

**RB Rail AS konkursa procedūras ar sarunām
"Dzelzceļa infrastruktūras pārvaldītāja un dzelzceļa pārvadātāja konsultāciju pakalpojumi",
identifikācijas numurs: RBR 2020/14,**

**RB Rail AS competitive procedure with negotiation
"Shadow operator services for Rail Baltica Global Project",
identification number: RBR 2020/14,**

ZIŅOJUMS / REPORT

Rīgā / In Riga

Dokumenta datums ir tā elektroniskās parakstīšanas datums

The date of the document is the date of its electronic signature

Pasūtītājs: RB Rail AS, reģistrācijas numurs: 40103845025, juridiskā adrese: Satekles iela 2B, Rīga, LV-1050, Latvija.

Contracting authority: RB Rail AS, registration number: 40103845025, registered address: Satekles iela 2B, Riga, LV-1050, Latvia.

Iepirkuma procedūra un identifikācijas numurs: konkursa procedūra ar sarunām „Dzelzceļa infrastruktūras pārvaldītāja un dzelzceļa pārvadātāja konsultāciju pakalpojumi”, identifikācijas numurs: RBR 2020/14.

Procurement procedure and identification number: competitive procedure with negotiation “Shadow operator services for Rail Baltica Global Project”, identification number: RBR 2020/14.

Pamatojums iepirkuma procedūras izvēlei:

Saskaņā ar Publisko iepirkumu likuma 8.panta sestās daļas 3. punktu - pasūtītājs nevar iepirkuma līguma slēgšanas tiesības piešķirt bez iepriekšējām sarunām īpašu apstākļu dēļ, kas attiecas uz iepirkuma raksturu, sarežģītību vai juridisko un finansiālo struktūru, vai ar tiem saistīto risku dēļ.

Justification of chosen procurement procedure:

According to the Section 8, Paragraph six, Clause 3 of the Public Procurement Law of Republic of Latvia – as the Contracting authority cannot award the procurement contract without prior negotiations because of specific circumstances related to the nature, the complexity or the legal and financial make-up of the procurement, or because of the risks attaching to them.

Līguma (vispārīgās vienošanās) priekšmets: Dzelzceļa infrastruktūras pārvaldītāja un dzelzceļa pārvadātāja konsultāciju pakalpojumi.

Subject-matter of the Agreement (framework agreement): Shadow operator services for Rail Baltica Global Project.

Datums, kad paziņojums par līgumu publicēts iepirkumu uzraudzības biroja tīmekļvietnē:

2020. gada 28. augustā.

Paziņojums par grozījumiem - 2020. gada 26. septembrī.

Contract notice publication date on website of Procurement Monitoring Bureau:

28 August 2020.

Notice on amendments published - 26 September 2020.

Datums, kad paziņojums par līgumu publicēts Eiropas Savienības Oficiālajā Vēstnesī:

2020. gada 31. augusts (2020/S 168-407413).

Paziņojums par grozījumiem – 2020. gada 29. septembris (2020/S 168-457030).

Contract notice publication date in the Official Journal of the European Union:

31 August 2020 (2020/S 168-407413).

Notice on amendments published - 29 September 2020 (2020/S 168-457030).

Iepirkuma komisija: Iepirkuma komisija, kuras sastāvs apstiprināts ar RB Rail AS valdes 2020. gada 10. augusta rīkojumu Nr.1.9-14 un tā 2021. gada 15. jūlija grozījumiem Nr. 1.9-2021-19, un 2021. gada 17. septembra grozījumiem Nr. 1.9-2021-29 šādā sastāvā:

Procurement commission: composition of which has been approved by the Management Board of RB Rail AS with order No 1.9-14 dated 10 August 2020 and its amendments No 1.9-2021-19 dated 15 July 2021, and No 1.9-2021-29 dated 17 September 2021, consisting of:

Iepirkuma komisijas priekšsēdētāja:
A. Benfelde – Iepirkumu vadītāja.

Iepirkuma komisijas priekšsēdētājas vietnieks:

Procurement commission chairperson:
A. Benfelde – Procurement Manager.

