

Briefing on the submission of the bid for the open competition

Detailed technical design and design supervision services for
main line section from Riga International Airport to Misa and
from Upeslejas to railway station «Rīga – Preču»,
RBR 2023/17

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Co-financed by the Connecting Europe
Facility of the European Union

28 February 2024

1. Introduction (including basic rules of the meeting);
2. Background and insight into the subject matter and Technical specification of the open competition;
3. Guidelines for successful submission of compliant bid;
4. General facts on EU/ national sanctions and national security risk assessment procedure;
5. Q&A regarding presented topics.

Basic rules of the briefing:

- The Contracting Authority shall answer to the Suppliers' «general» questions regarding the subject-matter and the Technical Specification of the Competition;
- The Briefing shall be recorded and session minutes containing general information of the Briefing shall be available within 10 (ten) business days on: <https://www.railbaltica.org/tenders/>;
- Questions shall be asked after the presentation (please note down the questions during the presentation);
- The questions related to the administrative process (e.g. evaluation of Bids) or requirements stipulated in the Regulation, the draft Agreement or those, which are either too detailed or impossible to answer at the Briefing, shall be submitted and replied separately according to the rules of Clause 2.11. of the Regulation.

Background and insight into the subject matter and Technical specification



Design scope:

- Design of RB railway in total – 41,210 km:
 - DPS2 BP2.1.-BP2.3 – 9,310 km
 - DPS3 RIX – Misa - 31,900 km
- 1520mm railway infrastructure reconstruction (single track) – 8,829 km
- Total structures (without culverts) – 36
 - Pedestrian crossings – 7
 - Road overpass/underpass – 16
 - Railway bridges – 4
 - Railway viaducts – 4
 - Utilities crossings – 1
 - Animal crossings – 4
- RB railway infrastructure for stations – 4
- Municipalities – 5
- Affected parties – more than 35 different AP (major AP – LDz, LSR, HV, Airport etc.)
- Impacted utilities (to be redesigned) – ~150
- Parallel road length - 72 km
- BIM LoD 300 – mandatory scope
- BIM LoD 400 - "On Demand Service", must be delivered if Client will decide

- **Value Engineering (VE)** finished - preferred RB alignment alternative with structures have been approved for further Design implementation
- **Building Design in Minimum Composition (BDMC)** prepared and **Building Permits (BP)** with the Technical Conditions (TC) received from all Affected parties for all of the BP, except BP3.4.;
- For BP3.4. updated BDMC, BP and TC process shall be initiated.
- Validity of BP documentation (Building Case in Building information system) and TC (including amendments of TC) shall be ensured by the Consultant.
- If necessary the Consultant shall amend BP or BDMC. Especially, this requirement would be applicable to the construction objects of AP (e.g., utilities – new power supply connections, high voltage power supply lines, high pressure transmission gas pipelines etc.) which could require a separate Building Permit.
- The Client shall confirm every application of BDMC.

- After BDMC and considering AP TC the initial Master Design (MD) solutions have been developed – see Annex No.17 and explanations of the Technical Specifications.
- Initial solutions of MD.
 - Railway horizontal and vertical alignment conceptually fixed.
 - Access road network conceptually developed but shall be finalized in alignment with different related interfaces.
 - Location, typology conceptually set with several exceptions as per Table 7 of Technical Specifications.
 - Related interfaces initiated but shall be fully resolved during MD and DTD phases.
 - Environmental issues addressed but shall be further monitored and implemented.
- The Consultant shall consider the previously developed solutions, suggest improvements if necessary and take full responsibility of the final Design Solutions.

- **Main Deliverables:**

- **Master Design (MD) – MD per BP with the relevant Remaining Site Investigations (phase 1.2)**
 - Level of detail which allows to analyse the construction budget and to determine and ensure the Client and the Consultant of the principal outcome of the Detailed Technical Design.
 - Sufficient and clear detail of the solutions to evaluate the interoperability, safety, environmental aspects, rationality and technical performance of the railway and related facilities.
 - Solutions previously aligned with the Client in TWG meetings.
 - The AP shall provide preliminary approvals of MD solutions, in order to secure DTD without extensive modifications.
 - Land acquisition cards with the supporting information shall be prepared at the Master Design.
- **Detailed Technical Design (DTD) before upload in Building Information System (BIS)**
 - Full set (including the Second stage investigation reports) according to the construction legislation and Technical Specifications.
 - Deliverable shall be implemented in BIM ensuring adherence to Level of Definition (LoD) 300 of Design guidelines.
- **Detailed Technical Design approved in BIS**
 - Full set (including the Second stage investigation reports) according to the Latvian construction legislation and Technical Specifications.
 - Deliverable shall be implemented in BIM ensuring adherence to Level of Definition (LoD) 300 of Design guidelines.
- **On Demand Services - “DTD in BIM LoD 400”**,
 - Deliverable "DTD approved in BIS" in BIM LoD 400.
 - The Consultant is obliged to deliver On Demand Services.
 - The Client can request the Consultant to proceed with the implementation of the service as indicated in the Agreement.
- **DSS continues after completion of DTD;**

