organizations. <u>or</u> The Tenderer within the previous 10 (ten) years has gained in-house experience in at least 2 (two) marketing and product development projects related to cross – border transportation/ logistics/ intermodal logistics</p>				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		
	Description of main tasks and results showing in house experience.			

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-1.

2.

Lot No 14: Infrastructure management

Field of expertise: Railway infrastructure access charging & revenue development, future user engagement & open-access market development, Institutional governance & transition planning

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from__to (month/year))	Document that evidence services done (official letters etc.)	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in at least 2 (two) reference projects across at least 2 organisations in relation with infrastructure management (e.g. Infrastructure access charging and revenue models; Life-cycle and sustainable asset management; Development of competitive services in an open-access market; Institutional governance and interface with market; Transition planning from project delivery to infrastructure management)</p> <p><u>or</u></p> <p>the Tenderer as a railway infrastructure management organization within the previous 10 (ten) years has gained experience managing railway/logistics infrastructure, jointly covering the following areas:</p> <ul style="list-style-type: none"> a) Infrastructure access charging and revenue models; b) Lifecycle and sustainable asset management; c) Development of competitive services in an open-access market; d) Institutional governance and interface with market; e) Transition planning from project delivery to infrastructure management. 					
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities			
1.	Project title	Tenderers description			
2.	Project title	Tenderers description			
	Description of main tasks and results showing experience.				

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible))-1.

2.

Lot No 15: Intermodal logistics

Field of expertise: Rail freight business, supply chain development and VALUE-ADDED logistics, terminal infrastructure & technology, multimodal integration & logistics (rail, air, maritime, road), Project cargo (including defence & Industrial)

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered(from ___to (month/year))	Document that evidence services done (official letters etc.)	Contracting authority	Contact information for references
<p>According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in at least 3 (three) international/cross-border multi-/intermodal freight supply chain development and operation projects in an in-house and/or strategic advisory. The qualified projects must have the following features:</p> <p>a) at least 2 projects must involve rail shipments and one of these projects should include at least 2(two) EU TEN -T Core Network Corridors;</p> <p>b) at least 1 project must involve:</p> <p>(i) Asia-Europe overland rail corridor;</p> <p>or</p> <p>(ii) intercontinental air freight;</p> <p>or</p> <p>(iii) an EU/EEA maritime or dry port with at least 2 million TEU annual container turnover;</p>					
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities			
1.	Project title	Tenderers description			
2.	Project title	Tenderers description			

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract *(if possible)*)-

- 1.
2.

Lot No 16: Finance

Field of expertise: Finance, Insurance broker consultation service, alternative financing options analysis for point type objects and other specific cases, tax advisory services, payroll and tax compliance outsourcing.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from__to (month/year))	Contract price (EUR, excl. VAT)/ investment value	Project value, EUR.	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: Tenderer during last 10 years has completed 2 contracts for the consultations of insurance services for transport mobility sector infrastructure projects. and Tenderer during last 10 years has completed 2 contracts for the preparation for business plan for a transport infrastructure mobility project delivery company or infrastructure manager with the purpose to implement and operational phases, with the capital expenditure of at least 1 MEUR per project.						
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities				
1.	Project title	Tenderers description				
2.	Project title	Tenderers description				
3.	Project title	Tenderers description				
4.	Project title	Tenderers description				

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 17: Railway digital innovations

Field of expertise: Railway engineering IT, cybersecurity and data, alternative energy/power solutions.

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered (from ___ to (month/year))	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: Tenderer within the previous 10 (ten) years has gained experience in at least 2 (two) digitalisation projects in transport sector, including digital solution development for transport logistics or passenger mobility efficiency, or railway maintenance.				
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities		
1.	Project title	Tenderers description		
2.	Project title	Tenderers description		

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (if possible)-

- 1.
2.

Lot No 18: Contract management: claims and dispute resolutionField of expertise: Claims management, Dispute resolution, Quantum analysis, Delay Analysis

No	Description of the delivered services which characterize the required experience	Contract period when services were delivered(from ___ to (month/year))	Contract price (EUR, excl. VAT)/ project value (EUR)	Contracting authority	Contact information for references
According to Section 8.4. (1) of Regulation: The Tenderer within the previous 10 (ten) years has gained experience in contract management (including Claims Management, Dispute Resolution under FIDIC contract rules, Quantum Analysis and Delay Analysis) in at least 3 (three) infrastructure projects where each project includes several combined to each other design and /or build contracts and minimum investment value of each infrastructure project is EUR 10 MEUR .					
	Subject matter of the contract/ Project title	Description of the delivered services and responsibilities			
1.	<u>Project title</u>	<u>Tenderers description</u>			
2.	<u>Project title</u>	<u>Tenderers description</u>			
3.	<u>Project title</u>	<u>Tenderers description</u>			

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract (*if possible*))-1.

2.....

Lot No 19: Road and Utilities design

Field of expertise: Road design, Water, wastewater, heat and gas design, Drainage systems design.

<u>No</u>	<u>Description of the delivered services which characterize the required experience</u>	<u>Contract period when services were delivered (from ___ to (month/year))</u>	<u>Contract price (EUR, excl. VAT)</u>	<u>Contracting authority</u>	<u>Contact information for references</u>	
<p>According to Section 8.4. (1) of Regulation: The Tenderer as main designer within the previous 10 (ten) years has gained experience in 2 (two) reference infrastructure design projects with the investment contract sum of 1 MEUR At least one of projects includes road section (new or re-construction) design with at least one tunnel or bridge pass.</p>						
	<p>Subject matter of the contract/ Project title</p>	<p>Description of the delivered services and responsibilities</p>				
1.	<p><u>Project title</u></p>	<p><u>Tenderers description</u></p>				
2.	<p><u>Project title</u></p>	<p><u>Tenderers description</u></p>				

Annexes attached by the Tenderer on its own discretion: (Feedback letters, other documents which proves successful delivery of the services and completion of the contract *(if possible)*)-

- 1.
2.

ANNEX NO 5: DRAFT FRAMEWORK CONTRACT