

## **CANDIDATE SELECTION REGULATION**

for Competitive Procedure with Negotiations

**“Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan ”**

(identification No: RBR 2021/21)



**Co-financed by the Connecting Europe  
Facility of the European Union**

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## ABBREVIATIONS AND TERMS

Denomination	Abbreviation	Definition
Application		Documentation package the Candidate submits to participate in the First Stage of the Competition.
Candidate		A Supplier which has submitted an Application.
Common procurement vocabulary	CPV	A nomenclature approved by the European Union which is applied in public procurement procedures.
Competition (also the Procurement)		Competitive procedure with negotiations “Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan”.
Contract		Signed agreement between Contracting Authority and a Consultant to provide services defined in the Contract.
Contracting Authority		The joint stock company RB Rail AS, registration number: 40103845025, legal address: Kr. Valdemāra iela 8 - 7, Riga LV-1010, Latvia.
Cost Benefit Analyses	CBA	
First Stage Regulation (also the Regulation)		Candidate selection Regulation of the Competition.
First Stage of the Competition (also the First Stage)		Qualification stage that includes selection of Candidates who will be invited to submit a Bid in the Second Stage of the Competition.
Identification number	ID No	Designation which includes the abbreviation of the name of Contracting Authority (the first capital letters), the relevant year and the procurement sequence number in ascending order (RBR 2021/21).
Inland Waterways (Asset) Lifecycle	IWW	
		An (asset) lifecycle is the series of stages involved in the management of an asset. It starts with the planning and delivery stages when the need for an asset is identified and continues all the way through its useful life and eventual disposal.
Long-term Business Plan		Document that describes in detail how a business defines its objectives covering it from marketing, financial, and operational standpoints. Long-term meaning that the plan covers a minimum of 10 years of fully operational stage of the business.
Offshore		Low tax or tax-free country or territory in accordance with Corporate income tax law of the Republic of Latvia except Member States of EEA (European Economic Area) or its territories, Member States of the World Trade Organization Agreement on State Treaties or territories and such countries and territories with which European Union and Republic of Latvia has international agreements for open market in public procurement area.
Procurement commission		Commission the composition of which has been established by Contracting Authority; order No 1.9-2021-23 dated 25 August 2021 issued by Management Board of the RB Rail AS.
Proposal (also the Bid)		Documentation package the Tenderer submits to participate in the Second Stage of the Competition.
Public Procurement Law		Public Procurement Law of the Republic of Latvia.
Second Stage of the Competition (also the Second Stage)		Proposal stage that includes the evaluation of the Bids submitted by the Tenderers and awarding the rights to conclude the Contract.

Strategy		Document that describes the detailed roadmap for a business to follow in the next years to achieve its objectives.
Supplier		An individual or a legal person, a group or association of such persons in any combination thereof which offers to perform works, supply products or provide services accordingly.
Technical Specifications for Interoperability	TSI	The Technical Specifications for Interoperability (TSIs) define the technical and operational standards which must be met by each subsystem or part of subsystem in order to meet the essential requirements and ensure the interoperability of the railway system of the European Union. <a href="https://www.era.europa.eu/activities/technical-specifications-interoperability_en">https://www.era.europa.eu/activities/technical-specifications-interoperability_en</a>
Tenderer		A Candidate which was invited to submit a Proposal and has submitted a Proposal.
Wider Economic impacts		Wider Economic Impacts to be intended as the economic impacts of transport (e.g. on labor, product and land markets) that are additional to the transport user benefits (e.g. travel time savings).

## REGULATION

### 1. GENERAL INFORMATION

- 1.1. The contracting entity is joint stock company RB Rail AS, registration number 40103845025, legal address: Kr. Valdemāra iela 8 - 7, Riga LV-1010, Latvia (**hereinafter – Contracting Authority** ).
- 1.2. The subject-matter of this competitive procedure with negotiations (hereinafter – Competition) is to procure Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan (**hereinafter – CBA and BP services**) . General description of the subject-matter of the Competition is included in the Annex No 2 of this Regulation. Detailed description of the subject-matter of the Competition will be disclosed to the Candidates who will be selected for submitting a proposal (hereinafter – **Bid**) during the second stage of the Competition.
- 1.3. The identification number of this competitive procedure with negotiations is RBR 2021/21.
- 1.4. The applicable Common procurement vocabulary (CPV) code is 72221000-0 (Business analysis consultancy services) and 71620000 (Analysis services) .
- 1.5. Competition is organised in accordance with the Public Procurement Law of the Republic of Latvia in effect on the date of publishing the contract notice. The Competition consists of two stages:
  - 1.5.1. The first stage of the Competition – qualification stage - selection of Candidates who will be invited to submit a Bid in the Second stage of the Competition. General description of the subject-matter to be procured is provided in Annex No 2;
  - 1.5.2. The second stage of the Competition – proposal stage - evaluation of the Bids submitted by the Candidates which were invited to submit a Bid (hereinafter – **Tenderers**) and award of rights to conclude a contract (hereinafter – **Contract**). The Second stage includes any negotiations that may be relevant to be undertaken as specified by the Contracting Authority and would likely take place in the first quarter of 2022). The detailed information on the scope of the CBA and BP services to be procured and details pertaining to the application of negotiations shall be provided to the Tenderers qualified in the first stage of the Competition (hereinafter – **Second Stage** ).
- 1.6. The period for starting provision of CBA and BP services shall be immediately after the Contract commencement date. The total period of Contract shall be 76 (seventy-six) weeks.
- 1.7. CBA and BP services are co-financed by the Contracting authority and Connecting Europe Facility (CEF).
- 1.8. The Competition requires negotiations since:
  - 1.8.1. the Contract cannot be awarded without prior negotiations because of specific circumstances related to the nature, the complexity and the legal and financial make-up of the Competition, and because of the risks attaching to them as provided under Section 8, Paragraph 6, Clause 3 of the Public Procurement Law; and
  - 1.8.2. the Contracting Authority is not able to provide sufficiently precise specifications referring to standards, European technical assessment, common technical specifications and technical references as provided under Section 8, Paragraph 6, Clause 4 of the Public Procurement Law.
- 1.9. This competitive procedure with negotiations is carried out using E-Tenders system which is a subsystem of the Electronic Procurement System (<https://www.eis.gov.lv/EKEIS/Supplier>). Suppliers apply for the Electronic Procurement System (if the Candidate is not registered in Electronic Procurement System) in State Regional Development Agency (please see information here <http://www.railbaltica.org/procurement/e-procurementsystem/>).
- 1.10. This Regulation and all its annexes are freely available in the Contracting Authority’s profile in the E-Tenders system on the webpage <https://www.eis.gov.lv/EKEIS/Supplier/Procurement/62141> and the Internet site of the Contracting Authority <http://railbaltica.org/tenders/>.

- 1.11. Amendments to this Regulation and answers to Candidates' questions shall be published on the E-Tenders system webpage <https://www.eis.gov.lv/EKEIS/Supplier/Procurement/62141> and the Contracting Authority's Internet site <http://www.railbaltica.org/tenders/>. It is the Candidate's responsibility to constantly follow the information published on the webpage and to take it into consideration in its Bid.
- 1.12. Contact person of the Contracting Authority for this procurement is Procurement Specialist/Lawyer, Natalja Vjatkina, telephone: +371 29817419, e-mail address: [natalja.vjatkina@railbaltica.org](mailto:natalja.vjatkina@railbaltica.org).
- 1.13. Requests for information or additional explanations must be submitted in writing via the E-Tenders system or (in case the Supplier does not yet have access to the system) by sending it to the contact person electronically via e-mail. Answers to questions or explanations from the Contracting Authority are also provided through the E-Tenders system and e-mail (in case the Supplier does not yet have access to the system).

## 2. INFORMATION ABOUT THE SECOND STAGE OF THE COMPETITION AND THE CONTRACT

- 2.1. The Bid selection criterion is the most economically advantageous tender, according to the evaluation methodology to be described in the Second Stage of the Competition.
- 2.2. The Second stage includes any negotiations that may be relevant to be undertaken as specified by the Contracting Authority, although Contracting Authority may perform evaluation of the Bids submitted by the Tenderers without any negotiations and award rights to conclude contract to Tenderer with the most economically advantageous tender according to the evaluation methodology to be described in the Second Stage of the Competition.
- 2.3. The successful Tenderer is expected to ensure that its contractual and professional obligations in particular with regard to confidentiality, independence and absence of conflict of interests are well understood and upheld throughout and after CBA and BP services provision. During the provision of CBA and BP services, the successful Tenderer shall provide independent view based on its expertise, education and experience. The successful Tenderer 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 successful Tenderer throughout the CBA and BP service provision period.
- 2.4. The liability of the parties shall be determined pursuant to the applicable laws of the respective country and the Contract. The parties shall properly fulfil their obligations undertaken under the Contract and shall refrain from any actions that may lead to damage to each other or that could impede the other party's fulfilment of the obligations undertaken.

## 3. CANDIDATE

- 3.1. The application can be submitted by:
  - 3.1.1. A supplier, who is a legal or natural person and who complies with the selection criteria for Candidates;
  - 3.1.2. A group of suppliers (hereinafter – Candidate, partnership) that complies with the selection criteria for Candidates:
    - (a) A group of suppliers who have formed a partnership for this Competition. In this case all the members of the partnership shall be listed in Annex No 1 “Application for participation in the candidate selection in the procurement”. If it will be decided to award contracting rights to such partnership, then prior to concluding the Contract the partnership shall at its discretion either enter into a partnership agreement (within the meaning of Civil Law of the Republic of Latvia, Sections 2241 till 2280) and shall submit one copy of this agreement to the Contracting Authority

or establish a general or limited partnership (within the meaning of Commercial Law of the Republic of Latvia, Chapter IX and X) and notify the Contracting Authority in writing;

- (b) An established and registered partnership (a general partnership or a limited partnership, within the meaning of Commercial Law of the Republic of Latvia, Chapter IX and X) which complies with the selection criteria for Candidates.

