

Riga

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Our Ref: 1.13p/LV-2022-213

Electronic Procurement System

**Answer to question from interested supplier
in the competitive procedure with negotiation
"Provision, Implementation and customization
of Electronic Document Management System (EDMS)",
identification number RBR 2022/12**

RB Rail AS Procurement Commission presents following answer to the question received from interested supplier on 6 July 2022:

Nr.	Question	Answer
1.	<p><i>Referring to the tender RBR 2022/12, published by you recently, I'd like to check with you if my understanding is right about the item 5.1.2.</i></p> <p><i>The candidates are really restricted to companies from NATO or EU? Item C mention that the software manufacturer must be registered of NATO, EU or EU area.</i></p> <p><i>I would like to understand the reason about this restriction. You may be leaving aside powerful solutions that could comply very well with your list of requirements.</i></p>	<p>Thank you for your interest in particular procurement exercise!</p> <p>The Procurement Commission informs you that the Contracting authority, as the legal owner of the critical infrastructure, is bound by adopted by the Cabinet of the Republic of Latvia Regulation No. 442 "Procedures for the Ensuring Conformity of Information and Communication Technologies System to Minimum Security Requirements", dated of July 28, 2015,¹ (hereinafter – Procedure).</p> <p>Procurement Commission kindly notes that requirements stipulated in Section 5.1.2. of the Candidate Selection Regulation of competitive procedure with negotiation "Provision, Implementation and Customization of Electronic Document Management System (EDMS)" (ID No RBR 2022/12) (hereinafter - Candidate Selection Regulation) is based on Article 36.¹ of the Procedure.</p> <p>Please be informed that exception to requirements stipulated in Article 36.¹ of the Procedure, including requirement of manufacturer of software to be registered in member state to the NATO, EU or EEA, is allowed if opinion of the competent state security authority has been</p>

¹ <https://likumi.lv/ta/id/275671-kartiba-kada-tiek-nodrosinata-informacijas-un-komunikacijas-tehnologiju-sistemu-atbilstiba-minimalajam-drosibas-prasibam>

		<p>received that the contract can be concluded with selected candidate.</p> <p>In accordance with Section 5.1.2. of the Candidate Selection Regulation, Procurement Commission will not invite the Candidate <u>to the Second stage of the Competition</u> (where the decision to award rights to conclude the contract will be taken), only in case a statement from Latvian State Security Service with prohibition to conclude the contract will be received.</p>
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Sincerely,

Procurement commission chairperson / secretary

A. Gudrenika

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