

Rīga

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**Answers to questions from the interested supplier
in the competitive procedure with negotiations
“Consolidated supply of railway ballast for Rail Baltica railway construction”,
identification number RBR 2022/14**

RB Rail AS presents following answers to the questions received from the interested supplier until 16 August 2022:

Nr.	Questions	Answers
1.	<p>Regulation Clause 4.4.1. - For the Candidates applying for several lots:</p> <p>If Candidate applies for several lots, then requirements of experience for supplied quantities of individual lots needs to be combined.</p> <p>Question: If we apply for all 6 (six) lots, then our experience must be the sum of all 6 (six) lots with a minimum total volume of 350,000 (three hundred and fifty thousand) tons for one or more clients of infrastructure projects (roads, earthworks, concrete structures, etc.) for construction?</p> <p><u>Translation to Latvian:</u></p> <p>Nolikuma 4.4.1. punkts - Kandidātiem, kas piesakās uz vairākām daļām: Ja kandidāts pretendē uz vairākām daļām, ir jāapvieno prasības par pieredzi atsevišķu daļu piegādātājiem daudzumiem.</p> <p>Jautājums: Ja mēs startējam uz visām 6 (sešām) daļām, tad mūsu pieredzei ir jābūt visu 6 (sešu) daļu summai ar minimums kopējo apjomu 350 000 (trīs simti piecdesmit tūkstoši) tonnu vienam vai</p>	<p>Procurement Commission confirms that requirements of experience for supplied quantities of individual lots needs to be summed. Please note that in case Candidate applies for all six lots, total volume of the supplies should be 350,000 (three hundred and fifty thousand) tons. This amount shall be reached within the last 5 (five) years before the date of submission of the Application (2021, 2020, 2019, 2018, 2017 and 2022 until the submission of the Application) <u>in any continuous 12 months period.</u></p> <p><u>Translation to Latvian</u></p> <p>Iepirkuma komisija apstiprina, ka pieredzes prasības piegādātājiem atsevišķu partiju daudzumiem ir jāsummē. Lūdzam ņemt vērā, ka gadījumā, ja Kandidāts piesakās uz visām sešām daļām, kopējam piegāžu apjomam jābūt vismaz 350 000 (trīs simti piecdesmit tūkstoši) tonnu. Šī summa jāasniedz pēdējo 5 (piecu) gadu laikā pirms Pieteikuma iesniegšanas dienas (2021., 2020., 2019., 2018., 2017. un 2022. gads līdz Pieteikuma iesniegšanai) jebkurā nepārtrauktā 12 mēnešu periodā.</p>

	vairākiem klientiem infrastruktūras projektu (ceļu, zemes darbu, betona konstrukciju u.c.) būvniecībai?	
2.	<p>Regulation Clause 4.4.1. - Candidate shall submit the documents to prove compliance with Clause 4.4.2. a) b) and c). To prove the compliance Candidate may submit e.g. declaration of Performance (DoP) of the supplied aggregate(s), document confirming compatibility to CE (Conformité Européenne) of the aggregate(s), Factory Production Control (FPC) Certificate of the supplied aggregate(s) according to one or several following standards EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 or equivalent proving compliance with AVCP level 2+ as minimum or any other document proving compliance with Clause 4.4.2.</p> <ul style="list-style-type: none"> • Question: Where is clause 4.4.2 in the Regulations? <p><u>Translation to Latvian</u></p> <p>Nolikuma 4.4.1.punkts - Kandidāts iesniedz dokumentus, kas apliecina atbilstību Nolikuma 4.4.2. a) b) un c). Atbilstības apliecināšanai Kandidāts var iesniegt piem. Piegādātāja agregātu ekspluatācijas īpašību deklarāciju (DoP), dokumentu, kas apstiprina agregāta atbilstību CE (Conformité Européenne) prasībām, piegādātāju agregātu rūpnīcas ražošanas kontroles (FPC) sertifikātu saskaņā ar vienu vai vairākiem sekojošiem standartiem EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 vai līdzvērtīgiem, kas apliecina atbilstību AVCP līmenim 2+ kā minimums vai jebkuru citu dokumentu, kas apliecina atbilstību 4.4.2.punktam.</p> <ul style="list-style-type: none"> • Jautājums: Kur Nolikumā ir 4.4.2.punkts? 	<p>Procurement Commission explains that in Clause 4.4.1. "Candidate shall submit the documents to prove compliance with Clause 4.4.2. a) b) and c)" a typing error has occurred and instead of reference to Clause 4.4.2. should be reference to Clause 4.4.1.</p> <p><u>Translation to Latvian</u></p> <p>Iepirkuma komisija skaidro, ka Nolikuma 4.4.1. punktā "Kandidāts iesniedz dokumentus, kas apliecina atbilstību Nolikuma 4.4.2. a) b) un c)" ir radusies drukas kļūda un atsaucies vietā uz Nolikuma 4.4.2.punktu jābūt atsaucei uz Nolikuma 4.4.1.punktu.</p>
3.	<p>Is it necessary to submit the declaration of performance for each delivered quantity?</p>	<p>Procurement Commission explains that to prove the compliance for each delivered quantity Candidate may submit e.g. declaration of Performance (DoP) of the supplied aggregate(s), document confirming compatibility to CE (Conformité</p>

