

Rīga

20.05.2021

Our Ref: 1.13p/LV-2021-195

## Electronic Procurement System

**Answers to questions from the interested suppliers  
in the competitive procedure with negotiations  
“Consolidated supply of multi-ducts, cable ducts, manholes and cable channels for  
construction of Rail Baltica railway line”,  
identification number RBR 2021/1**

RB Rail AS presents following answers to the questions received from the interested suppliers until 20 May 2021:

Nr.	Questions	Answers
1.	What documents the Candidate must submit in order to certify compliance with the requirements of Clause 4.4.1.	<p>Procurement Commission kindly notes that Candidate in order prove compliance with the selection requirement stipulated in Section 4.4.1. of Regulation, has to submit the following documents as stated in Regulation:</p> <ul style="list-style-type: none"> <li>- If the Candidate is a manufacturer, it shall submit information which confirms capabilities and capacity to produce all types of construction materials under the particular lot according to Annex No 2 (General description of subject matter) of the Regulation.</li> <li>- If the Candidate is not a manufacturer of any type of the construction materials specified in Annex No 2 of the Regulation under particular lot, the Candidate has to submit information which confirms capabilities and capacity of the manufacturer to produce all types of construction materials under particular lot together with an authorization letter issued by the respective manufacturer having the capability and the capacity to produce all types of construction materials under particular lot where it is stated that</li> </ul>

		<p>the Candidate is authorised by the manufacturer to sell and distribute construction materials in Estonia, Latvia and Lithuania according to required volumes as specified in Annex No 2 of Regulation and is entitled to make commitment on warranty obligations.</p> <p>In case the Candidate is a manufacturer of the construction products under particular lot, then it shall indicate this fact in the confirmation letter.</p>
2.	<p>Getting acquainted with the Competitive Procedure with Negotiation "Consolidated supply of multi-ducts, cable ducts, manholes and cable channels for construction of Rail Baltica railway line", identification No. RBR 2021/1 regulation please specify: if the original language of the document submitted in the Tender is Latvian, then the Candidate does not have to submit a translation into English, but if the original language of the document is English - does not have to submit a translation into Latvian?</p>	<p>Procurement Commission kindly notes that according to Section 6.6. of Regulation the Candidate may submit Application in both languages – English or Latvian, but upon a request by the Procurement Commission and within the deadline set by the Procurement Commission providing translation in Latvian or English language.</p> <p>Procurement Commission kindly notes to prefer English language as primary language for Application in any case. Translation in Latvian could be requested by Procurement Commission only in exceptional cases.</p>
3.	<p>We have been revising the tender and downloaded all the needed documents. However, I would have a few questions on the characteristic of the pipes as per Lot 1 and Lot 2 of the Regulation for phase1 see below the specifications from the document:</p> <p>The Cable ducts, channels/manholes and supporting components delivery includes production and delivery of pre-fabricated cableway elements for entire Rail Baltica Global project including key components:</p> <ul style="list-style-type: none"> <li>• Lot No 1: Multi-duct - specific HDPE duct with outer diameter not more than 70 mm, aggregating not less than 7 micro-ducts of inferior diameter for optical fibre cable installation;</li> <li>• Lot No 2: Duct: HDPE pipe with outer diameter of 110 mm used to protect all types of cables, laid directly under the ground or in cable channels.</li> </ul> <p>The questions I have are:</p> <ol style="list-style-type: none"> <li>1. Would you specify the colour of both mini-ducts and corrugated pipe Ø110?</li> </ol>	<ol style="list-style-type: none"> <li>1. RBR plans to use at least 3 colours for multi-duct outer sheath in Lot 1 and not more than 4 colours for cable duct outer sheath in Lot 2; Please note that more detailed technical requirements of all lots will be shared during 2nd stage of procurement.</li> <li>2. Current design requirements defines two tensile load resistance levels for at least 750N and 1250N (according EN 61386-24) for cable ducts needed in Lot 2; Cable ducts of Lot 2 are aimed to be installed buried or installed in cable channels indicated in Lot 4; Please note that more detailed technical requirements of all lots will be shared during 2nd stage of procurement.</li> <li>3. Bonding of 7 mini-ducts in one multi-duct of Lot1 is required. Multi-duct of Lot 1 will be installed buried or installed in cable duct of Lot 2. Please note that more detailed technical requirements of all lots will be shared during 2nd stage of procurement.</li> </ol> <p>Please note that in Stage One of this Competition Candidates shall not submit any offers/ bids. Only selected candidates will be invited to submit bids in Stage Two of this</p>