#### 4. SELECTION CRITERIA FOR CANDIDATES

##### 4.1. Technical and professional ability

No	Requirement	Documents to be submitted
1.	<p>The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) as a main contractor has developed and completed studies in the domain of CBA and Wider Economic Impacts analyses for transport infrastructure and services at least in 3 (three) projects:</p> <p>a) 1 (one) project related to a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI P1, P2, P1-F1 or P2-F1 with project total investment value of at least 1 bil. EUR (one billion euro).</p> <p>b) 1 (one) project related to railway infrastructure with project total investment value of at least 200 mil. EUR (two hundred million euro).</p> <p>c) 1 (one) project related to non-railway infrastructure with project total investment value of at least 200 mil. EUR (two hundred million euro).</p>	<ul style="list-style-type: none"> <li>- Filled in Annex No 3;</li> <li>- Description of projects (not more than 1 page each).</li> <li>- Copies of references from respective clients or similar documents (copies of deeds of conveyance or other evidencing of experience).</li> <li>- The Procurement commission reserves the right to contact clients for further information and verification.</li> </ul>
2.	<p>The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) as the main contractor has developed and completed a Long-term Business Plan or Strategy for transport infrastructure and services with minimum contract value of 700 000 EUR (seven hundred thousand euro) <b>each</b> in at least 5 (five) projects<sup>1</sup>, including:</p> <p>a) at least 3 (three) projects related to a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI P1, P2, P1-F1 or P2-F1.</p> <p>b) at least 1 (one) project related to development of greenfield railway infrastructure.</p>	<ul style="list-style-type: none"> <li>- Filled in Annex No 4;</li> <li>- Description of projects (not more than 1(one) page each).</li> <li>- Copies of references from respective clients or similar documents (copies of deeds of conveyance or other evidencing of experience).</li> <li>- The Procurement commission reserves the right to contact clients for further information and verification.</li> </ul>

<sup>1</sup> Project cannot be the same as for Clause 4.1.1.

	<p>c) at least 1 (one) project related to transport company/entity operating in a market-based competitive environment - as opposed to entities related to infrastructure delivery (i.e. design/construction/upgrade) or any other pre-market phase.</p> <p>d) at least 1 (one) project related to non-rail transport infrastructure or non-rail transport company.</p>	
<p><b>3.</b></p>	<p>The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) has gained experience<sup>2</sup> in:</p> <p>a) Developing passenger transportation operator business in a multimodal mobility environment involving interactions among at least three transport modes: rail, road, air, maritime/IWW.</p> <p>b) Management of multimodal logistics and supply chain involving integration among at least three transport modes: rail, road, air, maritime/IWW.</p> <p>c) Developing sustainable solutions for mobility and logistics services of a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI INF P1, P2, P1-F1 or P2-F1.</p> <p>d) Developing innovation and digitalisation solutions addressing both - infrastructure and operations in a railway environment, including service introduction/development and Lifecycle cost optimisation.</p> <p>e) Implementing environmental impact assessment of railway infrastructure construction and operation.</p>	<ul style="list-style-type: none"> <li>- Filled in Annex No 5;</li> <li>- Description of project (not more than 1 (one) page per project).</li> </ul>
<p><b>4.</b></p>	<p>The Candidate has introduced and applies quality management system that complies with ISO 9001:2015 certification (or newer version) or equivalent.</p>	<ul style="list-style-type: none"> <li>- A copy of certificate issued by certification body;</li> <li>- If the Candidate doesn't have ISO 9001:2015 (or newer version) certificate, then self-declaration and description of the quality equivalent management system.</li> </ul>

<sup>2</sup> The experience required in sub-paragraphs a)-e) can be covered by no less than 2 (two) projects. The experience required in each sub-paragraph must be fully obtained within one project.

5.	<p>For the <u>Second stage of the Competition</u> the Tenderer will be required to provide information at least about the following key experts/areas of expertise:</p> <ul style="list-style-type: none"> <li>a) project manager;</li> <li>b) lead expert in the field of CBA implementation;</li> <li>c) lead expert in the field of business planning;</li> <li>d) railway passenger business expert;</li> <li>e) multimodal logistics expert;</li> <li>f) railway technical/operational expert;</li> <li>g) railway finance expert;</li> <li>h) innovation and sustainability expert;</li> <li>i) environmental transport expert.</li> </ul>	<ul style="list-style-type: none"> <li>- No need to submit any information at this stage of Competition.</li> </ul>
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#### 4.2. Legal standing and suitability to pursue the professional activity

No	Requirement	Documents to be submitted
1.	<p>The Candidate or all members of the partnership (if the Candidate is a partnership) must be registered in the Registry of Enterprises or Registry of Inhabitants, or an equivalent register in their country of residence, if the legislation of the respective country requires registration of natural or legal persons.</p>	<ul style="list-style-type: none"> <li>- For a Candidate which is a legal person (or a member of a partnership, a person on whose capacities a Candidate relies) registered in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate which is a natural person (or a member of a partnership, a person on whose capacities a Candidate relies) – a copy of an identification card or passport.</li> <li>- For a Candidate (or a member of a partnership, a person on whose capacities a Candidate relies) which is a legal person registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration, shareholders, officials and procura holders (if any) can be determined.</li> <li>- If an application is submitted by a partnership, the application shall include an agreement (or letter of intention to enter into agreement) signed by all members on the participation in the Competition, which lists responsibilities of each and every partnership member and a joint commitment to fulfil the Contract, and which authorises one key member to sign the application and other documents, to receive and issue orders on behalf of the partnership members, and with whom all payments will be made.</li> </ul>



No	Requirement	Documents to be submitted
		<ul style="list-style-type: none"> <li>- If the application or any other document, including any agreement, is not signed by the legal representative of the Candidate, members of the partnership, person on whose capacities the Candidate relies, then a document certifying the rights of the persons who have signed the application or any other documents, to represent the Candidate, a member of the partnership, a person on whose capacities the Candidate is relying, (powers of attorney, authorisation agreements etc.) must be included.</li> </ul>

#### 4.3. Economic and financial standing

No	Requirement	Documents to be submitted
1.	<p>The Candidate’s or all members of the partnership together (if the Candidate is a partnership and confirms the average financial turnover jointly), average financial turnover within the last 3 (three) financial years (2018, 2019, 2020) is not less than 2 800 000 EUR (two million eight hundred thousand euros zero cents).</p> <p>In the event the Candidate or a member of a partnership (if the Candidate is a partnership) has operated in the market for less than 3 (three) financial years, the requirement shall be met during the Candidate’s actual operation period.</p>	<ul style="list-style-type: none"> <li>- Filled in and signed Annex No 6.</li> <li>- Audited or self-approved by a Candidate (only in case when the audited yearly report is not required by the law of the country of residence of the Candidate) annual report for financial year 2020 showing the financial information of the Candidate and each member of the partnership on whose abilities the Candidate is relying to certify its financial and economic performance and who will be financially responsible for the execution of the Contract (if the Candidate is a partnership) and a company on whose capacities the Candidate is relying to certify its financial and economic performance.</li> </ul>
2.	<p>The Candidate or each member of the partnership (if the Candidate is a partnership) on whose capacities the Candidate is relying has to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract and entity on whose abilities the Candidate is relying to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract, shall have stable financial and economic performance, namely, in the last financial year (2020) liquidity ratio shall be equal to or exceed 1 and shall have positive equity.</p>	<ul style="list-style-type: none"> <li>- If the previous reporting year of the Candidate differ from the year specified in this Section (2020), the financial information necessary must be indicated for the Candidate’s previous reporting year.</li> <li>- For a limited partnership (within the meaning of Commercial Law of the Republic of Latvia, Chapter X) - an additional document evidencing the amount of the investment by the limited liability partner (the partnership agreement or a document with a similarly binding legal effect).</li> <li>- If an application is submitted by a partnership, the Candidate shall indicate the member of the partnership on whose capacities the Candidate is relying to certify its financial and economic performance and who will be financially and</li> </ul>

No	Requirement	Documents to be submitted
		economically responsible for fulfilment of the Contract including this information in the agreement of cooperation (or letter of intention to enter into agreement) stipulated in Section 4.2. of the Regulations.

#### 4.4. Exclusion grounds

The Contracting Authority shall exclude the Candidate from further participation in the Competition in any of the following circumstances:

No	Requirement	Documents to be submitted <sup>3</sup>
1.	<p>Within previous 3 (three) years before submission of the application the Candidate or a person who is the Candidate’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Candidate in operations in relation to a branch, has been found guilty of or has been subjected to coercive measures for committing any of the following criminal offences by such a public prosecutor’s order regarding punishment or a court judgement that has entered into force and may not be challenged and appealed:</p> <p>a) establishment, management of, involvement in a criminal organization or in an organized group included in the criminal organization or other criminal formation, or participation in criminal offences committed by such an organization,</p> <p>b) bribe-taking, bribery, bribe misappropriation, intermediation in bribery, unauthorized participation in property transactions, taking of prohibited benefit, commercial bribing, unlawful claiming of benefits, accepting or providing of benefits, trading influences,</p> <p>c) fraud, misappropriation or money-laundering,</p> <p>d) terrorism, terrorism funding, creation or organization of a terrorist group, traveling for terrorist purposes, justification of terrorism, calling to terrorism, terrorism</p>	<ul style="list-style-type: none"> <li>- For a Candidate and a person who is the Candidate’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Candidate in operations in relation to a branch, which are registered or residing in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate and a person who is the Candidate’s management board or supervisory board member, person with representation rights or a procura holder, or a person who is authorised to represent the Candidate in operations in relation to a branch, which are registered or residing outside of Latvia the Candidate shall submit an appropriate statement from the competent authority of the country of registration or residence.</li> </ul>

<sup>3</sup> If the Candidate submits the European Single Procurement Document as the initial proof, there is no obligation to submit other documents, unless specifically requested by the Procurement commission.