	<p><u>Translation to Latvian</u></p> <p>Vai ekspluatācijas īpašību deklarācija jāiesniedz par katru piegādāto daudzumu?</p>	<p>Européenne) of the aggregate(s), Factory Production Control (FPC) Certificate of the supplied aggregate(s) according to one or several following standards EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 or equivalent proving compliance with AVCP level 2+ as minimum <u>or any other document proving compliance with Clause 4.4.1.</u></p> <p><u>Translation to Latvian</u></p> <p>Iepirkumu komisija paskaidro, lai apliecinātu atbilstību par katru piegādāto daudzumu Kandidāts var iesniegt piem. Piegādātāja agregātu ekspluatācijas īpašību deklarāciju (DoP), dokumentu, kas apstiprina agregāta atbilstību CE (Conformité Européenne) prasībām, piegādātāju agregātu rūpnīcas ražošanas kontroles (FPC) sertifikātu saskaņā ar vienu vai vairākiem sekojošiem standartiem EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 vai līdzvērtīgi, kas apliecina atbilstību AVCP līmenim 2+ kā minimums <u>vai jebkuru citu dokumentu, kas apliecina atbilstību 4.4.1.punktam.</u></p>
4.	<p>Can only a factory production control certificate be attached and will it be recognized as appropriate, where all the above conditions are mentioned: standards EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 or equivalent, certifying compliance with the minimum AVCP level 2+ ?</p> <p><u>Translation to Latvian</u></p> <p>Vai drīkst pievienot un tiks atzīts par atbilstošu tikai rūpnīcas ražošanas kontroles sertifikāts, kur minēti visi augstāk minētie nosacījumi: standarti EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 vai līdzvērtīgi, kas apliecina atbilstību minimālajam AVCP līmenim 2+ ?</p>	<p>Please note that in accordance with Clause 4.4.1. the Candidate may choose the type of the document to be submitted (e.g. DoP, FPC etc.) to prove the experience in supplies with listed parameters.</p> <p><u>Translation to Latvian</u></p> <p>Lūdzu ņemiet vērā, ka saskaņā ar Nolikuma 4.4.1.punktu Kandidāts var izvēlēties, ar kādu dokumentu tas apliecinās atbilstību pieredzes prasībās noteiktajiem parametriem (piemēram, DoP, FPC utt.).</p>
5.	<p>4.2.1. We are not a group of suppliers, we are a candidate, but we have a supplier, do we need to submit documents for this point only to our company or also to our Supplier? And what specific documents need to be submitted to this item 4.2.1.?</p>	<p>Procurement Commission explains that information regarding registration fact should be submitted regarding Candidate.</p> <p>Clause 4.2.1. of the Regulations refers to the Candidate or all members of the partnership</p>

		<p>(if the Candidate is a partnership) or persons on whose capabilities the Candidate is relying. If Candidate itself does not have experience in the supply of aggregates and relies on other entities capacities to prove such experience, then documents listed in the Clause 4.2.1. shall be submitted also for such entity.</p> <p>Please note that In the Clause 4.2.1. of the Regulations are listed documents that shall be submitted to prove the registration fact of the Candidate:</p> <ol style="list-style-type: none"> 1) If Candidate is registered in Latvia, the Contracting Authority shall verify the information itself in publicly available databases. 2) if Candidate registered abroad 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, beneficial owners, legal representatives (officials) and procura holders (if any) can be determined.
6.	<p>4.4.1. In the appendix to the submitted documents, it is written that "the candidate must submit documents proving compliance with the requirements of point 4.4.2 a) b) and c)". But such a 4.4.2. not at all? Are we talking about the requirements of point 4.4.1 a) b) and c)? What specific documents need to be submitted?</p>	<p>Procurement Commission explains that in Clause 4.4.1. "Candidate shall submit the documents to prove compliance with Clause 4.4.2. a) b) and c)" a typing error has occurred and instead of reference to Clause 4.4.2. should be reference to Clause 4.4.1.</p> <p>To prove the compliance with Clause 4.4.1. Candidate shall submit:</p> <ol style="list-style-type: none"> 1) filled in and signed Annex No 4.1. – 4.6., containing description of contracts/ supplies performed by the Candidate; 2) to prove compliance with Clause 4.4.2. a) b) and c) Candidate may submit e.g. declaration of Performance (DoP) of the supplied aggregate(s), document confirming compatibility to CE (Conformité Européenne) of the aggregate(s), Factory Production Control (FPC) Certificate of the supplied aggregate(s) according to one or several following standards EN 13450, EN 13043, EN 12620, EN 13242, EN 13285 or equivalent proving compliance with AVCP level 2+ as minimum or any other document proving compliance with Clause 4.4.2; 3) If the Candidate has submitted the documents of conformity to equivalent standard, Candidate has to submit a copy of certificate from respective institutions

		accredited in accordance with the procedures laid down in the regulatory enactments of Member State of the European Union proving that the standard is equivalent to one or several following standards EN 13450, EN 13043, EN 12620, EN 13242, EN 13285.
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Procurement Commission Chairman

M.Blaus

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