Procurement commission vice-chairperson:

A.Šnirpūnas – Elektroapgādes un enerģētikas nodaļas vadītājs;

K. Rudzis – Dzelzceļa inženieris (līdz 2021. gada 1. jūlijam).

Iepirkuma komisijas locekļi:

K. Piho – Dzelzceļa ekspluatācijas inženieris;

S. Manzo – Transporta ekonomists, nodaļas vadītājs (no 2021. gada 1. jūlija);

T. Štāls – Tehniskais projektu vadītājs (Dzelzceļa darbības) (no 2021. gada 17. septembra).

Iepirkuma komisijas locekle/ sekretāre:

I. Zuļķe – Iepirkumu speciāliste (no 2021. gada 1.jūlija);

B. Gulbe – Iepirkumu speciāliste (līdz 2021. gada 1. jūlijam).

Iepirkuma komisijas piesaistīti eksperti:

RB Rail AS:

H. Dišereits – Jurists;

V. Kačanovskij – Juridiskās nodaļas vadītāja vietnieks (Būvniecībā);

B. Zauere – Juridiskā departamenta vadītāja;

B. Ūbele – Iepirkumu vadītāja;

Ģ. Bramans – Sadarbības ar stratēģiskajiem partneriem un komunikācijas departamenta vadītājs;

K. Briškens – Stratēģijas un attīstības departamenta vadītājs;

J. M. Galimont – Vecākais ekspluatācijas inženieris;

K. Tzanakakis – Dzelzceļa ekspluatācijas un uzturēšanas vadītājs;

J.M. Bedmar – Dzelzceļa sistēmu un darbību departamenta vadītājs;

K. Piirsalu – Iepirkumu nodaļas vadītājs.

SIA "Eiropas Dzelzceļa līnijas ":

A. Caune – Valdes loceklis;

J. Eiduks – Galvenais tehniskais eksperts;

A. Villere – Infrastruktūras pārvaldības departamenta finanšu-analītiķis;

N. Čerņišovs – Infrastruktūras pārvaldības departamenta tehniskais eksperts;

G. Ašmanis – Infrastruktūras pārvaldības departamenta direktora p.i.

Rail Baltic Estonia OÜ:

H. Saare – Sistēmas nodrošināšanas un darbības vadītājs;

A. Salomets – Tehniskais direktors;

I. Laht – Projektu direktors.

Iepirkuma procedūras dokumentācijas sagatavotāji:

Iepirkuma komisija;

RB Rail AS:

H. Dišereits – Jurists;

V. Kačanovskij – Juridiskās nodaļas vadītāja vietnieks (Būvniecībā);

Ģ. Bramans – Sadarbības ar stratēģiskajiem partneriem un komunikācijas departamenta vadītājs;

K. Briškens – Stratēģijas un attīstības departamenta vadītājs;

J. M. Galimont – Vecākais ekspluatācijas inženieris.

SIA "Eiropas Dzelzceļa līnijas ":

A. Caune – Valdes loceklis;

A.Šnirpūnas – Power Supply Team Leader;

K. Rudzis – Railway Engineer (till 1st July 2021).

Procurement commission members:

K. Piho – Railway Operation Engineer;

S. Manzo – Transport Economist, Team Leader (from 1st July 2021);

T. Štāls – Technical Project Manager (Railway Operation) (from 17th September 2021).

Procurement commission member/ Secretary:

I. Zuļķe – Procurement Specialist (from 1st July 2021).

B. Gulbe – Procurement Specialist (till 1st July 2021).

Procurement commission's invited experts:

RB Rail AS:

H. Dišereits – Lawyer;

V. Kačanovskij – Deputy Head of Legal Department (Construction matters);

B. Zauere – Head of Legal Department;

B. Ūbele – Procurement Manager;

Ģ. Bramans – Strategic Stakeholders and Communication;

K. Briškens – Head of Strategy and Development;

J. M. Galimont – Senior Operational Engineer;

K. Tzanakakis – Operation and Maintenance Team Leader;

J.M. Bedmar – Systems and Operation Department;

K. Piirsalu – Chief Procurement Officer.

SIA "Eiropas Dzelzceļa līnijas ":

A. Caune – Member of Management Board;

J. Eiduks – Lead Technical Expert;

A.Villere – Financial analyst of the Infrastructure Management Department;

N. Čerņišovs – Technical expert of the Infrastructure Management Department;

G. Ašmanis – Acting Director of Infrastructure Management Department.

Rail Baltic Estonia OÜ:

H. Saare – Head of System Assurance and Operations;

A. Salomets – Chief Technical Officer;

I. Laht – Chief Project Officer.

Persons preparing the procurement procedure documentation:

Procurement commission;

RB Rail AS:

H. Dišereits – Lawyer;

V. Kačanovskij – Deputy Head of Legal Department (Construction matters);

Ģ. Bramans – Strategic Stakeholders and Communication;