No	Requirement	Documents to be submitted <sup>3</sup>
	<p>threats or recruiting or training a person in performance of acts of terrorism,</p> <p>e) human trafficking,</p> <p>f) evasion from payment of taxes or similar payments.</p>	
2.	<p>It has been detected that <u>on the last day of the term for submitting applications</u> (1<sup>st</sup> stage) or <u>on the day when a decision has been made</u> on possible granting of rights to conclude the procurement contract (2<sup>nd</sup> stage), the Candidate has tax debts in Latvia or a country where it has been incorporated or is permanently residing, including debts of mandatory state social insurance contributions exceeding 150 euro in total in any of the countries.</p>	<ul style="list-style-type: none"> <li>- For a Candidate registered or residing in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate registered or residing outside of Latvia the Candidate shall submit an appropriate statement from the competent authority of the country of registration or residence.</li> </ul>
3.	<p>Candidate’s insolvency proceedings have been announced, the Candidate’s business activities have been suspended, the Candidate is under liquidation.</p>	<ul style="list-style-type: none"> <li>- For a Candidate registered or residing in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate registered or residing outside of Latvia the Candidate shall submit an appropriate statement from the competent authority of the country of registration or residence.</li> </ul>
4.	<p>A person who drafted the procurement procedure documents (Contracting Authority’s official or employee), Procurement commission member or expert is related to the Candidate, or is interested in selection of some Candidate, and the Contracting Authority cannot prevent this situation by measures that cause less restrictions on Candidates. A person who drafted the procurement procedure documents (Contracting Authority’s official or employee), Procurement commission member or expert is presumed to be related to the Candidate in any of the following cases:</p> <p>a) If he or she is a current and/or an ex-employee, official, shareholder, procura holder or member of a Candidate or a subcontractor which are legal persons and if such relationship with the legal person was terminated within the last 24 months;</p> <p>b) If he or she is the father, mother, grandmother, grandfather, child, grandchild, adoptee, adopter, brother,</p>	<p>No obligation to submit documents, unless specifically requested by the Procurement commission.</p>

No	Requirement	Documents to be submitted <sup>3</sup>
	<p>sister, half-brother, half-sister or spouse (hereinafter – relative) of a Candidate’s or subcontractor’s, which is a legal person, shareholder who owns at least 10% of the shares in a joint-stock company, shareholder in a limited liability company, procure holder or an official;</p> <p>c) If he or she is a relative of a Candidate or a subcontractor which is a natural person.</p> <p>If the Candidate is a partnership, consisting of natural or legal persons, a relation to the Candidate is presumed also if a person who drafted the procurement procedure documents (Contracting Authority’s official or employee), Procurement commission member or expert is related to a member of a partnership in any of the above-mentioned ways.</p>	
5.	The Candidate has an advantage that limits competition in the procurement procedure if it or its related legal person consulted the Contracting Authority or otherwise was involved in preparing the Competition, and the advantage cannot be prevented by less restrictive measures, and the Candidate cannot prove that its or its related legal person’s participation in preparing the procurement procedure documents does not restrict competition.	No obligation to submit documents, unless specifically requested by the Procurement commission.
6.	Within the previous 12 (twelve) months before last day of the term for submitting applications (1 <sup>st</sup> stage) by such a decision of a competent authority or a court judgment which has entered into force and may not be challenged and appealed, the Candidate has been found guilty of violating competition laws manifested as a horizontal cartel agreement, except for the case when the relevant authority, upon detecting violation of competition laws, has released the Candidate from a fine or has decreased the fine for cooperation within a leniency program.	<ul style="list-style-type: none"> <li>- For a Candidate registered or residing in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate registered or residing outside of Latvia, the Candidate shall submit an appropriate statement from the competent authority of the country of registration or residence or other objective proof of good standing. For example, a link to the database of the competent authority’s public database (website) listing all its decisions and validity thereof (provided that access to any such database/website is free of charge to the Contracting Authority).</li> </ul>
7.	Within the previous 3 (three) years before last day of the term for submitting applications (1 <sup>st</sup> stage) by such a decision of a competent authority, a court judgment or a public prosecutor’s order which has entered into force and may not	<ul style="list-style-type: none"> <li>- For a Candidate registered or residing in Latvia, the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For a Candidate registered or residing outside of Latvia the Candidate shall submit an</li> </ul>

No	Requirement	Documents to be submitted <sup>3</sup>
	be challenged and appealed, the Candidate has been found guilty and is punished for a violation manifested as employment of one or more persons who do not possess the required employment permit or if it is illegal for such persons to reside in a Member State of the European Union.	appropriate statement from the competent authority of the country of registration or residence.
8.	Within the previous 12 (twelve) months before last day of the term for submitting applications (1 <sup>st</sup> stage) by such a decision of a competent authority, a court judgment or a public prosecutor’s order which has entered into force and may not be challenged and appealed, the Candidate has been found guilty and is punished for a violation manifested as employment of a person without a written employment contract, by failing within the term specified in regulatory enactments to submit an informative employee declaration regarding this person, which must be submitted about persons, who start working.	<ul style="list-style-type: none"> <li>- For a Candidate registered or residing in Latvia, the Contracting Authority shall verify the information itself from publicly available databases.</li> <li>- For a Candidate registered or residing outside of Latvia the Candidate shall submit an appropriate statement from the competent authority of the country of registration or residence.</li> </ul>
9.	The Candidate has provided false information to prove its compliance with provisions of this Section 4.4. or qualification criteria, or has not provided the required information at all.	No obligation to submit documents, unless specifically requested by the Procurement commission.
10.	The Candidate is a registered offshore <sup>4</sup> company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> <li>- For a Candidate which is registered in Latvia the Contracting Authority shall verify the information itself in publicly available databases.</li> <li>- For the Candidate and each member of the partnership (if Candidate is an unregistered partnership) which is a legal person registered abroad – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration.</li> </ul>
11.	The owner or shareholder (with more than 25% of share capital) of the Candidate, which is registered in Republic of Latvia, is	<ul style="list-style-type: none"> <li>- For a Candidate which is registered in Latvia: <ul style="list-style-type: none"> <li>• the Contracting Authority shall verify the information itself in publicly available databases;</li> </ul> </li> </ul>

<sup>4</sup> **Offshore:** low tax or tax-free country or territory in accordance with Corporate income tax law of the Republic of Latvia except Member States of EEA (European Economic Area) or its territories, Member States of the World Trade Organization Agreement on State Treaties or territories and such countries and territories with which European Union and Republic of Latvia has international agreements for open market in public procurement area.

No	Requirement	Documents to be submitted <sup>3</sup>
	a registered offshore company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> <li>• if such information by publicly available data bases isn't provided, Candidate shall submit self – declaration which approves fact that there are no registered owners or shareholders of the Candidate (with more than 25% of share capital) which are registered offshore.</li> </ul>
12.	The subcontractors indicated by the Tenderer whose share of services is equal to or exceeds 10% of the Contract price or person on whose capacities Candidate is relying, is a registered offshore company (legal person) or offshore association of persons.	<ul style="list-style-type: none"> <li>- For a subcontractor whose share of services is equal to or exceeds 10% of the Contract price or person, on whose capacities Candidate is relying, which is registered in Latvia, the Contracting Authority shall verify the information itself in publicly available databases;</li> <li>- For a subcontractor or person on whose capacities Candidate is relying, which is a legal person registered abroad (with its permanent place of residence abroad) – a copy of a valid registration certificate or a similar document issued by a foreign authority in charge of the registration of legal persons in the country of their residence wherefrom at least the fact of registration.</li> </ul>

- 4.5. Exclusion grounds will be verified in accordance with the regulation stipulated in Section 42 of the Public Procurement Law of the Republic of Latvia. If the Candidate complies with any of the exclusion grounds mentioned in Section 4.4. (except Section 4.4.(2), 4.4.(9)) of the Regulations, the Candidate indicates this fact in Annex No 1.
- 4.6. Notices and other documents, which are issued by Latvian competent institutions, are accepted and recognised by the Procurement commission, if they are issued no earlier than 1 (one) month prior to submission thereof or if the notice contains a shorter validity term. Notices and other documents, which are issued by foreign competent institutions, are accepted and recognized by the Procurement commission, if they are issued no earlier than 6 (six) months prior to submission thereof or if the notice contains a shorter validity term. The Candidate must verify the latter. This rule does not apply to expert's diploma providing relevant level of education, fact of registration supporting documents, copies of ID cards, passports, marriage certificates or documents certifying economic standing of the Candidate.
- 4.7. If the documents, with which a Candidate registered or permanently residing abroad (outside Latvia) can certify its compliance with the requirements of Section 4.4. of the Regulations, are not issued or these documents are insufficient, such documents can be replaced with an oath or, if the regulatory enactments of the country in question do not allow for an oath, - with a certification by the Candidate or by another Candidates representative before a competent executive governmental or judicial institution, a sworn notary or a competent organisation of a corresponding industry in their country of registration (permanent residence).
- 4.8. The Candidate, in order to certify that it complies with the selection criteria for Candidates, may submit the European Single Procurement Document (ESPD) as initial proof. This document must be submitted for the Candidate and for each person upon whose capacities the Candidate relies, but if the Candidate is a partnership – for each member thereof. The Candidate may fill in the European single procurement document at the Internet webpage <http://espd.eis.gov.lv/>.

