

Riga

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Our Ref: 1.13p/LV-2023-92

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 27 February 2023:

Nr.	Question	Answer
1.	If the Candidate intends to submit the ESPD, could you please indicate which is the Proposal section on the ESP where the Proponent can upload it?	<p>As in few fields in the Electronic Procurement System (hereinafter – System) file upload is mandatory, the System will request to upload documents in these fields. If the Candidate plans to submit ESPD only without any other qualification document, the Candidate shall upload the same file in all mandatory fields. If Candidate plans to upload ESPD and other qualification documents – the Candidate shall upload ESPD on Section “Other requirements” of the System.</p> <p>Please be aware that if you plan to submit only ESPD, then to certify compliance with all selection criteria (except exclusion grounds mentioned in Section 5.4 of the competitive procedure with negotiation “Rail Baltica Control-Command and Signalling Subsystem Design and Build”, ID No RBR 2022/26, (hereinafter – Procurement) 1st stage regulation (hereinafter – Regulation)), the Candidate can limit itself to filling the following point in the ESPD Section IV “<i>Selection criteria</i>” Part “a: <i>Global indication for all selection criteria</i>” confirming with “Yes”, without having to fill in</p>

		Part IV, Sections A, B, C or D (please see the Section 5.9.1 of the Regulation).
2.	Which is the Proposal section on the ESP where the Proponent can upload its document as per Section 5.4 Exclusion Grounds of the Procurement procedure Regulations?	<p>Documents mentioned in the Section 5.4 of the Regulation shall be uploaded on Section "Other requirements" of the System.</p> <p>Additionally, please be aware that there is no obligation to submit any documents mentioned in the Section 5.4 of the Regulation, unless documents are not specifically requested by the Procurement commission (please see the footnote No 3 of the Regulation), as the exclusion grounds check will be carried out only with respect to those Candidates whose qualifications will meet all other requirements stipulated in the Regulation.</p>
3.	If a Candidate is a partnership, does the authorization granted by one member to the other to file the Application and sign other documents on its behalf need to be issued through a formal notarial power of attorney? Or would it be enough to include this authorization in the Letter of Intention signed by all members?	The Procurement commission indicates that it is not mandatory for the Letter of Intention to be notarized. It is enough that the Candidate that is partnership submits Letter of Intention that contains authorization in the required extent and it is signed by all partnership members. Additionally, each representative of partnership member who signs the Letter of Intention shall have a right to represent the specific member.
4.	<p>Ref. Section 13.1.2, Annex 10 (with cross-references to chapter 5.3.4):</p> <p>The organizations you mention in Section 5.3.4 are providing the conceptual framework for the ATO Solutions: With this understanding they are majorly involved with their specifications on the interfaces and recommendations, namely UNISIG, S2R, Eulynx. How do we understand the requirement of Annex 10, Headline "Organisation involved" with footnote "3" "One of organizations mentioned in Section 5.3.4 of the Regulation shall be indicated" correctly in line with the Section 13.1.2 of the Tender Dossier, footnote 7 whereas "The Candidate will receive 1 (one) point per each additional project coordinated by each other organization listed in the Section 5.3.4 of the Regulation, but not proposed to meet the requirement stipulated in the Section 5.3.4 of the Regulation (e.g. if Candidate has proposed the project coordinated by Shift2Rail to meet the requirement stipulated in the Section 5.3.4 of the Regulation, it can receive 1 (one) point per project coordinated by ERTMS Users</p>	<p>The Procurement commission indicates that interested suppliers in principle has understood the requirement correctly: if, for example, the Candidate has indicated a project coordinated by Shift2Rail to comply with the requirements stipulated in the Section 5.3.4 of the Regulation, to receive additional points in accordance with the Section 13.1.2 of the Regulation, the Candidate shall propose a project coordinated by other entities mentioned in the Section 5.3.4 of the Regulation, e.g., if the Candidate will propose additionally one project coordinated by UNISIG industrial consortium – it will receive 1 point and if another project coordinated by EULYNX – another point; 2 points in total. However, 2 points are maximum that the Candidate may receive as additional score in accordance with the Section 13.1.2 of the Regulation.</p> <p><u>The Procurement commission kindly asks to ignore the reference to ERTMS Users Group in the footnote 7</u> and asks to follow the list of organisations mentioned in the Section 5.3.4 of the Regulation:</p> <p>a) UNISIG industrial consortium;</p>

<p>Group, 1 (one) point - per project coordinated by EULYNX etc.)”?</p> <p>Do they also need to have an active part in the direct project coordination? Usually this is either done by the Contractor or the Client’s organization.</p>	<p>b) Shift2Rail projects (X2Rail-2 or X2Rail-3 or X2Rail-4);</p> <p>c) EULYNX;</p> <p>d) SmartRail 4.0.</p> <p>Additionally, the Procurement commission indicates that no specific type of involvement for the Candidate or project coordination for the organizations is defined in the Section 5.3.4 of the Regulation, however the Candidate shall consider that the purpose of the requirement is Candidate to have experience in interaction with at least one of these organizations: UNISIG industrial consortium, Shift2Rail projects, EULYNX or SmartRail 4.0.</p> <p>Regarding filling out the Annex 13 of the Regulation, the Procurement commission explains that in the field “Organisation involved”, the Candidate shall indicate the specific organisation that coordinated the project that the Candidate is proposing - UNISIG industrial consortium, Shift2Rail, EULYNX or SmartRail 4.0.</p>
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Sincerely,

Procurement commission chairperson

A. Benfelde

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