- **Site investigations (SI)**

- Geodetic and topography
- Ground
- Hydrology
- Traffic
- Environmental
- Noise, vibrations
- Others

- **Ground investigations**

- **First stage investigations**
 - Initial phase SI (1.1)
 - Completed during VE
 - Amount foreseen in the agreement for the purpose of verification of investigations completed during VE
 - Shall be completed until DTD before upload in BIS
 - Remaining phase SI (phase 1.2)
 - Tied to the MD deliverables
- **Second stage investigations**

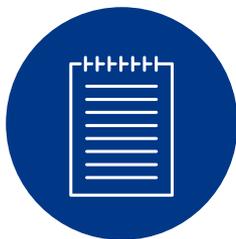
Recommendations for agreement implementation:

- The Tenderer is required to diligently and promptly undertake preparations for registration with the Construction Merchants Registry of the Republic of Latvia. The Tenderer (partnership, persons on whose capabilities the Tenderer is relying on) must be registered in the Register of Construction Merchants of the Republic of Latvia, before entering into the contract.
- DTD ready for construction shall be approved by the Client, Design Expertise, NoBo/AsBo, AP and the Construction Board (State Railway Technical Inspectorate Republic of Latvia).
- Design teams with the local Country experts/designers, capable to deliver Deliverables per BPs simultaneously in accordance with the «Appendix 3 Programme» are highly recommended.
- Local certified experts/designers with the competence of the local standards, requirements, BIS and relevant procedures are necessary immediately from the commencement of the Services;
- Deliverables shall be delivered in English and Latvian languages. Translations of design documents with the interpretation companies are impossible to achieve at the required quality, meaning and timely, thus always requiring many corrections and versions of documents. Local designers at the required field of design shall be involved at the bilingual design documentation preparation, as well as required for proper communication;
- Local support is also a key of success for the following main activities:
 - BIS;
 - Communication and alignment of the design solutions with the AP;
 - DSS requirements and duties;
 - To provide the most optimal and correct design solution in line with local practice, avoiding overdesign and complying with the requirements of AP;
- DTD shall pass Design Expertise. In case DTD receives negative opinion it might lead to serious consequences according to the national legislation.

What we want to ensure?

- Better understanding of the public procurement principles, Rail Baltica project procurement process and requirements;
- Improvement of overall quality of the bids;
- Avoid mistakes in the bidding process which can lead to unnecessary rejection of the bids.

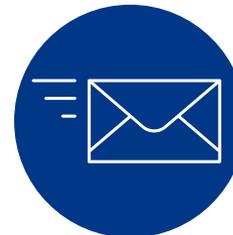
How to achieve this?



Carefully review the regulations (prepare the checklist of required documents)



Review all relevant Info on railbaltica.org and E-tendering system eis.gov.lv



If something is not clear - Submit the question timely

01

Legislative Requirements

- **Public Procurement Law of the Republic of Latvia**
- **Cabinet Regulation No. 107 of the Republic of Latvia**
- Law on Prevention of Conflict of Interest in Activities of Public Officials
- Law on Administrative Liability
- Latest Latvian Court Practices
- (EE and LT Court Practices)
- EU Directives
- European Court of Justice principles
- **Procurement Monitoring Bureau of the Republic of Latvia Practices**

02

Company & Project Rules and Policies

- Contracting Scheme Agreement
- Shareholders Agreement
- Inter-Beneficiary Agreement
- RB Rail AS Statutes
- **Common Procurement Standards and Guidelines**
- **In-house Procurement Regulations:**
 - **Regulations for Organisation of Procurements**
- Regulations on Representation Rights
- Other in-house rules & policies

Procurement Commissions are safeguarded by Legislation, Corporate Governance and applicable practice, de-politicised and empowered to act based on due professional diligence, following the Rail Baltica Global Project requirements.

