

Rīga

19.04.2021

Our Ref: 1.13p/LV-2021-153

***Answers to questions from the interested suppliers
in open competition "Assessment Body (AsBo)
services for Rail Baltica Global Project",
identification number RBR 2021/3***

RB Rail AS presents following answers to the questions received from the interested suppliers until 18 April 2021:

Nr.	Questions	Answers
1.	In the tender Assessment body (ASBO) service for Rail Baltica Global project there are requirements for reference project size. Many large projects into several smaller projects. Can we refer to smaller projects that together are over a continuous distance of 50 km and that are part of the same project?	The Procurement commission gives the following explanation, assuming, that question concerns qualification requirements set out in Clause 8.4.2 of the open competition regulations (hereinafter-Regulations). According to the requirements mentioned above, Tenderer can prove required experience by one or several eligible railway infrastructure reference projects, if the Tenderer has performed independent assessments defined in subparagraph a), b), c), d) within these reference project/s. Procurement commission understands that eligible reference project (similar to Rail Baltica Global Project) can be splitted into different stages and the Tenderer may have had several contracts within one specific reference project. Therefore, Procurement commission will accept assessments carried out under different contracts during previous 10 years, but still covered by one eligible reference project. Please note that total scope of work should fully comply with requirement of subparagraph a), or b), or c), or d), or in any other combination. Partial compliance with any of mentioned subparagraph is not acceptable.
2.	- Is it also possible to refer to projects that have a smaller length but are much more	The Procurement commission draws your attention, that all parameters/values of the

	<p>complex with more overpasses and bridges and more track. Which means that the CSM-RA assessment becomes more complex?</p>	<p>projects, which proves Tenderer's and expert's compliance with the qualification requirements, should fully comply with the requirements stated in the Regulations. Therefore, smaller length (for example less than 50 km as required in Clause 8.4.2. a)) will not be acceptable, even if other parameters are better.</p>
<p>3.</p>	<p>The team from our Company that will be presented for the AsBo activities is fully independent and not involved in any activities carried out under any contract that the company is developing for RB.</p> <p>- We are accredited by ENAC (National Accreditation Body) for the Independent safety assessment of railway application projects as type "C" according to the criteria in the standard UNE-EN ISO/IEC 17020:2012 for the inspection activities defined in the Technical Annex No 76/EI058. The difference between types (technical and competence requirements are equal of demanding for type A, B and C) is that for type "C" the minimum requirements that must be met for ensuring the independence (set out in Annex A. Section A3 of said standard) are as follows:</p> <ul style="list-style-type: none"> • To Establish safeguards measures within our organization to ensure an adequate functions and responsibilities segregation between inspection and the rest of activities; • The design, manufacture, etc. of the same item by a type "C" inspection body should not be carried out by the same person. An exception to this is when a regulatory requirement explicitly empowers a person from a type "C" inspection body to perform both the design, manufacture, etc. of the same item, as long as this exception does not compromise the inspection results. <p>ENAC is a signatory of all international agreements of the EA, ILAC and IAF. Therefore, a report or certificate issued under ENAC accreditation will be internationally recognized.</p> <p>We have an internal procedure that guarantees such safeguards measures (we attach the Safeguard Registry. This, is guarantee of compliance with the same technical requisites as the other types and to meet the type "C" independence requirements, independence between the assessment team and the rest of the teams involved in design and construction.</p>	<p>The Procurement commission kindly informs that evaluation of the proposals including evidences regarding Tenderer's independency will be carried out by Procurement commission after proposals submission deadline. Thus, the Procurement Commission is not in the position to confirm or express objections to the participation of the Company in the procurement before detailed assessment of proposal's documents as regards to required independence and impartiality.</p> <p>In addition, Procurement Commission refers to its letter 12 April 2021, No 1.13p/LV-2021-147, particularly, Procurement Commission response to question No1.</p>

	Please confirm to have no objections on the participation of our Company being responsible of some design packages, together with another company type A Accred.	
4.	According to the requirements for the project leader, chapter 8.5. point 2.1: Does the wording “[..]includes independent assessment of any item in the following scope of work” mean that all items should be covered or one or more item(s)?	The Procurement commission clarifies that independent assessment should cover any item - one or more from listed in the subparagraphs a)-d) in Clause 8.5.2.1. of the Regulations.
5.	Due to the similarity in the development of ASBO's work both in HSL lines, Conventional Railway lines and Metro lines We request for the technical proposal in the description of the case studies, the tenderer's organization can include AsBo services for Metro Lines.	According to the Clause 18.2. “Section A1- Understanding of the Objectives and Case Studies” of the Regulations the Tender can prove ability in the AsBo area by describing up to three case where Tenderer's organisation has previously provided similar services. By similar services will be treated AsBo services for HSL or conventional railway line only (see footnote No18). Please note that description of case studies is subject to evaluation by points. It is not mandatory to provide required description of case studies to stay in the procurement, except cases when Technical proposal gets “0” points for significant noncompliance's according to evaluation methodology (please refer to the Clause 19.4.2.1. of the Regulations). Therefore, definition of “similar cases” won't be changed.

Sincerely,

Procurement commission chairperson

N.Vjatkina

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AND CONTAINS A TIME-STAMP