## **5. RELIANCE ON THE CAPACITIES OF OTHER PERSONS**

- 5.1.** For the fulfilment of the specific Contract, in order to comply with the selection requirements for the Candidates relating to the economic and financial standing and technical and professional capacity (including regarding the team of key experts), the Candidate may rely upon the capacities of other persons, regardless of the legal nature of their mutual relationship. In this case:
- 5.1.1. The Candidate indicates in the application all persons upon whose capacities it relies by filling in the table which is attached as Annex No 1, fills necessary information in E-Tenders system and proves to the Contracting Authority that the Candidate shall have available all the necessary resources for the fulfilment of the Contract, by submitting a signed confirmation or agreement on cooperation and/or passing of resources to the Candidate between such persons and the Candidate. The confirmations and agreements on cooperation and passing of resources can be replaced by the Candidate with any other type of documents with which the Candidate is able to prove that the necessary resources will be available to the Candidate and will be used during the term of fulfilment of the Contract.
- 5.1.2. Documents on cooperation and passing of resources have to be sufficient to prove to the Contracting Authority that the Candidate will have the ability to fulfil the Contract, as well as that during the validity of the Contract the Candidate will in fact use the resources of such person upon whose capacities the Candidate relies.
- 5.1.3. The Contracting authority shall require joint and several liability for the execution of the Contract between the:
- (a) Candidate and a person on whose capacities the Candidate is relying to certify it`s financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract;
  - (b) each member of the partnership (if the Candidate is a partnership) on whose capacities partnership is relying and who will be financially and economically responsible for fulfilment of the procurement contract.
- 5.2.** The Contracting Authority shall evaluate the person, on whose capacities the Candidate to whom the rights to conclude the Contract should be assigned is relying according to Section 4.4.(1) to 4.4.(8) and 4.4.(12) to 4.4.(13) of the Regulations. In case such person will comply with any of the exclusion grounds which are mentioned in Section 4.4.(1) to 4.4.(8) and 4.4.(12) of the Regulations, the Contracting Authority shall request the Candidate to change such person. If the Candidate shall not submit documents about another person which complies with the selection criteria within 10 (ten) business days from the date when the request was issued or sent to the Candidate, the Contracting Authority shall exclude such Candidate from further participation in the Competition.

## **6. SUBCONTRACTING**

- 6.1.** Candidates will be required to provide information about their subcontractors during the Second stage of the Competition.
- 6.2.** During the Second stage of the Competition the Contracting Authority shall evaluate subcontractors, whose share of work is equal to or exceeds 10% of the Contract price, of the Tenderer to whom the rights to conclude the Contract should be assigned. In case such subcontractors will comply with any of the exclusion grounds which are mentioned in Sections 4.4.(2) to 4.4.(8) and 4.4.(12) to 4.4.(13) of the Regulations, the Contracting Authority shall request the Tenderer to change such subcontractor. If the Tenderer shall not submit documents about another subcontractor which complies with the selection criteria within 10 (ten) business days from the date when the request was issued or sent to the Tenderer, the Contracting Authority shall exclude such Tenderer from further participation in the Competition.

- 6.3. Contracting Authority reserves the right to request the Tenderer to identify all the subcontractors involved in delivery of services irrespective of the amount of participation in the provision of services upon signing the Contract.

## 7. THE RIGHTS OF THE CANDIDATE

- 7.1. The Supplier can request additional information regarding the Regulations. Additional information can be requested in writing, by sending it to the Procurement commission electronically using the E-Tenders system. Additional information must be requested in a timely fashion, so that the Procurement commission can provide a response no later than 6 (six) days prior to the deadline for submitting applications. The Procurement commission shall provide a response within 5 (five) business days from the day of receipt of the request.
- 7.2. If the Contracting Authority receives the necessary information about the Candidate directly from a competent institution, through data bases or other sources and the Candidate's submitted information differs from the information obtained by the Contracting Authority, the Candidate in question has the right to submit evidence to prove the correctness of the information the Candidate has submitted, if the information obtained by the Contracting Authority does not conform to the factual situation.
- 7.3. If a Candidate believes that its rights have been violated or such violation is possible due to possible violation of the laws of the European Union or other laws, the Candidate has the right to submit a complaint to the Procurement Monitoring Bureau according to the procedure stipulated in the Public Procurement Law of the Republic of Latvia regarding the Candidate selection requirements, technical specifications or other requirements relating to this Competition, or relating to the activities of the Contracting Authority or the Procurement commission during the Competition.
- 7.4. The supplier covers all expenses, which are related to the preparation of an application and its submission to the Contracting Authority. The submitted applications are not returned to the Candidate, unless specifically envisaged in the Regulations.

## 8. CONTENTS AND FORM OF THE APPLICATION

- 8.1. Application must be submitted electronically in E-Tenders subsystem of the Electronic Procurement System (<https://www.eis.gov.lv/EKEIS/Supplier/ProcurementProposals/62141>), in accordance with the following options for the Candidate:
- 8.1.1. by using the available tools of E-Tender subsystem, filling the attached forms of the E-Tender subsystem for this procurement procedure;
- 8.1.2. by preparing and filling the necessary electronic documents outside the E-Tenders subsystem and attaching them to the relevant requirements (in this situation, the Candidate takes responsibility for the correctness and compliance of the forms to requirements of documentation and form samples);
- 8.1.3. by encrypting electronically prepared application outside subsystem of E-Tenders with data protection tools, provided by third parties, and protection with electronic key and password (in this situation, the Candidate takes responsibility for the correctness and compliance of the forms to the requirements of such documentation and form samples as well as ensuring the capacities for the Contracting Authority to open and read the document).
- 8.2. During preparation of the application, the Candidate respects the following:
- 8.2.1. All forms (Annex No 1, Annex No 3 - No 7) must be filled in a separate electronic document, in line with the forms attached to the procurement process of the E-Tenders subsystem in a Microsoft Office 2010 (or later) format;



8.2.2. Upon submission, the Candidate signs the application with a secure electronic signature and time seal or with an electronic signature provided by the Electronic Procurement System. The application (its parts, if signed separately) are signed by an authorised person, including their authorisation document (e.g. power of attorney) *expressis verbis* stating the authorisations to sign, submit and otherwise manage the documents.

8.3. The following documents shall be included in the application (hereinafter – **Application**):

8.3.1. Filled Application form in accordance with Annex No 1;

8.3.2. Information and documents (including documents, but not limited to, according to Section 4.1. – 4.3. of the Regulations and Annex No 3 – Annex No 6), confirming compliance of the Candidate with the selection criteria for the candidates, or the corresponding ESPD;

8.3.3. Information and documents for Candidate evaluation according to Section 13 of the Regulation, (Annex No 7 and other documents stipulated in the Section 13 of the Regulation), if Candidate proposes compliance with any of the evaluation criteria.

8.3.4. Information and documents relating to the entities on whose capacities the Candidate is relying (according to Section 5 of the Regulations), or the corresponding ESPD.

8.4. The Application must be submitted in a written form, in accordance with this Regulations, in English or Latvian language (if submitted in Latvian, translation in English of the Application must be provided together with the Application). If the Application is submitted in English language, then upon a request by the Procurement commission the Candidate shall provide a translation in Latvian within the deadline requested by the Contracting Authority's Procurement commission.

8.5. The Application may contain original documents or their derivatives (e.g. copies). In the Application or in the reply to a request of the Procurement commission the Candidate shall submit only such original documents which have legal force. For the document to gain legal force it has to be issued and formatted in accordance with the Law on Legal Force of Documents and Law on Electronic Documents of the Republic of Latvia, but public documents issued abroad shall be formatted and legalised in accordance with the requirements of the Document Legalization Law. When submitting the Application, the Candidate has the right to certify the correctness of all submitted documents' derivatives and translations with one certification.

8.6. The Application must be signed using an electronic signature according to regulatory acts on the status of electronic documents and electronic signature or tools provided by the E-Tender system or using a signature tool which provides confirmation of the identity of the document's signer by a person who is legally representing the Candidate or is authorised to represent the Candidate in this Competition procedure.

8.7. Applications submitted after the expiry of the deadline for the submission of Applications shall not be reviewed.

## 9. ENCRYPTION OF THE APPLICATION INFORMATION

9.1. The E-Tender system which is a subsystem of the Electronic Procurement System, ensures the first level encryption of the information provided in the documents.

9.2. If the Candidate applied additional encryption to the information in the documents (according to Section 9.1 of the Regulations), the Candidate has to provide the Contracting Authority's Procurement commission representative listed in Section 1.12 of the Regulations with electronic key with the password to unlock the information not later than the deadline of the document submission.

## 10. SUBMISSION OF THE APPLICATION

10.1. Application (documents referred to in the Section 8 of the Regulations) shall be submitted electronically using the tools offered by the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier/ProcurementProposals/62141> by

**7 October 2021 before 15:00 o'clock (Riga time).**

- 10.2. The Candidate may recall or amend its submitted Application before the expiry of the deadline for the submission of Applications by using the tools provided in the E-Tenders system.
- 10.3. Only Applications submitted to the E-Tenders system will be accepted and evaluated for participation in the procurement procedure. Any Application submitted outside the E-Tenders system will be declared as submitted in a non-compliant manner and will not participate in the procurement procedure.

**11. OPENING OF APPLICATIONS**

- 11.1. The opening of Applications will be held in the E-Tenders system on **7 October 2021 at 15:00 o'clock (Riga time)** during the opening session. It is possible to follow the opening of submitted Applications online in the E-Tenders system.
- 11.2. The Applications are opened by using the tools offered by the E-Tenders system, the public information of the Applications shall be published in the E-Tenders system.
- 11.3. The information regarding the Candidate, the time of Application submission and other information that characterises the Application is generated at the opening of the Applications by the E-Tenders system and written down in the Application opening sheet, which shall be published in the E-Tenders system and the Contracting Authority's webpage.

**12. VERIFICATION OF APPLICATIONS**

- 12.1. The Contracting Authority's Procurement commission verifies whether the submitted Applications comply with the requirements of this Regulations. If the Application does not comply with some of the requirements of this Regulations, the Procurement commission decides on the possibility of further evaluation of the Application.
- 12.2. The Contracting Authority's Procurement commission:
  - 12.2.1. Verifies whether the Candidate complies with the Candidate selection requirements specified in Section 4.1. – 4.3. of the Regulations;
  - 12.2.2. Verifies whether the exclusion grounds mentioned in Section 4.4. of the Regulations, Section 42, Paragraph 1 of the Public Procurement Law of the Republic of Latvia are applicable to the Candidate.
- 12.3. In the event the Candidate or partnership member (if the Candidate is a partnership) fails to comply with requirements stipulated in Section 4.4. (except Section 4.4. (2), 4.4.(9) – 4.4.(12)) of the Regulations and has indicated this in the Application, upon request by the Procurement commission it submits an explanation about the implemented measures in order to restore reliability and prevent occurrences of the same or similar violations in the future, as well as attaches any relevant evidence which proves the implemented measures, such as but not limited to the evidence about compensating damages, on cooperation with investigating authorities, implemented technical, organisational or personnel measures, an assessment of a competent authority regarding the sufficiency of the implemented measures etc. The Procurement commission assesses such information. If the Procurement commission deems the measures taken to be sufficient for the restoration of reliability and the prevention of similar cases in the future, it makes the decision not to exclude the Candidate from participation in the Competition. If the measures taken are insufficient, the Procurement commission makes the decision to exclude the Candidate from further participation in the Competition. If the Candidate, within the indicated time, does not submit the requested information, the Procurement commission excludes the Candidate from the participation in the Competition.

