

Rīga

31.08.2020

Our Ref: 1.13p/LV-302

Answers to questions from the interested suppliers in open competition "Reliability, availability, maintainability and safety (RAMS) consultancy services", identification number RBR 2020/12

RB Rail AS presents following answers to the questions received from the interested suppliers until 27 August 2020:

Nr.	Questions	Answers
1	<p>"2.3.16 Contractor shall elaborate communication and training material for the promotion of the RB Rail AS safety policy and of a wider safety culture towards RB Rail AS employees, Beneficiaries, Implementing Bodies and National Safety Authorities. Life training sessions shall be organized and conducted accordingly by the Contractor."</p> <p>1) Do you have some expected time for the "Training Sessions"?</p> <p>2) Could be possible to know which kind of "safety policy" and "safety culture" of RB Rail AS we should follow?</p>	<p>Responding to the question Procurement Commission explains, that:</p> <p>1) According to Technical specification Section 3.1 "Deliverables and Deadlines" subsection 3.1.7 it is indicated that training materials must be submitted not later than 15 weeks after Contract commencement date.</p> <p>2) According to TS table 3.1.7 the first deliverable of WP1 called RB RAM and Safety concept, includes Set up Safety and RAM policy which shall be finalized within 6 weeks after Commencement date and shall be elaborated by the Contractor. This deliverable shall be a basis for conducting of training sessions with RB Rail employees. To promote the wider safety culture means to elaborate a strategy for improvement of current patterns of behaviour and thinking within RB Rail AS employees, Beneficiaries, Implementing Bodies and National Safety Authorities, regarding the management of safety risks related to</p>

		Rail Baltica Global project implementation activities.
2	<p>Company [confidential] intends to participate in open competition <i>RBR 2020/12 "Reliability, availability, maintainability and safety (RAMS) consultancy services"</i>. However, we would like to receive confirmation from RB Rail AS about a possible conflict of interest regarding other procedures and contracts in which we are involved.</p> <ol style="list-style-type: none"> 1. <i>Procurement procedure [confidential]</i>: we have been selected for the second stage of the competition, so could you please clarify if being awarded with one of the procedures would prevent us from being awarded the other? 2. <i>Design and design supervision services for the construction of the Latvian North and South section mainline section ([...]) No RBR 2019/7</i>: we have been awarded with this contract in partnership with another firm. Could you please clarify whether this contract has any conflict of interest with competition RBR 2020/12? Would it be possible for Company [confidential] to participate in competition RBR 2020/12 and being awarded if selected? 	<p>According to Clause 4.5.2 and 4.1.2 of Technical specification during the provision of services, the Contractor shall provide independent view based on its expertise and experience. The Contractor cannot show nor indicate any opinion linked to a particular supplier, company, organisation, institution whatsoever. No representation of any region, country, personal interests shall be shown by the Contractor throughout the Consulting service provision period. The Contractor within its organisational and management structure (or in any other way) shall not be directly linked, in particular, to any supplier of CCS or ENE -subsystems technologies or components. In case if Contracting authority founds (at any time of procurement process or during the implementation of the Contract for the provision of Consulting services) that Contractor is directly linked to any supplier of CCS or ENE -subsystems technologies or components, a Tenderer shall be eliminated from the procurement process or it shall be subject to the termination of the Contract for the Consulting services (whatever is applicable).</p> <p>From the information at Procurement commission`s disposal, contracts mentioned by supplier are not directly linked to any supplier of CCS or ENE-subsystem technologies or components. Thus, Procurement commission concludes, that it is not considered as prohibiting for the interested supplier to participate in the respective procurement.</p> <p>Please note that, based on the information received during this questions and answers exercise, Procurement Commission`s competency is limited to organising the specific procurement procedure. The Procurement Commission may not advise the Tenderer on all possible conflict of interests situations and is not in a position to precisely evaluate the Tenderer`s current and future circumstances related to possible conflict of interests situation. The Tenderer</p>

		shall carry out all necessary measures in order to comply with applicable laws.
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Sincerely,

Procurement commission vice-chairman



A. Mislēvičs