• Where to find the information



www.railbaltica.org/tenders



Tenders

To simplify interaction with potential suppliers, we hereby provide information on the Rail Baltica Global Project procurement in the three Baltic States – Estonia, Latvia and Lithuania. The information published below concerns only open Rail Baltica procurement. To obtain information about closed tenders, please see the website of the relevant national contracting authority. For the closed tenders of RB RAIL AS, go to [Archive](#)

Contracting Authority

RB Rail AS	Estonia	Latvia	Lithuania		
RB Rail AS					
Procurement ID No.	Title	Announced	Updated	Submission Date	Language
RBR 2023/17	Detailed technical design and design supervision services for main line section from Riga International Airport to Misa and from Upeslejas to railway station "Rīga – Preču"	01.02.2024	07.02.2024	15.03.2024	
RBR 2023/18	Directors and Officers Liability Insurance	26.01.2024	05.02.2024	26.02.2024	

Detailed technical design and design supervision services for main line section from Riga International Airport to Misa and from Upeslejas to railway station "Rīga – Preču", RBR 2023/17

Announced: 01.02.2024
 Updated: 07.02.2024
 Submission Date: 15.03.2024

Open competition "Detailed technical design and design supervision services for main line section from Riga International airport to Misa and from Upeslejas to railway station "Rīga – Preču", identification No RBR 2023/17

The Contracting authority is joint stock company „RB Rail AS”, legal address: Satekles iela 2B, Riga LV-1050, Latvia, announces open competition "Detailed technical design and design supervision for main line section from Riga International airport to Misa and from Upeslejas to railway station "Rīga – Preču" (hereinafter – Competition).

The identification number of this restricted competition is **RBR 2023/17**.

The applicable CPV code is: 71000000-8 (Architectural, construction, engineering and inspection services). Open competition and subject matter is co-financed by Connecting Europe Facility (CEF). Open competition is organised in accordance with Public Procurement Law of the Republic of Latvia.

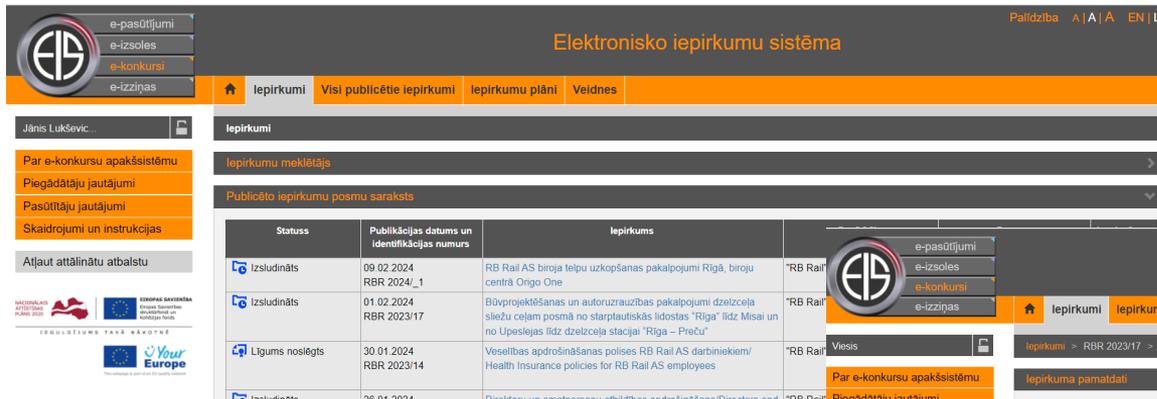
This open competition is carried out using E-Tenders system which is subsystem of the Electronic Procurement System (<https://www.eis.gov.lv/EKES/Supplier>).

To apply as a Tenderer for this procurement Interested supplier has to register in E-Tenders system by submitting Tenderer's Electronic Procurement System registration documents (if the Tenderer is not registered in Electronic Procurement System) in State Regional Development Agency (please see information here: <http://www.railbaltica.org/procurement/e-procurement-system/>).

Subject matter of open competition

The subject-matter of the Competition is detailed technical design and design supervision services for main line section from Riga International Airport to Misa and from Upeslejas to railway station "Rīga – Preču". Subject-matter of this Competition is not divided in parts (lots). The Tenderer may submit a Bid only for the whole subject-matter of the Competition in total.