### 13. CANDIDATE EVALUATION

13.1. If more than 5 (five) Candidates comply with selection criteria stipulated in Section 4 of the Regulation, to reduce the number of Candidates to 5 (five) Candidates, Procurement commission will rank the Candidates according to following scoring criteria:

No	Evaluation criteria	Maximum points	Documents to be submitted
1.	<p>The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed and completed CBA for railway transport infrastructure project where the project investment value is not less than 1 bil. EUR (one billion euro) and client is public sector representative.</p> <p>The project(s) must be <b>different from those proposed</b> to meet the qualification requirement stipulated in the Section 4.1.1 and 4.1.2 of the Regulation.</p>	Total: 2 (1 point per each project)	<ul style="list-style-type: none"> <li>- Filled in and signed Annex No 7;</li> <li>- Description of project and Candidate's involvement within the project (not more than 1 (one) pages per project).</li> <li>- The Procurement commission shall be entitled to request the Candidate to submit written references in order to verify the correctness of information provided by the Tenderer set out in the form.</li> </ul>
2.	<p>The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed a Long-term Business Plan or Strategy for greenfield railway transport infrastructure project, where the project investment value is not less than 1 bil. EUR (one billion euro).</p> <p>The project(s) must be <b>different from those proposed</b> to meet the qualification requirement stipulated in the Section 4.1.1, 4.1.2 of the Regulation.</p>	Total: 2 (1 point per each project)	<ul style="list-style-type: none"> <li>- Filled in and signed Annex No 7;</li> <li>- Description of project and Candidate's involvement within the project (not more than 1 (one) pages per project).</li> <li>- The Procurement commission shall be entitled to request the Candidate to submit written references in order to verify the correctness of information provided by the Tenderer set out in the form.</li> </ul>
3.	<p>The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed a Long-term Business Plan or Strategy for a transport service provider (passenger and/or freight) or infrastructure manager with an annual turnover of not less than 1 bil. EUR (one billion euro) in the year of the delivery of the Long-term Business Plan or Strategy.</p> <p>The project(s) must be <b>different from those proposed</b> to meet the qualification requirement stipulated in the Section 4.1.1, 4.1.2 of the Regulation.</p>	Total: 2 (1 point per each project)	<ul style="list-style-type: none"> <li>- Filled in and signed Annex No 7;</li> <li>- Description of project and Candidate's involvement within the project (not more than 1 (one) pages per project).</li> <li>- The Procurement commission shall be entitled to request the Candidate to submit written references and/or evidence of Client's annual turnover in order to verify the correctness of</li> </ul>

No	Evaluation criteria	Maximum points	Documents to be submitted
			information provided by the Tenderer set out in the form.
	<b>Total:</b>	<b>6</b>	

**13.2.** The Procurement commission selects 5 (five) Candidates who have been awarded with highest score and will be invited to submit a Bid in the Second Stage of the Competition.

**13.3.** If after ranking there is more than one Candidate in 5<sup>th</sup> position to be invited to submit a Bid (Candidates have equal score), Procurement commission selects all Candidates which are in 5<sup>th</sup> position to be invited to submit a Bid.

#### **14. DECISION MAKING, ANNOUNCEMENT OF RESULTS**

**14.1.** Within 3 (three) business days from the date of the decision about the selection of the Candidates, the Procurement commission informs all Candidates (to the excluded/rejected Candidate the reasons for refusing it as well) about the decision made by sending the information electronically and keeping the evidence of the date and mode of sending the information, as well as about the deadline by which the Candidate may submit a complaint to the Procurement Monitoring Bureau regarding any perceived violations of the public procurement procedure.

**14.2.** If only 1 (one) Candidate complies with all the Candidate selection requirements, the Procurement commission makes the decision to terminate the public procurement procedure.

**14.3.** If the public procurement procedure is terminated, then within 3 (three) business days of the termination, the Procurement commission simultaneously informs all the Candidates of all the reasons why the Competition procedure was terminated and informs about the deadline within which a Candidate may submit an application to the Procurement Monitoring Bureau on any perceived violations of the public procurement procedure.

**14.4.** When informing of the results, the Procurement commission has the right not to disclose specific information if it may infringe upon public interests or if the Candidate’s legal commercial interests or the conditions of competition would be violated.

#### **15. THE RIGHTS OF THE PROCUREMENT COMMISSION**

**15.1.** For the purpose of undertaking the procurement exercise, the Contracting Authority establishes a Procurement commission, in accordance with its applicable procurement policy and the applicable Public Procurement Law of the Republic of Latvia. The Procurement commission and the Supplier exchange information in writing in English or Latvian (accompanied by a translation in English), using E-Tenders system. For the avoidance of doubt, unless specifically stated otherwise, all laws, acts and regulations under which this procurement exercise is undertaken, belong to the jurisdiction of the Republic of Latvia.

**15.2.** The Procurement commission has the right to demand at any stage of the Competition that the Candidate submits all or part of the documents which certify the Candidate’s compliance to the requirements for the selection of Candidates. The Procurement commission does not demand such documents or information which are already at its disposal or is publicly available free of charge. At the request of the Procurement commission, the Candidate must specify the address and method of access to the public database.

**15.3.** If the Candidate submits document derivatives (e.g. copies) and the authenticity of the submitted document derivation is in doubt, the Procurement commission can demand that the Candidate shows the original documents.

15.4. During the qualitative selection of Candidates, the Procurement commission has the right to demand that information included in the Application to participate in Competition is clarified.

## 16. THE OBLIGATIONS OF THE PROCUREMENT COMMISSION

16.1. The Procurement commission ensures that the process of the Competition is appropriately documented.

16.2. The Procurement commission ensures free and direct electronic access to the Competition documents in the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier/Procurement/62141> and at the Internet webpage of the Joint-Stock Company RB Rail AS <http://railbaltica.org/tenders/>.

16.3. If an interested Supplier has requested additional information via the E-Tender system, the Procurement commission provides a response via the E-Tender system within 5 (five) business days, but not later than 6 (six) days before the deadline for submitting Applications. The Contracting Authority publishes this information on the E-Tenders system's webpage <https://www.eis.gov.lv/EKEIS/Supplier/Procurement/62141> and on the Contracting Authority's Internet webpage <http://railbaltica.org/tenders/>, under the section of the respective procurement procedure, indicating the question asked.

16.4. If the Contracting Authority has amended the Competition documents, it publishes this information on the E-Tenders system's webpage <https://www.eis.gov.lv/EKEIS/Supplier/Procurement/62141> and on the Contracting Authority's Internet webpage <http://railbaltica.org/tenders/>, where Competition documents are available, no later than 1 (one) day after the notification regarding the amendments have been submitted to the Procurement Monitoring Bureau for publication.

16.5. The exchange and storage of information in the E-Tenders system is carried out in such a way that all data included in the Applications is protected and the Contracting Authority can check the content of the Applications only after the expiration of the deadline for their submission. During the time period between the day of the submission of Applications until the moment of opening thereof the Contracting Authority does not disclose any information regarding the existence of other Applications. During the period of Application assessment until the moment of the announcement of the results of the Candidate selection the Contracting Authority does not disclose information regarding the assessment process.

16.6. The Procurement commission assesses the Candidates and their submitted Applications based on the Public Procurement Law of the Republic of Latvia, this Regulations on competitive procedure with negotiations, as well as any other applicable regulatory enactments.

16.7. If the Procurement commission determines that the information included in the submitted documents about the Candidate, its subcontractors and persons upon whose capacities the Candidate is relying is unclear or incomplete, the Procurement commission demands that the Candidate or a competent institution clarifies or expands the information included in the Application. The deadline for the submission of the necessary information is determined proportionally to the time which is required to prepare and submit such information. If the Procurement commission has demanded to clarify or expand upon the submitted documents, but the Candidate has not done this in accordance with the requirements stipulated by the Procurement commission, the Procurement commission is under no obligation to repeatedly demand that the information included in these documents be clarified or expanded upon and the Contracting Authority's Procurement commission evaluates Applications based on the information available in the such Applications.

16.8. The Procurement commission prepares the invitation to the Second stage of the Competition consisting of the Regulations of the Second Stage of the competitive procedure with negotiations, the Technical Specification and the draft Contract and sends it to the selected Candidates that have been qualified for the Second stage of the competitive procedure with negotiations.

**ANNEXES:**

1. **Annex No 1** “Application for participation in the candidate selection in the procurement” on 2 (two) pages.
2. **Annex No 2** “General description of the subject – matter” on 7 (seven) pages.
3. **Annex No 3** “Description of the Candidates experience according to Section 4.1.1. of the Regulations” on 1 (one) page.
4. **Annex No 4** “Description of the Candidates experience according to Section 4.1.2. of the Regulations” on 2 (two) pages.
5. **Annex No 5** “Description of the Candidates experience according to Section 4.1.3. of the Regulations” on 2 (two) pages.
6. **Annex No 6** “Confirmation of Candidates Financial and Economic standing” on 2 (two) pages.
7. **Annex No 7** “Description of the Candidate’s experience according to Section 13.1 of the Regulations” on 2 (two) pages.

