

Rīga

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Electronic Procurement System

**Answers to questions from the interested supplier
in the competitive procedure with negotiations
“Shadow operator services for Rail Baltica Global Project”,
identification number RBR 2020/14**

RB Rail AS presents following answers to the questions received from the interested supplier until 6 September 2020:

Nr.	Question	Answer
1.	<p>Annex No 2 - General description of the subject – matter.</p> <p>You mention that the scope of services includes Advisory services from an O&M perspective for the Project’s design, construction, testing and commissioning and you specify reviewing design deliverables and participating in Energy and Control Command and Signaling subsystems design and deployment. Does the Consultant will be ineligible for shadow operator services if he is already performing some design contract for Rail Baltica or if he intends to present a bid for Energy and CCS? If the Consultant get attributed the contract of shadow services, may he be ineligible for other upcoming services?</p>	<p>Procurement commission clarifies that the potential conflict of interest situations is assessed on a case by case basis in each procurement procedure separately. At this stage Procurement commission is not able to completely determinate that there may or may not be potential claims related to conflict of interest from involved parties in any upcoming procurement procedures.</p> <p>Considering the specifics of both subject-matters of the procurement procedures, <i>prima facie</i>, Procurement commission does not see a situation of conflict of interest in the described situation.</p> <p>However, Procurement commission kindly asks potential suppliers to pay attention to Section 2.3 of the Procurement regulations that indicates general approach towards situations of conflict of interest.</p> <p>In addition, Procurement commission informs that 2nd stage Procurement documents, particularly Draft contract, will regulate the conflict of interest situations in more detail.</p>

Procurement Commission Chairperson



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