K. Briškens – Head of Strategy and Development

J. M. Galimont – Senior Operational Engineer.

SIA "Eiropas Dzelzceļa līnijas ":

A. Caune – Member of Management Board;

J. Eiduks – Galvenais tehniskais eksperts.

J. Eiduks – Lead Technical Expert.

Rail Baltic Estonia OÜ:

H. Saare – Sistēmas nodrošināšanas un darbības vadītājs.

Rail Baltic Estonia OÜ:

H. Saare Head of System Assurance and Operations.

Kandidātiem noteiktās kvalifikācijas prasības: noteiktas konkursa procedūras ar sarunām „Dzelzceļa infrastruktūras pārvaldītāja un dzelzceļa pārvadātāja konsultāciju pakalpojumi” kandidātu atlases nolikumā.

Qualification requirements for candidates: stipulated in candidate selection regulations of the competitive procedure with negotiation “Shadow operator services for Rail Baltica Global Project”.

Pieteikumu iesniegšanas termiņš: 2020. gada 13. oktobris, līdz plkst. 15:00.

Submission date of applications: 13 October 2020 till 15:00.

Paredzētā pieteikumu atvēršanas vieta, datums un laiks: Elektronisko iepirkumu sistēmas E-konkursu apakšsistēma, 2020. gada 13. oktobris, plkst. 15:00.

The planned place, date and time for the opening of applications: E-Tender subsystem of Electronic Procurement System, 13 October 2020, at 15:00.

Iesniegtie pieteikumi:

Nr.	Kandidāts
1.	Personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. apvienība
2.	FS International S.p.A.
3.	SNCF International SASU

Submitted applications:

No	Candidate
1.	Partnership consisting of DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A.
2.	FS International S.p.A.
3.	SNCF International SASU

Noraidītie kandidātu pieteikumi:

Kandidāta FS International S.p.A. pieteikums kā neatbilstošs kandidātu atlases nolikuma 4.4.2. un 5.2. punkta prasībām.

Rejected candidates' applications:

Application of the candidate FS International S.p.A. as non-compliant to Section 4.4.2. and 5.2. of the candidate selection regulations.

Piedāvājuma izvēles kritērijs: saimnieciski visizdevīgākais piedāvājums.

Selection criteria: the most economically advantageous proposal.

Piedāvājumu iesniegšanas termiņš:

- Sākotnējo piedāvājumu iesniegšanas termiņš: 2022. gada 1. aprīlis, līdz plkst. 15:00.
- Galīgo piedāvājumu iesniegšanas termiņš (pēc veiktajām sarunām) – 2022. gada 8. jūlijs.

Submission date of proposals:

- Submission date for initial proposals: 1 April 2022, till 15:00.
- Submission date for final bids (after the negotiations) – 8 July 2022.

Paredzētā sākotnējo piedāvājumu atvēršanas vieta, datums un laiks: Elektronisko iepirkumu sistēmas E-konkursu apakšsistēma, 1. aprīlis plkst. 15:00.

The planned place, date and time for the opening of initial proposals: E-Tender subsystem of Electronic Procurement System, 1 April 2022, at 15:00.

Iesniegts viens sākotnējais piedāvājums ar piedāvāto cenu sākotnējam uzdevumam:

Submitted one initial proposal with the proposed price of initial assignment order:

Nr.	Pretendents	Piedāvātā cena sākotnējam uzdevumam (EUR bez PVN)
1.	Personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. apvienība	3 362 673,90

No	Tenderer	Proposed price of initial assignment order (EUR without VAT)
1.	Partnership consisting of DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA	3 362 673,90

DEL TRANSPORTE S.M.E M.P. S.A.	
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Sarunu posmi un to rezultāti:

Ņemot vērā divus veiktos sarunu posmus, iesniegts viens galīgais piedāvājums ar sekojošu piedāvāto cenu sākotnējā uzdevuma izpildei un saņemto punktu skaitu:

Nr.	Pretendents	Piedāvātā līgumcena (EUR bez PVN)	Saņemto punktu skaits
1.	Personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. apvienība	2 372 745,14	98

Negotiations rounds and the results:

According to two negotiation rounds, there have been submitted one final bid with the following proposed price of initial assignment order and obtained score:

No	Tenderer	Proposed Agreement price (EUR without VAT)	Obtained score
1.	Partnership consisting of DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A.	2 372 745,14	98

Pretendents, ar kuru tiks slēgts līgums, un pamatojums lēmumam piešķirt līguma slēgšanas tiesības:

Pamatojoties uz uzaicinājuma iesniegt sākotnējos piedāvājumus (turpmāk - Uzaicinājums) 16.1. punktu, iepirkuma komisija nolēma līguma slēgšanas tiesības piešķirt personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A.. apvienībai kā saimnieciski visizdevīgākajam piedāvājumam ar kopējo punktu skaitu 98.

