

Riga

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Our Ref: 1.13/LV-2021-610

## Electronic Procurement System

***Answers to questions from the interested supplier  
in the competitive procedure with negotiations  
“Consolidated supply of rails for Rail Baltica railway construction”,  
identification number RBR 2021/15***

RB Rail AS presents following answers to the questions received from the interested supplier until 17 September 2021:

Nr.	Questions	Answers
1.	<p>In accordance with the provisions of Clause 4.4.2 of the Candidate Selection Regulations (hereinafter the Regulations), if Candidate is planning to supply the product to Lot 1, required experience is in the supply of EN 60E2 and 60E1 profile and steel grade R350HT rails or equivalent in the amount of 60,000 t for a period of 12 months.</p> <p>In accordance with Clause 3 of Annex 2 to the Regulations, RB Rail is planning to obtain only approximately 28,000 t of R350HT steel rails in Lot 1 within 7 years. This means that the qualification for Applicants is to provide more than twice as many rails in one year as it is expected to obtain in 7 years. R350HT rails is only 1/3 of the amount purchased. Why it is considered that the requirement of Clause 4.4.2 of the Regulations regarding the experience of R350HT rail supply in general and the volume of 60'000 t is proportional to the subject of the procurement contract described in Annex 2, Clause 3 of the Regulations?</p>	<p>Procurement Commission kindly informs that your inquiry for the changes in the Regulations was considered and Procurement Commission shall produce amendments to the Regulations. Please keep following updates in the procurement profile in E-Tender system, amendments in the Regulations should be expected shortly.</p>
2.	<p>In the conditions of the tender, indicate that a candidate applying for at least one lot must have experience in supplying hardened rail 60E1 350 HT of at least 60,000 tons in any</p>	<p>Procurement Commission kindly informs that your inquiry for the changes in the Regulations was considered and Procurement Commission shall produce</p>

<p>continuous period of 12 months over the last 5 years (2016-2021). In the period from 2016 to 2021 inclusive, we delivered to various customers a total of about [...] tons of such rails. However, in any continuous period of 12 months over the past 5 years, we have not had a total of at least 60,000 tons of shipments. At the same time, our proven production capacity allows us to produce up to [...] tons of such rails per year. As you know, at the moment there are only 3 manufacturers of hardened rails 60E1 350 HT in the EU. In our opinion, it turns out that the qualification requirement you specified artificially reduces the number of candidates for this tender. Considering the above, we kindly ask you to consider changing the qualification requirements for the candidate (clauses 4.4.2-4.4.4) in terms of the experience of supplying hardened rail 60E1 350 HT. We propose the following version text of qualification requirements: "a candidate applying for one lot must have experience in supplying hardened rail 60E1 350 HT in total at least 60,000 tons over the last 5 years". Accordingly, a candidate applying for all three lots is a total of at least 180,000 tons over the past 5 years.</p>	<p>amendments to the Regulations. Please keep following updates in the procurement profile in E-Tender system, amendments in the Regulations should be expected shortly.</p>
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Procurement Commission Chairman

M.Blaus

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