**Annex No 1**  
to the Regulations  
for competitive procedure with negotiations No RBR 2021/21  
"Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan"

[letterhead of the Candidate's company]

2021. \_\_\_\_ . \_\_\_\_  
No \_\_\_\_\_

**APPLICATION FOR PARTICIPATION IN THE CANDIDATE SELECTION IN THE PROCUREMENT**

**"Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan "**

Candidate \_\_\_\_\_, reg. No. \_\_\_\_\_,  
(Name of the Candidate or names of the members of a group of suppliers)  
represented by \_\_\_\_\_  
(Name, surname and position of the manager or an authorised person)

by submitting this application:

1. We confirm participation in the Competition organised by the RB Rail AS "Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan" No RBR 2021/21;
2. (If applicable): We inform that the following persons are subject to the following exclusion grounds:

Name of the entity (person)	Exclusion ground and brief description of the violation
[•]	
[•]	
[•]	

3. (If applicable): We declare that for the purposes of qualifying for the Competition we rely on the capacities of the following entities:

No	Name, registration number and registered address of the entity	Capacities on which the Candidate relies
1.		
2.		
3.		
4.		
5.		

4. We confirm that the Regulations for the Competition is clear and understandable, we do not have any objections and complaints and in the case of granting the right to enter into the Second Stage of the Competition as well as granting rights to enter into a contract we shall undertake to fulfil all conditions of this Regulations.

5. We confirm the period of validity of our application for 120 (one hundred twenty) days from the day of opening of the application.

6. We meet the criteria of (please mark):

a small                       medium                       other

sized enterprise<sup>5</sup> as defined in the Article 2 of the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprise.<sup>6</sup>

(Signature)

\_\_\_\_\_  
Address of the Candidate

\_\_\_\_\_  
telephone (fax) number, e-mail address.

\_\_\_\_\_  
Contact person, Name, Surname, phone number, e-mail address for direct communication and correspondence]

\_\_\_\_\_  
Position, name and surname of the manager or the authorized person of the Candidate

<sup>5</sup> The information on the size of the Candidate is used solely for statistical purposes and are not in any way whatsoever used in the evaluation of the Candidates and their requests to participate.

<sup>6</sup> Available here - [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2003.124.01.0036.01.ENG&toc=OJ:L:2003:124:TOC](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2003.124.01.0036.01.ENG&toc=OJ:L:2003:124:TOC).



**Annex No 2**  
to the Regulations  
for competitive procedure with negotiations No RBR 2021/21  
“Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan”

## GENERAL DESCRIPTION OF THE SUBJECT – MATTER

### 1. Introduction

The Baltic countries Estonia, Latvia and Lithuania have historically been linked to the east-west railway transport axis using the 1520mm gauge railway system. Because of the existing historical and technical constraints, the existing rail system is incompatible with mainland European standards, thus there is a consensus that Estonia, Latvia and Lithuania need to be fully integrated into the wider European rail transport system. Currently there is no efficient 1435 mm railway connection along the Warsaw-Kaunas-Riga-Tallinn axis, i.e. there are missing links or significant bottlenecks. Thus, there are no direct passenger or freight services along the railway axis as the existing infrastructure does not allow for competitive services compared to alternative modes of transport. Thus, most of the North-South freight is being transported by road transport and the overall accessibility in the region is low.

The ambitions of the Rail Baltica Global project (Global Project) are:

- to become a powerful catalyst for sustainable economic growth in the Baltic States;
- to set a new standard of passenger and freight mobility;
- to ensure a new economic corridor will emerge;
- sustainable employment and educational opportunities;
- an environmentally sustainable infrastructure;
- new opportunities for multimodal freight logistics development;
- new intermodal transport solutions for passengers;
- safety and performance improvements;
- a new value platform for digitalization and innovation;
- completion of Baltic integration in the European Union transport ecosystem.

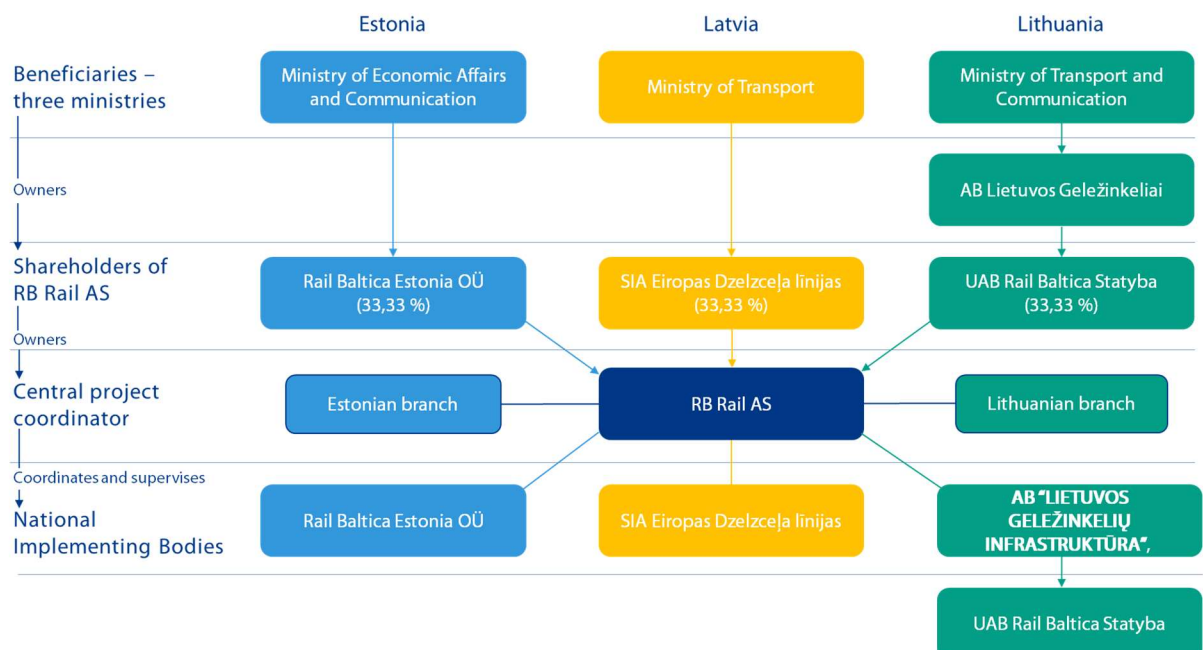
Rail Baltica is already designed to become a part of the EU TEN-T North Sea – Baltic Core Network Corridor, which links Europe’s largest ports of Rotterdam, Hamburg and Antwerp – through the Netherlands, Belgium, Germany and Poland – with the three Baltic States, further connecting to Finland via the Gulf of Finland short sea shipping connections with a future fixed link possibility between Tallinn and Helsinki. Further northbound extension of this corridor shall pave the way for future connectivity also with the emerging Arctic corridor, especially in light of the lucrative prospects of the alternative Northern Circle maritime route development between Europe and Asia. Furthermore, the North Sea – Baltic Corridor crosses with the Baltic-Adriatic Corridor in Warsaw, paving the way for new supply chain development between the Baltic and Adriatic seas, connecting the Baltics with the hitherto inadequately accessible Southern European markets. In a similar fashion, Rail Baltica shall strengthen the synergies between North-South and West-East freight

flows, creating new trans-shipment and logistics development opportunities along the Europe and Asia overland trade routes. The new Rail Baltica infrastructure would, therefore, not only put the Baltics firmly on the European rail logistics map, but also create massive opportunities for value creation along this infrastructure with such indirect economic benefits as commercial property development, revitalization of dilapidated urban areas, private spin-off investment, new business formation, technology transfer and innovation, tourism development and other catalytic effects. Rail Baltica aims to promote these effects from the early stages of the Global Project, learning from the key global success stories and benchmarks in this regard.

The contracting authority RB Rail AS (RBR) was established by the Republics of Estonia, Latvia and Lithuania, via state-owned holding companies, to coordinate the development and construction of the fast-conventional standard gauge railway line on the North Sea – Baltic TEN-T Core Network Corridor (Rail Baltica II) linking three Baltic states with Poland and the rest of the EU. The main technical parameters shall correspond to traffic code P2-F1 as per INF TSI (Commission Regulation 1299/2014/EU) and they are detailed in Design Guidelines. The key design criteria to follow are (non-exhaustive list):

- double track, mixed passenger and freight traffic line, design speed on the main track 249 km/h;
- axle load 25 t;
- distance between track centres at least 4.50 m on the main tracks;
- all pedestrian, road and 1520mm rail crossings only as above or below grade crossings (segregated grade crossings), fencing and noise barriers;
- ERTMS Level 2;
- electrification 2x25 kV AC;
- maximum train length – 1050m for freight trains and 400m for passenger trains
- height of passenger platforms 550mm.

The diagram below illustrates the shareholder and project governance structure of the Rail Baltica project.



### Figure 1 Rail Baltica governance structure

Rail Baltica is a joint project of three EU Member States – Estonia, Latvia and Lithuania – and concerns the building of a fast conventional double track 1435 mm gauge electrified railway line on the route from Tallinn through Pärnu (EE), Riga (LV), Panevėžys (LT), Kaunas (LT) to the Lithuania/Poland state border (including connection Kaunas - Vilnius). In the longer term, the railway line could potentially be extended to include a fixed link between Helsinki and Tallinn, as well as integrate the railway link to Warsaw and beyond.

The expected core outcome of the Global Rail Baltica Project is a European gauge (1435mm) double-track railway line of almost 900 km in length meant for both passenger and freight transport and the required additional infrastructure (to ensure full operability of the railway). It will be interoperable with the TEN-T Network in the rest of Europe and competitive in terms of quality with other modes of transport in the region.

## 2. Objective of procurement

### 2.1 Scope for the project

The primary objective of the procurement is to implement updated CBA and Business Plan for the Rail Baltica Global Project using new and more accurate information that has been developed as the project has matured since the previous version of the CBA and Business Plan (2017/2018). New information includes new CAPEX and OPEX estimates, as well as updated demand forecasts from a new traffic demand model (being developed in 2021) and results from several Rail Baltica published studies including Piggyback Transportation Services and Related Areas, Rail Baltica Project Airport Integration Study (Passengers and Luggage services), Infrastructure Management Study and others.