<https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001>



Elektronisko iepirkumu sistēma

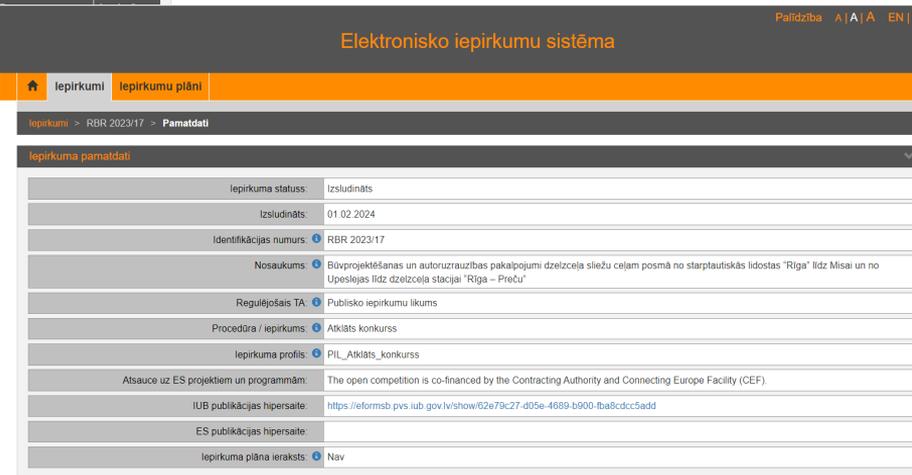
Palīdzība | A | JA | EN | LV

[Iepirkumi](#) | [Visi publicētie iepirkumi](#) | [Iepirkumu plāni](#) | [Veidnes](#)

Jānis Lukševičs

[Iepirkumu meklētājs](#)
[Publicēto iepirkumu posmu saraksts](#)

Statuss	Publikācijas datums un identifikācijas numurs	Iepirkums
Izsludināts	09.02.2024 RBR 2024/_1	RB Rail AS biroja telpu uzkošanas pakalpojumi Rīgā, biroju centrā Origo One
Izsludināts	01.02.2024 RBR 2023/17	Būvprojektēšanas un autoruzraudzības pakalpojumi dzelzceļa sliežu ceļam posmā no starplautiskās lidostas "Rīga" līdz Misai un no Upeslejas līdz dzelzceļa stacijai "Rīga – Preču"
Līgums noslēgts	30.01.2024 RBR 2023/14	Veselības apdrošināšanas polises RB Rail AS darbiniekiem/ Health Insurance policies for RB Rail AS employees
Izsludināts	06.01.2024	Directors' and employees' health insurance and

Elektronisko iepirkumu sistēma

Palīdzība | A | JA | EN | LV

[Iepirkumi](#) | [Iepirkumu plāni](#)

Iepirkumi > RBR 2023/17 > **Pamatdati**

Iepirkuma pamatdati

Iepirkuma statuss:	Izsludināts
Izsludināts:	01.02.2024
Identifikācijas numurs:	RBR 2023/17
Nosaukums:	Būvprojektēšanas un autoruzraudzības pakalpojumi dzelzceļa sliežu ceļam posmā no starplautiskās lidostas "Rīga" līdz Misai un no Upeslejas līdz dzelzceļa stacijai "Rīga – Preču"
Regulējošais TA:	Publisko iepirkumu likums
Procedūra / Iepirkums:	Atklāts konkurss
Iepirkuma profils:	PIL_Atklāts_konkurss
Atsauce uz ES projektiem un programmām:	The open competition is co-financed by the Contracting Authority and Connecting Europe Facility (CEF).
IUB publikācijas hipersaite:	https://efomsb.pvs.iub.gov.lv/show/62e79c27-d05e-4689-b900-fba8cdcc5add
ES publikācijas hipersaite:	
Iepirkuma plāna ieraksts:	Nav



EPS registration procedure

To register into the EPS, the supplier must fill in and submit the following to the State Regional Development Agency (SRDA):

- EPS user's registration form (signed by the supplier's authorised representative);
- Authorisation to act as administrator within the e-tender system in name of the user (signed by the supplier's authorised representative and the administrator to be authorised, meaning that the authorisation must be confirmed by two persons).

SRDA contacts: <http://www.vraa.gov.lv/en/>

Necessary application forms in English language:

[Authorisation of the Administrator Application Form](#)

[Registration Form](#)

Once the forms have been filled, they must be submitted to SRDA. The forms may be submitted either:

- in print;
- electronically, with a secure e-signature [1], by sending the electronic document to the email address: pasts@vraa.gov.lv.