The tenderer awarded the contract rights and justification for the decision to award the contract rights:

In accordance with Section 16.1 of the Invitation to submit initial bids (hereinafter - Invitation) the Procurement commission decided to award the contract rights to partnership formed by DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. as most economically advantageous proposal with total score 98 points.

Personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. apvienības galīgā piedāvājuma vērtēšanas kopsavilkums:

Summary of partnership's formed by DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. final bid evaluation:

Nr.	Vērtēšanas kritērijs	Maksimālais punktu skaits	Saņemtais punktu skaits
1.	Tehniskais piedāvājums		
1.1	Dzelzceļa infrastruktūras pārvaldītāja un dzelzceļa pārvadātāja konsultāciju pakalpojumu sniegšanas apraksta kvalitāte	30	28
2.	Finanšu piedāvājums		
2.1	Piedāvātā cena sākotnējam	70	70

No	Evaluation criteria	Maximum possible score	Obtained score
1.	Technical proposal		
1.1	Quality of description of provision of Shadow operator services	30	28
2.	Financial proposal		
2.1.	Proposed price of initial assignment order, EUR excl. VAT	70	70
Total:		100	98

	uzdevumam, EUR bez PVN		
Kopā:		100	98

Ievērojot minēto, iepirkuma komisija nolēma piešķirt līguma slēgšanas tiesības pretendentam personu DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda un INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. apvienībai par kopējo vispārīgās vienošanās līgumcenu: 8 000 000,00 (astoņi miljoni euro, 00 centi) EUR bez PVN.

Pretendenta, ar kuru tiks slēgts līgums, piesaistītie apakšuzņēmēji un tiem nododamo darbu apraksts: nav.

Noraidītie piedāvājumi: nav.

Konstatētie interešu konflikti un pasākumi, kas veikti to novēršanai: nav konstatēti.

Piedāvājumu vērtēšanas kopsavilkums un pamatojums: pievienots 1. pielikumā.

Considering the previously mentioned, the Procurement commission made a decision to award contract rights to tenderer partnership formed by DB Engineering & Consulting GmbH, RENFE-Operadora Entidad Pública Empresarial Avda and INGENIERÍA Y ECONOMÍA DEL TRANSPORTE S.M.E M.P. S.A. for the total framework agreement price: 8 000 000,00 EUR excl. VAT (eight million euros, 00 cents) excl. VAT.

Subcontractors of the tenderer awarded the contract rights and description of the services assigned to them: none.

Rejected proposals: none.

Identified conflicts of interest and measures taken to prevent them: not detected.

Summary of proposal evaluation and justification: enclosed in annex No 1.

Iepirkuma komisijas priekšsēdētāja
Procurement commission chairperson

A. Benfelde

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THIS DOCUMENT HAS BEEN SIGNED WITH A SAFE ELECTRONIC SIGNATURE AND CONTAINS A TIME-STAMP

**Evaluation summary for the competitive procedure with negotiations
"SHADOW OPERATOR SERVICES FOR RAIL BALTICA
GLOBAL PROJECT"
(ID No RBR 2020/14)**

Annex No 1

Selection of the most economically advantageous proposal

No	Criteria	Maximum possible score (points)	Points assigned				
			Procurement commission member I	Procurement commission member II	Procurement commission member III	Procurement commission member IV	Procurement commission member V
14.8	TECHNICAL PROPOSAL						
14.8.2.	Maximum possible points:	30					
14.8.3	Quality of description of provision of Shadow operator services						
	High¹ level of detail The Technical Proposal conforms with the Scope of Services, specific topics outlined in Section 5 of this Invitation and the best practice of industry, the description of provision of Shadow operator services provides a highly elaborated provisions about the way and means of provision of the services and includes:	30	30	30	-	30	30

¹ **High** here and elsewhere means a detailed and well-structured description comprising not only the minimal description of the services to be provided in accordance with Scope of Services, but also further elaboration of the objectives, tasks and methods for the implementation of the services that exceed the required quality and performance set out in the Scope of Services, with further elaboration other service delivery alternatives analysed and options are substantiated by taking into account the particular tasks.

