

Open competition “Detailed Technical Design Review and Design Expertise Services for Rail Baltica in Latvia” (Identification No RBR 2019/16)

Extract of the minutes of the meeting with interested Suppliers

Rīga, 21 July 2020

In accordance with Cabinet of Minister Rules No 107 on Conducting procurement procedures and design contests of 28 February 2017, Article 11, Contracting authority organizes meeting with interested suppliers in open competition “Detailed Technical Design Review and Design Expertise Services for Rail Baltica in Latvia” (identification No RBR 2019/16) (hereinafter – the Meeting).

In accordance with Cabinet of Minister Rules No 107 on Conducting procurement procedures and design contests of 28 February 2017, Article 11, formation regarding the Meeting has been published in RB Rail AS website on 16 July 2020.

Meeting opening at: 13:00.

Meeting organized by: RB Rail AS, registration number 40103845025, registered address: K. Valdemāra iela 8-7, Rīga, LV-1010, Latvia.

Venue of the meeting: Online meeting organised in *Microsoft Teams* platform.

Meeting participants:

Kaupo Sirk – Head of Civil works and Stations, invited expert of RB Rail AS;

Ēriks Diļevs – Roads and Utilities Team Leader, RB Rail AS;

Arnis Zelčs – Lawyer, RB Rail AS;

Evaldas Katkus – Roads and Utilities Engineer, RB Rail AS;

Baiba Ūbele – Procurement Specialist, RB Rail AS;

Linda Kalniņa – Procurement Specialist – Lawyer / Secretary, RB Rail AS;

Suppliers’ authorized representatives (Annex No 1, not to be disclosed).

Agenda:

1. Introduction of the meeting rules;
2. Presentation of Detailed Technical Design Review and Design Expertise Services for *Rail Baltica* project;
3. Interested supplier’s questions and Contracting Authority’s answers session.

The course of meeting:

1. Baiba Ūbele introduces to the Meeting rules;
2. Ēriks Diļevs presentation (Annex No 2);

3. Topics of discussion during question and answers session and provided responses:

No	Topic	Responses / Explanations
1.	Scope of the works / Number of building permits / Design solutions.	The Contracting Authority explains that preliminary design is included in open competition documentation and shall serve as basis for estimation of the scope and amount of works (number of building permits). All actual information available for the Contracting Authority at this stage regarding construction objects have been given to the Tenderers. Actual number of total construction objects and structures may change during the Design process of <i>Rail Baltica</i> project as it is already stated in Technical specification and final (exact) number of building permits will depend on solutions proposed and introduced by designers.
2.	Legal acts to be followed considering different construction objects / split of the design solutions.	The Contracting Authority explains that the expertise service provider shall follow Latvian legal act requirements as applicable towards objects to be assessed. The exact number of construction objects and split of building permits will be determined during the Master design phase.
3.	Number of objects and the scope of works for bridge experts / availability of experts in the Republic of Latvia.	<p>The Contracting Authority explains that the Tenderer may involve experts from different countries (not only experts already certified in the Republic of Latvia) and rely on capabilities of other persons in order to ensure availability of experts. Contracting Authority is not allowed by the principles of the Public Procurement Law of the Republic of Latvia to request experts to be certified in accordance with Latvian legislation during the procurement phase.</p> <p>The Contracting Authority explains that the process of obtaining expertise certificate for foreign experts is described in the website of Būvniecības Valsts kontroles birojs (State Construction Control Bureau) and publicly available for any interested person.</p> <p>In addition, Contracting Authority notes that it is the obligation of the Tenderer (set as part of selection criteria) to describe the main procedures concerning detailed technical design expertise service provision in line with Latvian legislation. The Contracting Authority is not obliged to duplicate and reflect all requirements deriving from Latvian legislation.</p>
4.	Level of detail for the Master design and Detailed Technical design.	The Contracting Authority explains that the level of detail is described in the Annexes of Technical specification of the open competition. For exact description of level of detail and level of geometry Contracting Authority invites the tenderers to refer to BIM Employer Information Requirements, available at the website of RB Rail AS.
5.	Consequences on approval of the Master design.	The Contracting Authority explains that the results of expertise will be passed to the designers and designers will have to implement statements provided by the expertise service provider and Contracting Authority.

6.	Approach for ensuring communication between the designer and expertise service provider.	The Contracting Authority explains that the expertise service provider will be granted the access to RB RAIL AS information Common Data Environment platform (deployed, implemented and maintained by Bentley system) in order to ensure communication between the designer and expertise service provider. The Contracting Authority notes that the expertise service provider will have to obtain license for Common Data Environment platform.
7.	English language knowledge requirement (at least B2B level) for experts / translator involved.	<p>The Contracting Authority explains that the Tenderer must ensure that experts qualification meets all requirements established in procurement documentation, including requirement for English language knowledge for experts listed in procurement documentation. The procurement commission will evaluate tenderers proposed expert's qualification and accept only experts compliant with all requirements. In case the tenderer will propose expert without respective level of English language knowledge during the contract, such expert shall be replaced (replaced expert must comply with all requirements established in open competition documentation for the respective expert).</p> <p>In addition, the Contracting Authority explains that it is necessary for involved experts to have English language knowledge in the requested level, considering the detailed technical design is carried out in two languages (Latvian and English) and specific standards (e.g. <i>Rail Baltica Design Guidelines</i>) are available in English. Meanwhile the Contracting Authority notes that the final expertise act shall be issued in Latvian and this requirement is mandatory and the expertise service provider shall follow this requirement.</p>
8.	Signing the design review and design expertise report / conflict of interest situation.	The Contracting Authority explains that the Tenderer shall ensure Services provision integrity and absence of the conflict of interest. Plus, design review results shall be used as an input for design expertise services performance, and ESP's services shall be aimed towards this goal – provision of expertise statement. In addition, the Contracting Authority notes that such a question was already asked during questions and answers exercise, and similar answer was provided.
9.	Estimated contract price	The Contracting Authority explains that the estimated contract price was not made publicly available for the tenderers during this procurement procedure. In accordance with principles of Public Procurement Law of the Republic of Latvia the Contracting Authority may choose to publish estimated contract price or not.

4. Baiba Ūbele notes that the Tenderer shall address direct questions (not to provide individual thoughts and opinions) and asks, if all interested suppliers have addressed their questions.
5. There are no other questions and agenda items to discuss, therefore Baiba Ūbele declares to close the Meeting with the interested suppliers.

Meeting closed at 14.10.

Statement: Please note, that some information may not be precisely reflected in these Minutes or may not be reflected at all. No additional information was provided during the Meeting (only explanatory information regarding the subject-matter of the open competition). Interested suppliers were introduced with presentation related to Technical Specification (scope of the services). Presentation has explanatory nature and shall not prevail over the content of the open competition Regulations and its annexes.

Enclosed:

1. Suppliers' declarations of participation on [...] pages [Not to be disclosed];
2. Ēriks Diļevs' presentation on 15 (fifteen) pages;
3. Rules of the Meeting on 1 (one) page.

Signatures [.]