After receiving the registration documents, SRDA registers the organisation as an EPS's member and creates a user with an assigned role supplier administrator. The supplier administrator receives an e-mail with the system's access data – a username, password and a code card.

Detailed manual on how to use the e-tender sub-system can be found [here](#).

General questions on How to use e-tender subsystem can be found [here](#).

Use of European Single Procurement Document (ESPD) in e-tender sub-system can be found [here](#).



The screenshot shows the Rail Baltica website header with the logo and navigation menu. The main content area is titled "E-Procurement System" and contains the following text:

Due to changes in the Latvian Public Procurement law, all Rail Baltica tender applications administered by RB RAIL AS onwards will be processed using free of charge electronic information system and its sub-system e-tender. The Electronic Procurement System (EPS) is currently an alternative to previous application and proposal submission system in Latvia that will completely replace the previous system of paper proposal submission.

In accordance with Article 39 and Transition provisions of the Public Procurement law of the Republic of Latvia, all contracting authorities registered in Latvia, including RB RAIL AS, as of 1 October 2017, have to ensure submission of electronic applications and proposals for public procurements if the contract value is equal or exceeds 135 000 euros for goods and services and 5 225 000 euros in case of construction tenders.

RB RAIL AS is inviting its potential suppliers to register to EPS in order to access e-tender sub-system and participate in its current and future tenders. To use the e-tender sub-system of EPS, all non-registered users must register to EPS and create user rights to administrate the e-tender subsystem.

The EPS will benefit all involved parties as it will reduce the administrative burden put on both parties as well as the related costs. The system will also shorten the tendering process and will ensure greater transparency. The new



Two registration forms must be submitted to State Regeional development agency

To Assign the administrator of the of the Profile

Affirmation from authorized administrator of the E-procurement system participant	
(place)	(date)
By signing this document the E-procurement systems participant	
(name of the E-procurement system participant)	
authorized administrator:	
(Name and Surname of the authorized administrator)	
<ul style="list-style-type: none"> Assumes the responsibility of respecting the terms of use of the e-procurement system, the related documents and legal transaction terms (including the active framework agreement of the e-order subsystem) applicable to each subsystem of the e-procurement system, as well as other relevant requests applicable to participants of the e-procurement system; Agrees upon processing of personal data within the framework of the e-procurement system, which objective is to ensure identification to the system and contact information of users of the e-procurement system; Commits to assure and retain personal data and will refrain from unlawful disclosure of it; Commits to assure that users assigned personal data and refrain from unlawful 	
Contact information of the administrator:	
e-mail	
telephone	
Authorized administrator	
(Name and Surname)	(Signature)
<small>Note do not fill the "Signature" section if the document is signed electronically using a secure e-signature according to regulations by law.</small>	

Registration of the Company in E-Tender system

Registration form for the participant of the E-procurement system and an authorization for initial administrator	
(place)	(date)
(name of the participant)	
represented by	
<input type="checkbox"/> Member of the Board <input type="checkbox"/> Chairman of the Board <input type="checkbox"/> An attorney <input type="checkbox"/> Procurator	
<input type="checkbox"/> Another legal basis	(indicate other legal basis for representation or held position)
(Name and Surname of the participant's representative)	
By signing this registration form the participant:	
<ul style="list-style-type: none"> Agrees to join the e-procurement system and obtain the status of participant of the e-procurement system (indicate your user type in the e-procurement system, only one can be selected): <ul style="list-style-type: none"> <input type="radio"/> Economical operator (micro enterprise) <input type="radio"/> Economical operator (average enterprise) <input type="radio"/> Economical operator (small enterprise) <input type="radio"/> Economical operator (big enterprise) <input type="radio"/> Contracting authority 	
	(Contracting authority)
	(indicate the legal basis on which the Contracting authority relies upon);
	approved with a signature that is legally
	which ensure confirmation the identity of
	the user, the taken actions, the created documents and the transactions done within the e-procurement system and its subsystems;
	<ul style="list-style-type: none"> Undertakes to respect the terms of use of the e-procurement system, the related documents and legal transaction terms (including the active framework agreement of the e-order subsystem) applicable to each subsystem of e-procurement system, as well as other relevant requirements applicable to users of the e-procurement system; Authorizes as an participant's initial administrator
	(Name and Surname of administrator)