	<p>2. For the Lot. 2 we would need to know if the product requested is 450, 750 or 1250 N. what is the construction height of it?</p> <p>3. What is the preference for bundling in Lot 1? 7 mini-ducts or 3+2+2? Is there any difference for you?</p> <p>4. Must there be a precise offer validity?</p> <p>Thank you for your help, I am looking forward to hearing from you.</p>	<p>Competition. The minimum validity term for bids will be set in invitation to submit bid for Stage Two of this Competition.</p>
<p>4.</p>	<p>Getting acquainted with the Competitive Procedure with Negotiation "Consolidated supply of multi-ducts, cable ducts, manholes and cable channels for construction of Rail Baltica railway line", identification No. RBR 2021/1 regulation please specify: in case it is not possible to submit the client's reference, can the Candidate certify the experience specified in Clause 4.4 with copies of the contract and delivery notes?</p>	<p>Yes, if it is not possible to submit client's reference, Candidate may submit copies of the contract and delivery – acceptance notes or other evidences which clearly indicates delivery and acceptance of the construction materials.</p>
<p>5.</p>	<p>We would kindly ask you to answer the following questions:</p> <p>1) If the Candidate is partnership of two Companies and the Partnership agreement states the right of one member to submit and sign all documents on behalf of the Partnership, would it be correct if application will be signed by one member?</p> <p>2) In order to meet the qualification requirement 4.3.1. of the Procurement Regulation, each members of the partnership indicates its turnover; sum of average should meet minimal requirement. Procurement regulations requires that in case of partnership the Candidate shall indicate the member of the partnership on whose capabilities the Candidate is relying to certify it's financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract. Can two partners share financially and economically responsibility equally, if one's turnover meets 75 % of the required amount of average financial turnover, while other one's exceed it?</p> <p>3) Whether the requirement 4.4.1. of the Procurement Regulation can be met by submitting manufacturer, who is one of partnership members, own confirmation</p>	<p>1) Yes, partnership may authorize one member of the partnership to sign and submit application on behalf of partnership.</p> <p>2) According to Section 4.6.3. of Regulation <i>"The Contracting Authority shall require establishing <b>joint and several liability</b> for the execution of the Contract between the members of a partnership (if the Candidate is a partnership) on whose financial and economic capabilities the partnership is relying and who will be financially and economically responsible for the fulfilment of the Contract or between the Candidate and any other person on whose financial and economic capabilities the Candidate is relying to meet requirements regarding financial and economic standing defined in Regulations and who will be financially and economically responsible for the fulfilment of the Contract."</i> It means that financial and economical liability for the fulfilment of the Framework agreement among the members of the partnership on whose financial and economical capabilities the partnership is relying to meet qualification requirement regarding turnover, cannot be shared proportionately to turnover of each member of the partnership. All members of the partnership on whose financial and economical capabilities the partnership is relying, shall be jointly and severally liable for the fulfilment of the contract.</p>

	<p>about its capability to produce construction materials according to Annex No 2?</p> <p>4) Does requirement 4.6. of the Procurement Regulation apply to Candidates – the partnerships?</p>	<p>3) If one member of the partnership is a manufacturer, who can provide all types of construction materials under particular lot, it may submit own confirmation which confirms capabilities and capacity to produce all types of construction materials under the particular lot according to Annex No 2 (General description of subject matter) of the Regulation.</p> <p>4) Procurement Commission notes that only subsection 4.6.3. of Section 4.6. applies to partnerships.</p>
6.	<p>Could we know the logistic centers to which the pipes will be potentially delivered in order to adapt our offer to it.</p>	<p>Please note that detailed information regarding places of delivery will be provided for selected candidates in Invitation to submit bid for Stage Two of this Competition. Stage One of this Competition includes only selection of candidates and no offers or bids shall be submitted.</p>

Procurement Commission Chairman

M.Blaus

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CONTAINS A TIME STAMP