

Riga

Date of the document is the date of the time stamp of the last enclosed qualified electronic signature

Our Ref: 1.13p/LV-2023-87

Electronic Procurement System

**Answers to the questions from the interested suppliers
in the competitive procedure with negotiations
“Rail Baltica Control-Command and
Signalling Subsystem Design and Build”,
identification number RBR 2022/26**

RB Rail AS presents following answers to the questions received from the interested suppliers until 20 February 2023:

Nr.	Question	Answer
1.	<p>Annex 9, chapter 13.1.1</p> <p>According to this requirement, all works in section 5.3.1 have to be provided: Chapter 5.3.1 includes the “Reference projects” only and refers to section 1 of the tender dossier. In section 1 there is a distinction made in the definition of a “Brownfield project” (ETCS and GSM-R are not mentioned) and the definition of a “Reference Project” (whereas ETCS and GSM-R are mandatory).</p> <p>Could you please confirm our understanding that a “brownfield railway project” does not mandatorily include ETCS and GSM-R to properly fill in Annex 9? Otherwise the separation in two types of brownfield projects (Brownfield reference project OR brownfield Railway project) would not makes sense according to the table for the form of annex 9 where you can either comply to “manufacture and delivery of ETCS or interlocking equipment” (last point in the table of description of Services in the</p>	<p>The Procurement commission confirms that a “brownfield Railway project” does not mandatorily include ETCS and GSM-R to properly fill in Annex 9 of the competitive procedure with negotiations Rail Baltica Control-Command and Signalling Subsystem Design and Build”, ID No RBR 2022/26 (hereinafter – Procurement) 1st stage regulation (hereinafter – Regulation), i.e., requirement b) of the Section 5.3.1. of the Regulation is not mandatory to be covered. However, regards to the Section 5.3.3 of the Regulation the Procurement commission indicates that the project shall comply with requirement d) which means it shall at least include ETCS <u>or</u> Interlocking.</p> <p>Additionally, Procurement commission confirms that if the project is “brownfield Railway project”, only relevant fields of the Annex 9 of the Regulation regarding requirements stipulated in the Section 5.3.1 and 5.3.3 d) of the Regulation have to be filled in.</p>

	<p>form of Annex no. 9) and the requirement of “Radio cellular network planning by means of software tools” (i.e. second point of description of services in the form of Annex no.9) is mandatory for Brownfield Reference Projects only.</p> <p>Annex 9: Please confirm that annex no. 9 can be filled based on a brownfield Railway project as defined in section 1 meeting all the condition of the mentioned “Brownfield railway project” even without ETCS and GSM-R scope. In this case, the requirement “Radio cellular network planning by means of software tools” of Annex No. 9 remains open.</p>	
2.	<p>The interested supplier foresees difficulties to comply with the procurement deadline of 01 March 2023 due to the complexity and volume of qualification documentation required, very complex cross-country business set up with three legislations, numerous specific aspects of the business case, numerous of partners involved these have to be checked by internal and external experts. According to Article 35(4) of the Public Procurement Law the contracting authority has right to extend terms for submission of application (qualification documents). Taking into account above, in order to participate and enable interested suppliers to ensure that the contracting authority receives applications that meets the required level of comprehensiveness and professionalism, we kindly request the procurement commission to extend the deadline for submission of applications until 4th of April 2023.</p>	<p>Considering the possible influence of the extension of the application submission deadline on whole Rail Baltica Control-Command and Signalling Subsystem Design and Build schedule that is crucial for Rail Baltica project, the Procurement commission has evaluated potential supplier’s request and has decided to extend the application submission deadline till 15 March 2023. Please pay attention that new application submission deadline is 15 March 2023 till 12:00 (Riga time). The specific Section of the Regulation will be amended accordingly.</p>
3.	<p>Dear Rail Baltica,</p> <p>In order to provide all deliverables as per the prequalification requirement and with the quality required for the purpose of the “Rail Baltica Control-Command and Signalling Subsystem Design and Build”, we kindly request the procurement commission to extend the deadline for submission of application for 4(four) weeks.</p>	<p>Please refer to the answer No. 2 provided by the Procurement commission.</p>
4.	<p>Chapter 3.4., Annex 13</p>	<p>In accordance with the Section 3.4 of the Regulation, only the successful Tenderer will be</p>

	We assume that the signing of the suppliers declaration of Annex 13 for the Candidates becomes only necessary in case of successful bidding in the 2nd Stage of the procurement. Is this understanding correct?	requested to sign Supplier's declaration (Annex No 13 of the Regulation) together with the Contract. Accordingly, the Procurement commission informs that Supplier's declaration is enclosed to the Regulation only for the informative purpose at this point to help potential suppliers evaluate their compliance with the requirements contained in this declaration before deciding on participation in the Procurement.
5.	Chapter 5.3.5, Annex 7 Do we understand 5.3.5 correctly that there is no requirement on the railway project completion?	The Procurement commission indicates that Railway project that Candidate proposes to comply with the requirements stipulated in the Section 5.3.5 of the Regulation can be ongoing, however till the moment of Application submission the Candidate shall have provided all Project Management Office services mentioned in the requirement within the specific Railway project.

Sincerely,

Procurement commission chairperson

A. Benfelde

*THIS DOCUMENT IS SIGNED ELECTRONICALLY WITH A QUALIFIED ELECTRONIC SIGNATURE
AND CONTAINS A TIME STAMP*