Electronically signed and sent to email address: pasts@vraa.gov.lv

- 1) Please register as soon as possible;
- 2) Please specify in registration form e-mail address where incoming mails are checked regularly and check also spam folder before your registration is approved.
- 3) If you have any problems with registration or any other questions regarding EPS and E-Tenders subsystem, please contact:




How to contact the Electronic Procurement Department of the State Regional Development Agency

Support Center for the Electronic Procurement System

 eis@vraa.gov.lv

 66155511

Correspondence Address

 pasts@vraa.gov.lv

Location of the provider of the electronic procurement system

 Alberta iela 10,
Rīga, LV-1010

Advice on the Electronic Procurement System can be obtained

Monday	08:30-16:30
Tuesday	08:30-16:30
Wednesday	08:30-16:30
Thursday	08:30-16:30
Friday	08:30-16:30

To the Users of the Electronic Procurement System

In order to receive an answer to your questions promptly, please consult the employees of the Department of Electronic Procurement and, by writing an email, choose an employee who has competence in your question or by calling the support center phone, select the relevant topic of the conversation from the entry instructions.

If you have any problems with registration in EPS and E-Tenders subsystem, you may contact directly to:

Senior Consultant

Zigurds Drafens

zigurds.drafens@vraa.gov.lv

tel. +371 67509520

Advice on joining the e-Procurement system and updating
user access data

Most frequent question regarding registration of group of suppliers:

Q: Which companies shall be registered as users of E-Tenders system in order to submit Bid if the Tenderer is a group of suppliers?

A: If the Tenderer is a partnership (consisting of several companies which have made commitment to submit Bid jointly):

- 1) All members may register as users of E-Tenders system and submit Bid jointly;
- 2) Partnership may authorize one member to submit Bid on behalf of the partnership (partnership agreement must be concluded and attached);

If the Tenderer is just relying on capabilities and capacity of other entities in order to meet any of qualification requirements or involve sub-contractors, these entities shall not be registered as users of E-Tenders system.

Minimum set of requirements for suppliers



Enrolment in a professional registry



Financial turnover & liquidity



Possession of expertise & experience



ISO 9001:2015 or equivalent

NB! Please check, how requirements shall be met in case of partnership!

REGULATION

9. SELECTION CRITERIA FOR THE TENDERERS

9.1. Exclusion grounds and sanctions *(will be verified according to procedure described under Section 23 of Regulation)*

The Contracting Authority shall exclude the Tenderer from further participation in the Competition in any of the following circumstances:

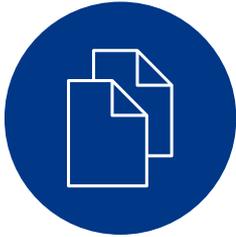
No	Requirement	Documents to be submitted
Mandatory of Latvia:		
9.2. Legal standing and suitability to pursue the professional activity		
9.1.1. With subr who supr repr Ten		
No	Requirement	Documents to be submitted
9.2.1.	The Tenderer, all members of the	- For a Tenderer, each member of the
9.3. Economic and financial standing		
9.3.1. The € partne a parttr financi		
No	Requirement	Documents to be submitted
9.4.1.	The Tenderer during the last 7 (seven) years	- Filled in and signed Annex 6;
(2)	9.5. Team of Key experts	9.6. Quality Management Standards

The Tenderer for the provision of the (Annex No 2 to Regulation) shall provide in the table below. Key-experts established in the table below, including governing construction process in Latvia to be entitled to provide professional services in regulated profession in Latvia.

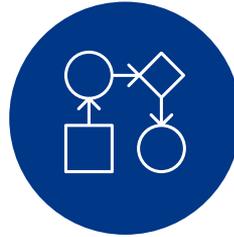
No

Requirement

Documents to be submitted



Use the forms which have been provided in the procurement regulations (usually annexes regarding supplier's experience, experts experience, financial standing etc.)



Annexes are prepared and structured in a way to assist **the supplier** in the preparation of all requested information and not to miss some information.



Consider the requirement included in the procurement regulations and describe the compliance at least in the same detail.