**Evaluation summary for the competitive procedure with negotiations
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	<p>a) A highly detailed description of the main objectives of the service delivery;</p> <p>b) A highly elaborated description of the contents of the services (expanded description of the Scope of Services). In addition to service scope, the description covers suggestions and proposals on the improved approach for service delivery;</p> <p>c) A highly detailed description of the administrative and organisational aspects; an outstanding description of the methods for provision of services and management of provision of the services; an outstanding description of the service delivery team, resources and the model for their co-operation.</p> <p>A highly detailed description of the outline of activities/ instruments/ methods for provision of services is provided, by describing the stages of provision of services, the deliverables, detailed contents of the deliverables, needed researches, studies etc. and the suggestions, proposals with argumentation for choosing the particular contents of the particular deliverable etc.</p>						
	Good² level of detail	20	-	-	20	-	-

² **Good** here and elsewhere means a detailed and structured description, which meets the required quality and performance set out in the Scope of Services, with some alternatives analysed and choices substantiated including by taking into account the particular tasks of this particular project.

**Evaluation summary for the competitive procedure with negotiations
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<p>The Technical Proposal conforms with the Scope of Services, specific topics outlined in Section 5 of this Invitation and the best practice of industry, the description of provision of Shadow operator services provides clear understanding about the way and means of provision of these services and includes:</p> <ul style="list-style-type: none"> a) A good description of the main objectives of the service delivery; b) A good description of the contents of the services (expanded description of the Scope of Services); c) A good description of the administrative and organisational aspects is provided; a good description of the methods for provision of services and management of provision of the services is provided. A good description of the service delivery team, resources and the model for their co-operation. <p>A good description of the outline of activities/ instruments/ methods for provision of services is provided, by describing the stages of provision of services, the deliverables, contents of the needed researches, studies etc.</p> <p>Overall Technical Proposal provides Good understanding and interpretation of required specific tasks and Scope of Services, however some proposed methods/approaches/researches/studies</p>						
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Evaluation summary for the competitive procedure with negotiations
 "SHADOW OPERATOR SERVICES FOR RAIL BALTICA
 GLOBAL PROJECT"
 (ID No RBR 2020/14)

	miss minor detailisation to address key aspects of the Scope of Services.						
	<p>Satisfactory³ level of details</p> <p>The Technical proposal conforms with the Scope of Services, specific topics outlined in Section 5 of this Invitation and general practice of the industry. The description of provision of Shadow operator services provides a general idea about the way and means of provision of these services and includes:</p> <ul style="list-style-type: none"> a) A satisfactory description of the main objectives of the service delivery; b) A satisfactory description of the contents of the services; c) A satisfactory description of the administrative and organisational aspects; a satisfactory description of the methods for provision of services and management of provision of the services; a satisfactory description of the service delivery team, resources and the model for their co-operation. <p>Overall Technical Proposal has minimal or poor description of the specific subjects outlined in Section 5 of this Invitation, noticeable limited understanding of several aspects. Not all specific tasks are outlined in Technical proposal; neither</p>	10	-	-	-	-	-

³ **Satisfactory** here and elsewhere means a description, which generally meets the required quality and performance set out in the Scope of Services but with some minor issues negatively deviating from the Scope of Services and limited additional analysis or substantiation including by taking into account the particular tasks of this particular project.

**Evaluation summary for the competitive procedure with negotiations
 "SHADOW OPERATOR SERVICES FOR RAIL BALTICA
 GLOBAL PROJECT"
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	methods/approaches/researches/studies are proposed for all specific tasks.						
Total points for Technical proposal:		30	28 = (30 + 30 + 20 + 30 + 30) / 5 (5 - the number of the Procurement commission members participated in the evaluation)				
14.7	FINANCIAL PROPOSAL						
14.7.2.	Maximum possible points:	70					
14.7.2.1	Proposed price of first assignment order, EUR excl. VAT		70 = $\frac{2372745,14}{2372745,14} \times 70$				
TOTAL POINTS FOR TECHNICAL AND FINANCIAL PROPOSAL:		100	98=70+28				

The evaluation of the proposal was carried out in accordance with Section 14 of the competitive procedure with negotiations "Shadow operator services for Rail Baltica Global Project" (ID No RBR 2020/14) regulations.

Procurement commission member I

[signature]

Procurement commission member II

[signature]

Procurement commission member III

[signature]

Procurement commission member IV

[signature]

Procurement commission member V

[signature]