The socio-economic, financial, and commercial information deriving from both studies is strategic to internal and external decision-making support regarding project delivery, financing and future commercial operations, so strengthening the Rail Baltica business case and supporting the engagement with critical stakeholder groups as well as the communication of socio-economic benefits to the Baltic region and beyond.

Eventually, the output of this procurement will include:

- CBA model and report deliver, based on the latest available official European Union (EU) guidelines
- Additional socio-economic analysis report delivery
- Business plan and financial model delivery

The output of the project will receive, as well as provide, critical knowledge to several Rail Baltica Global Project related activities, including: Marketing strategy (2021), Design /Delivery Optimization related activities (including Station functionalities, C-gauge study, Component sourcing, Airport integration, Piggyback transportation study, Innovation and Digitalization strategy) Access charging study (2021), Infrastructure Management study (2019), Transport Demand model (2022), Regional Impact study (2021),

International stations GVA (2021), Freight user survey (2021), Sustainability Strategy (2021), “Dig once” and corridor synergies (2021).

## 2.2 Deliverables

The results to be delivered from the Tenderer<sup>7</sup> (the Contractor) are the following:

Week	Deliverable	Main contents
1 – 6	Inception report (WP1)	<ol style="list-style-type: none"> <li>1. Review of EU CBA guidelines</li> <li>2. Review of BP main topics to scope the content</li> <li>3. Data collection structure</li> <li>4. Plan of the CBA &amp; BP and timeline</li> </ol>
6 - 16	First Interim report (WP2)	<ol style="list-style-type: none"> <li>1. CAPEX validation</li> <li>2. Assumptions for RB CBA and BP financial model</li> <li>3. Data collection (results)</li> <li>4. RB CBA and BP financial model structure</li> </ol>
16 - 26	Second Interim report (WP3)	<ol style="list-style-type: none"> <li>1. Final RB CBA and BP financial models</li> <li>2. Final CBA report</li> <li>3. CBA Model software manual</li> <li>4. Participation meetings with stakeholders and public presentation/events</li> <li>5. Business plan 1<sup>st</sup> draft (about 50% completed)</li> <li>6. Wider economic impacts methodological approach</li> </ol>
26 - 52	Third Interim report (WP4)	<ol style="list-style-type: none"> <li>1. Wider (beyond EU CBA guide) socio-economic impacts results</li> <li>2. Business plan 2<sup>nd</sup> draft (about 90% completed) including market development, strategy, joint venture future</li> </ol>
52 - 78	Final Report (WP5)	<ol style="list-style-type: none"> <li>1. Business plan peer review</li> <li>2. Final Business Plan report</li> <li>3. Participation meetings with stakeholders and public presentation/events</li> </ol>
79 - 106	Dissemination (WP6)	<ol style="list-style-type: none"> <li>1. Participation meetings with stakeholders and public presentation/events</li> </ol>

2.3 The deadline for the provision of services shall not exceed 76 weeks from the commencement date. The Tenderer may suggest a more condensed delivery schedule, provided that the scope of the study is not negatively affected.

2.4 Reports and documents will be officially delivered and accepted, the Contracting authority or its authorized representative will approve the receipt of the document in writing by signing the acceptance-delivery protocol.

2.5 The Contractor shall provide in its work programme enough time for the review of submitted deliverables by representatives of the Contracting Authority in view of the delivery schedule as per section 2.5 above.

<sup>7</sup> The definitions “Tenderer” and “the Contractor” are considered as equal in terms of their meaning.

2.6 The Contractor shall consider the following non-exhaustive list of documents, studies, study projects:

- 2.6.1 Rail Baltica Global Project Documentation Library (<http://railbaltica.org/about-rail-baltica/documentation/>);
- 2.6.2 Procurement legislation of the European Union, Latvia, Estonia and Lithuania;
- 2.6.3 Rail Baltica Scheme (infographic: <http://railbaltica.org/wp-content/uploads/2017/05/Contracting-Scheme-Rail-Baltica-2016.jpg> );
- 2.6.4 Relevant studies, reports, position papers by the relevant European and international institutions (including the European Commission, European Parliament, European Rail Agency, Rail Freight Corridors, ITF/OECD etc);
- 2.6.5 Rail Baltica (2017) CBA final report [https://www.railbaltica.org/wp-content/uploads/2017/04/RB\\_CBA\\_FINAL\\_REPORT\\_0405.pdf](https://www.railbaltica.org/wp-content/uploads/2017/04/RB_CBA_FINAL_REPORT_0405.pdf)
- 2.6.6 Rail Baltica (2018) Operational plan [https://www.railbaltica.org/wp-content/uploads/2019/05/RB\\_Operational\\_Plan\\_Final\\_Study\\_Report\\_final.pdf](https://www.railbaltica.org/wp-content/uploads/2019/05/RB_Operational_Plan_Final_Study_Report_final.pdf)
- 2.6.7 European commission (2014) Guide to Cost-Benefit Analysis of Investment Project [https://ec.europa.eu/regional\\_policy/sources/docgener/studies/pdf/cba\\_guide.pdf](https://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/cba_guide.pdf)
- 2.6.8 Rail Baltica (2019) Air2Rail study <https://www.railbaltica.org/wp-content/uploads/2019/12/RB-Airport-integration-feasibility-study.pdf>
- 2.6.9 Piggyback Transportation Services and Related Areas (2019) <https://www.railbaltica.org/wp-content/uploads/2021/05/Piggyback-Transportation-Services-and-Related-Areas.pdf>
- 2.6.10 Infrastructure Management Study (2019) <https://www.railbaltica.org/wp-content/uploads/2019/04/RB-AS-Infrastructure-Management-Study-Final-Report.pdf>

2.7 The Contracting Authority shall facilitate and provide the appropriate organizational frameworks towards the integration of content and cohesion between the Transport model study and other relevant Rail Baltica global project studies and activities, both those already completed and those being carried out in parallel. The Contractor is expected to join and actively participate in the relevant alignment meetings.

2.8 The Contractor shall ensure that the results of the study are compliant with respective EU and national legislations.

### 3. Description of services

3.1 The services are organized in accordance with the following Work Packages (WP):

#### 3.1.1 Inception report (WP1)

1. Review of EU CBA guidelines. The review will provide an insight to EU methodology in the field of CBA. The review will specifically address critical issues, explaining, whenever necessary to choose among alternative approaches, the choices taken regarding the implementation of the CBA model for RB.
2. Review of BP main topics to scope the content. The review will provide a critical analysis of the different topics potentially included in a BP developed for a project such as RB. The review will then present e discuss the topics chosen to be included as part of the content of the RB BP.
3. Data collection structure. The list of the data required for the implementation of the CBA and of the BP will be presented. A strategy for the implementation of the collection of such data will be presented and

discussed. The presentation of the data collection strategy will include a timeline as well as specify potential contribution required from RB.

#### 4. Plan of the CBA & BP and timeline.

##### 3.1.2 First Interim report (WP2)

1. CAPEX estimate/validation. The analysis will include the validation of the CAPEX estimates provided from RB based on existing comparable projects and methods suggested by the contractor and approved by RB, the more detailed estimate of some CAPEX components considered high drivers for CAPEX definition, including risk assessment through the analysis of different scenarios, and finally the analysis of comparable projects with respect to the construction time overrun.
2. Assumptions for RB CBA and BP financial model. The list of assumptions to be used for the CBA model and BP financial model will be presented and discussed. The list will include quantitative as well as qualitative assumptions and will motivate the choice based on best practices and comparative analysis of comparable transport infrastructure projects.
3. Data collection (results).
4. RB CBA and BP financial model structure. The model structure of the CBA and BP financial model will be presented in detail. The models will be developed based on Microsoft Excel spreadsheet workbooks. Choices and assumptions will be motivated. CBA model will include risk analysis module (quantitative probabilistic analysis based on excel spreadsheet add-on tool, e.g. Palisade @Risk!). The CBA model will address all the socio-economic and environmental aspects required in the latest official European Union (EU) guidelines for project appraisals available at the time the model is implemented, and any other agreed with the Principal during the inception phase of the project.

##### 3.1.3 Second Interim report (WP3)

1. Final RB CBA and BP financial models. The results from the RB CBA and BP financial models will be presented and discussed. Alternative scenarios, defined in agreement with RB, will be developed.
2. EU CEF application cash-flow spreadsheet. Results from the RB CBA will be used to prepare the cash-flow spreadsheet template from EU CEF application.
3. Final CBA report. The report will include a description of the reference methodology, model structure, assumptions, results – in form of tables and graphs. The report will include all the financial and socio-economic indicators required by EU CEF application forms.
4. CBA Model software manual. The manual will describe in detail the structure of the model, its main functionalities, and will provide guidance for a number of tasks including, but not limited to, scenario analysis and risk analysis.
5. Participation meetings with stakeholders and public presentation/events
6. Business plan 1<sup>st</sup> draft (about 50% completed). The draft will cover some of the BP topics discussed and agreed in WP1, to the approximatively extent of 50% of the overall scope.
7. Wider economic impacts methodological approach. The approach suggested to assess the wider economic impacts will be presented and motivated. The discussion will include alternative approaches, methodological issue, overall level of acceptance and transparency of the suggested methods and approaches.

##### 3.1.4 Third Interim report (WP4)

1. Wider (beyond EU CBA guide) socio-economic impacts results.
2. Business plan 2<sup>nd</sup> draft (about 90% completed). The draft will cover some of the BP topics discussed and agreed in WP1, to the approximatively extent of 90% of the overall scope. Among others, the content will include the following topics: including market development, strategy, and the assessment of the future business opportunities and strategic options following the infrastructure delivery and transition into revenue operation phase, including identifying the most appropriate entities for the development of such opportunities.