ANNEX NO 6: EXPERIENCE OF THE TENDERER

Clause 9.4.1. of the Regulation:

No	Title and description of the services and contract characterizing the required experience indicated in Clause 9.4.1. (above)	Date of commencement and completion of services and contract (experience obtained) (month/year – month/year)	Description of the design services provided according to contract, which characterize the experience, mentioned in respective subsection of Section 9.4.1.	Key indicators of the contract/ services provided characterizing the volume and complexity of the design services	Name of the Contracting Authority and contact information regarding this reference (Client)
	The Tenderer during the last 7 (seven) years (2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 till the submission of the tender) has gained the following experience:				
a)	As a main contractor (<i>responsible for contract management and liable for fulfilment of contractual obligations against the end-customer of the design project</i>) has completed at least 2 (two) or more contracts for 1435 mm gauge TSI²⁶ compliant (compliance with TSI requirements confirmed by NoBo²⁷) railway track (with design speed \geq 201 km/h) detailed technical design ²⁸ (or fully completed design stages for a part of the contract ²⁹ , if the full contract is not yet completed) that are ready for construction and cover at least 20 km of railway track in total and at least 1 (one of the referred railway design projects includes design of at least 1 (one) grade-separated junction ;				
1.				1) Gauge (mm):__ 2) TSI compliance: __ 3) NoBo confirmation on TSI compliance: __	

Elektronisko iepirkumu sistēma

Procurements > RBR 2023/17 > Requirements

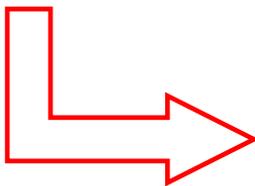
Basic data | Procurement commission | Lots | Documents | Requirements | Criteria

Version of the form

Number of the form version:	2
Status of the form version:	Published
Create version of the form:	07.02.2024 11:13

Selection requirements

Nr.	Name	Input field type
1.	Proof of the Tenderer's authorization	Proposal value input is not intended.
2.	Documents confirming right of representation	Proposal value input is not intended.
3.	Documents confirming establishment of partnership	Proposal value input is not intended.
4.	Bid security	Proposal value input is not intended.



Form cell of the procurement stage

Requirement base data

5. requirement

Name*: Application

Clarification: The Tenderer shall download Application form (in accordance with Annex 1 of Regulation) fill it according to requirements defined

Hyperlink: Not

Variants are allowed:

Input field type: Without

Documents: Compulsary

Allowed to add: One file Several files

Allowed file types: Any file

Other allowed file types:

(Extensions separated by a semicolon, for example, txt,doc,xls)

Document templates: Application



Supplier can ask questions and clarify requirements and request to amend them

NB! Please read the Q&A letters published in RBR website before asking your question!

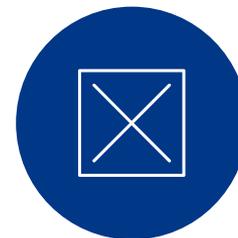
Questions may be asked:

1. By e-mail to:
janis.luksevics@railbaltica.org

2. In EIS system
(for registered users)

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No amendments after submission!
Tenderer has accepted the requirements by submitting the proposal!

- Qualification assessment is carried out according to YES/NO principle



- Evaluation according to award criteria

NB! During the assessment of compliance with qualification requirements or evaluation of bids Commission is not allowed to deviate from the qualification requirements or award criteria.

Commission is willing to clarify all unclear information in the bid before it makes the decision regarding non-compliance, however...

Commission must ensure:

- Transparency
- Free competition
- Equal and fair treatment
- Effective use of the funds of RB

Dos and Dont's:

- It is **allowed** to clarify information which is included in the proposal (clarifications)
- It is **not allowed** to add totally new information to the proposal (amendments)

NB! Commission cannot recognize as compliant agreements, documents etc. which are dated after the proposal submission deadline, except the exclusion ground documents.

There are no restrictions in any of RB Rail AS Procurements regarding the form in which supplier/-s can participate in the procurement.

However, in case supplier plans to participate in the procurement as partnership there are specific requirements, such as:



In the proposal a **cooperation agreement must be submitted** where it is agreed upon liability and responsibility of each member of the partnership.

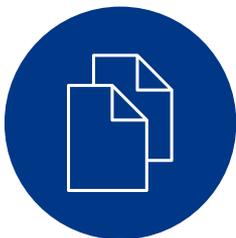


Content of the partnership (members) cannot change during the procurement procedure. Choose the potential partners carefully to minimize the risk of future disagreements!

NB! Agreement must be signed by all members of partnership.

Entities on which capabilities supplier is relying

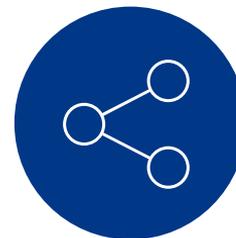
These are entities which experience, financial status etc. supplier is relying upon to comply with qualification requirements.



All Entities must be **clearly indicated** in the annex attached to the procurement regulations.