##### 3.1.5 Final Report (WP5)

1. Business plan peer review.
2. Final Business Plan report.

3. Participation meetings with stakeholders and public presentation/events

Report, tables and figures, appendices, presentations and other deliverable material shall be formatted according to the:

EU Connecting Europe Facility (<https://ec.europa.eu/inea/connecting-europe-facility/cef-energy/beneficiaries-info-point/publicity-guidelines-logos>), as well as RBR visual guidelines (<http://railbaltica.org/about-rail-baltica/visual-guidelines/>)

and prepared by using the Rail Baltica report document template; All written materials, including all deliverables, shall meet the highest standards of English language and technical terminology proficiency; if requested by the Contracting Authority, the Contractor shall engage professional proofreading services at its own expense. All deliverables and submitted supplementary materials (including in original (source-file) formats) shall become the intellectual property of the Contracting Authority.

**3.1.6 WP6: Submission, presentation, and public communication**

1. If reasonably requested by the Contracting Authority, the Contractor shall additionally participate in high-level governmental briefings in the three Baltic capitals (estimated number of trips: 3 in total), as well as be available for public presentation of the results of the study and engagement with the mass media and other public stakeholders following the submission of the Final Report.

### DESCRIPTION OF CANDIDATES EXPERIENCE

#### According to Section 4.1.1. of the Regulations

The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) as a main contractor has developed and completed studies in the domain of CBA and Wider Economic Impacts analyses for transport infrastructure and services at least in 3 (three) projects:

- a) 1 (one) project related to a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI P1, P2, P1-F1 or P2-F1 with project total investment value of at least 1 bil. EUR (one billion euro).
- b) 1 (one) project related to railway infrastructure with project total investment value of at least 200 mil. EUR (two hundred million euro).
- c) 1 (one) project related to non-railway infrastructure with project total investment value of at least 200 mil. EUR (two hundred million euro).

No	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Project investment value, EUR	Type of transport infrastructure	Description of the responsibilities within the carried-out studies	Client, Client's contact information for references (name of representative, phone, e-mail)
1.							
2.							
3.							

Annex: Description of projects (not more than 1(one)page each).

Copies of references from respective clients or similar documents (copies of deeds of conveyance or other evidencing of experience).



### DESCRIPTION OF CANDIDATES EXPERIENCE

#### According to Section 4.1.2. of the Regulations

The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) as the main contractor has developed and completed a Long-term Business Plan or Strategy for transport infrastructure and services with minimum contract value of 700 000 EUR (seven hundred thousand euro) **each** in at least 5 (five) projects<sup>8</sup>, including:

- a) at least 3 (three) projects related to a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI P1, P2, P1-F1 or P2-F1.
- b) at least 1 (one) project related to development of greenfield railway infrastructure.
- c) at least 1 (one) project related to transport company/entity operating in a market-based competitive environment - as opposed to entities related to infrastructure delivery (i.e. design/construction/upgrade) or any other pre-market phase.
- d) at least 1 (one) project related to non-rail transport infrastructure or non-rail transport company.

No	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Contract value, EUR	Transport infrastructure (description of compliance with the requirement)	Description of the responsibilities within the carried-out services	Client, Client's contact information for references (name of representative, phone, e-mail)
1.							
2.							
3.							
4.							

<sup>8</sup> Project cannot be the same as for Clause 4.1.1.

No	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Contract value, EUR	Transport infrastructure (description of compliance with the requirement)	Description of the responsibilities within the carried-out services	Client, Client's contact information for references (name of representative, phone, e-mail)
5.							

Description of projects (not more than 1 (one) page each).

Copies of references from respective clients or similar documents (copies of deeds of conveyance or other evidencing of experience).

### DESCRIPTION OF CANDIDATES EXPERIENCE

#### According to Section 4.1.3. of the Regulations

The Candidate within the previous 7 (seven) years (2014 until the date of submission of the application) has gained experience<sup>9</sup> in:

- a) Developing passenger transportation operator business in a multimodal mobility environment involving interactions among at least three transport modes: rail, road, air, maritime/IWW.
- b) Management of multimodal logistics and supply chain involving integration among at least three transport modes: rail, road, air, maritime/IWW.
- c) Developing sustainable solutions for mobility and logistics services of a single or dual-use (passenger and freight) railway infrastructure equivalent to TSI INF P1, P2, P1-F1 or P2-F1.
- d) Developing innovation and digitalisation solutions addressing both - infrastructure and operations in a railway environment, including service introduction/development and Lifecycle cost optimisation.
- e) Implementing environmental impact assessment of railway infrastructure construction and operation.

No	Title of the project	Start and finish dates of the contract	Requirement in accordance with sub-paragraph a),b),c),d),e)	Description of compliance with the requirement	Client, Client’s contact information for references (name of representative, phone, e-mail)
1.			a)	<i>Description of the provided services in the corresponding area (if applicable)</i>	Name of the client, name of representative, phone, e-mail
			b)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			c)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			d)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			e)	<i>Description of the provided services in the corresponding area (if applicable)</i>	

<sup>9</sup> The experience required in sub-paragraphs a)-e) can be covered by no less than 2 (two) projects. The experience required in each sub-paragraph must be fully obtained within one project.

No	Title of the project	Start and finish dates of the contract	Requirement in accordance with sub-paragraph a),b),c),d),e)	Description of compliance with the requirement	Client, Client's contact information for references (name of representative, phone, e-mail)
2.			a)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			b)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			c)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			d)	<i>Description of the provided services in the corresponding area (if applicable)</i>	
			e)	<i>Description of the provided services in the corresponding area (if applicable)</i>	

Annex: Description of projects (not more than 1 (one) page each).

If more than two project are proposed to meet the requirements stipulated in the Section 14.1.3. of the Regulation, please, provide following table for each reference project.

**Annex No 6**  
to the Regulations  
for competitive procedure with negotiations No RBR 2021/21  
“Global Project Cost Benefit Analysis (CBA) and Long Term Business Plan”

### Confirmation of Candidates Financial Standing

1. Section 4.3.1. of the Regulation

The Candidate’s or all members of the partnership together (if the Candidate is a partnership and confirms the average financial turnover jointly), average financial turnover within the last 3 (three) financial years (2018, 2019, 2020) is not less than 2 800 000 EUR (two million eight hundred thousand euros zero cents).

In the event the Candidate or a member of a partnership (if the Candidate is a partnership) has operated in the market for less than 3 (three) financial years, the requirement shall be met during the Candidate’s actual operation period.

No	Year	Total Turnover in EUR	Notes
The Candidate or member of the partnership (if the Candidate is a partnership) on whose capacity Candidate is relying to certify its financial and economic performance (Section 4.3.1. of the Regulation) and who will be financially and economically responsible for fulfilment of the Contract or other entity on whose capacity Candidate is relying (if the Candidate is relying on other entity’s capacity) to certify its financial and economic performance and who will be financially and economically responsible for fulfilment of the Contract:			
_____ Name of the Candidate /member of a partnership/other entity			
1.	2020		
2.	2019		
3.	2018		
<b>Average annual turnover</b> within the last 3 (three) financial years			

2. Section 4.3.2. of the Regulation

The Candidate or each member of the partnership (if the Candidate is a partnership) on whose capacities the Candidate is relying has to certify it’s financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract and entity on whose abilities the Candidate is relying to certify it’s financial and economic performance and who will be financially and economically responsible for fulfilment of the procurement contract, shall have stable financial and economic performance, namely, in the last financial year (2020) liquidity ratio shall be equal to or exceed 1 and shall have positive equity.

Financial information from Candidates financial statement used to calculate liquidity ratio and equity*	Year 2020**
Current assets	
Total assets	

Short term - liabilities	
Total liabilities	

$$\text{liquidity ratio} = \frac{\text{current assets}}{\text{short - term liabilities}} = \underline{\hspace{2cm}}$$

$$\text{equity} = \text{total assets} - \text{total liabilities} = \underline{\hspace{2cm}}$$

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Name of the Candidate/member of partnership/entity \*

*\* Please continue and provide information regarding each entity to which this requirement applies. If value of assets or liabilities have been calculated from different parts of Candidates financial statement, Candidate must provide explanation how the calculations have been made.*

*\*\* If the previous reporting year of the Candidate differ from the year specified in Section 4.3.2. of the Regulations (2020), the financial information necessary must be indicated for the Candidate's previous reporting year.*

### DESCRIPTION OF CANDIDATES EXPERIENCE

#### According to Section 13.1 of the Regulations

1. The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed and completed CBA for railway transport infrastructure project where the project investment value is not less than 1 bil. EUR (one billion euro) and client is public sector representative.

The project(s) must be **different from those proposed** to meet the qualification requirement stipulated in the Section 4.1.1 and 4.1.2 of the Regulation.

No <sup>10</sup>	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Project investment value, EUR	Description of the responsibilities within the carried-out services	Client, Client's contact information for references (name of representative, phone, e-mail)
1.						
n+						

2. The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed a Long-term Business Plan or Strategy for greenfield railway transport infrastructure project, where the project investment value is not less than 1 bil. EUR (one billion euro).

The project(s) must be **different from those proposed** to meet the qualification requirement stipulated in the Section 4.1.1, 4.1.2 of the Regulation.

<sup>10</sup> Maximum 2 (two) projects will be evaluated

No <sup>11</sup>	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Project investment value, EUR	Description of the responsibilities within the carried-out services	Client, Client's contact information for references (name of representative, phone, e-mail)
1.						
n+						

3. The Candidate within the previous 10 (ten) years (2011 until the date of submission of the application) as a main contractor has developed a Long-term Business Plan or Strategy for a transport service provider (passenger and/or freight) or infrastructure manager with an annual turnover of not less than 1 bil. EUR (one billion euro) in the year of the delivery of the Long-term Business Plan or Strategy.

The project(s) must be **different from those proposed** to meet the qualification requirement stipulated in the Section 4.1.1, 4.1.2 of the Regulation.

No <sup>12</sup>	Title of the project	Start and finish dates of the contract	Candidates' status (only main contractor acceptable)	Transport service provider (passenger and/or freight) or infrastructure manager annual turnover in EUR	Description of the responsibilities within the carried-out services	Client, Client's contact information for references (name of representative, phone, e-mail)
1.						
n+						

<sup>11</sup> Maximum 2 (two) projects will be evaluated.

<sup>12</sup> Ibid.