There must be **signed agreement or other document** between the supplier and the Entity indicating that the resource on which it is relying will be available during the contract.

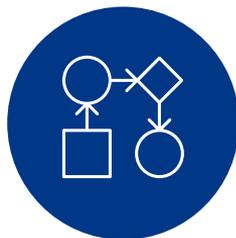


Entity and subcontractor is not the same, but a third party can be Entity and subcontractor at the same time.

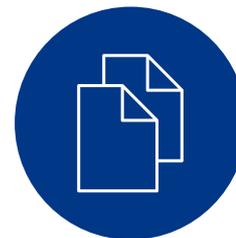
NB! Employees/ proposed experts of the tenderer are not Entities or subcontractors.



Commission must verify that the bid and other respective documents have been **signed by a person who has representation rights**.



If the person/-s in the company registration certificate differs from the one signing the bid, it is mandatory to **submit the respective power of attorney** or other document that verify the persons rights to represent the supplier.



In some cases the chain between the person indicated in the company registration certificate and the person who has signed the proposal consist of **several documents**.

NB! All chain of documents (PoA) must be provided to the Commission.



Must be **justified**



Must be sent in
timely fashion



Reasons why commission usually reject the request:

- No justification
- Tight timeline of the procurement (which is related to overall RBGP timeline)
- Already reasonable time for submission has been provided
- Already reasonable extension has been provided

Content and form of the Bid (Section 11.4. of Regulation):

No	Document
11.4.1.	Proof of the Tenderer's representation or authorisation (e.g. power of attorney) and <i>expressis verbis</i> stating the authorisations to sign, submit and otherwise manage the Bid.
11.4.2.	Bid security according to Section 12 of Regulation.
11.4.3.	Filled Application form in accordance with Annex No 1.
11.4.4.	Filled Technical proposal in accordance with Section 13 and Annex No 3 and Annex No 7.
11.4.5.	Filled Financial proposal in accordance with Section 14 and Annex No 4.

11.4.6.	<p>Documents confirming right of signature (representation):</p> <ul style="list-style-type: none"> • A document confirming the right of signature (representation) of the representative of the Tenderer or each member of a partnership (if Tenderer is a partnership) who has signed Bid for this Competition and any other document (e.g. partnership agreement, agreement on cooperation, letter of intension etc.) included in the Bid. • A document confirming the right of signature (representation) of the representative of subcontractor and the person on whose capabilities the Tenderer is relying to meet qualification criteria stipulated in Regulation and who has signed any documents (agreement on corporation, letter of intension etc.) included in bid.
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• Basic steps to prepare and submit compliant Bid successfully

11.4.7.	<p>Documents confirming establishment of partnership (consortium), <i>if applicable</i></p> <p>If Bid is submitted by a partnership, the Bid shall include an agreement (or letter of intention to enter into agreement or any similar document) signed by all members of the partnership on the participation in the Competition, which:</p> <ol style="list-style-type: none"> 1) lists responsibilities of each and every partnership member and a joint commitment to fulfil the Procurement Contract; 2) authorises one key member to sign the Bid and other documents, to receive and issue orders on behalf of the partnership members, and with whom all payments will be made.
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11.4.8.	<p>Information and documents (including documents, but not limited to, according to Section 9.2. – 9.6.), confirming compliance of the Tenderer with the selection criteria for the Tenderers or the corresponding ESPD.</p>
11.4.9.	<p>Information and documents relating to the entities on whose capabilities the Tenderer is relying on and sub-contractors (according to Section 9.7. of Regulation) (<i>if applicable</i>).</p>

Basic steps to prepare and submit compliant Bid successfully

Bid security:

- The Tenderer shall submit a bid security (a bank guarantee or insurance policy) in the amount of EUR 50 000;
- **Bid security shall contain condition** that upon request of the Contracting Authority the guarantor or insurer of the bid security shall pay the sum of the Security to the Contracting Authority at first demand, if:
 - The Tenderer revokes its Bid while the Security is in force;
 - the Tenderer selected for award of the Agreement fails to submit the requested contract performance security according to conditions of Agreement;
 - the Tenderer selected for award of the Agreement in accordance with the contract award criteria, does not sign the Agreement by the deadline set by the Contracting Authority.

Basic steps to prepare and submit compliant Bid successfully

If the Security is an insurance policy, it must comply with the following additional requirements:

- The insurance premium must be paid until the Bid is submitted as proved by a copy of the payment certificate enclosed thereto;
- The insurer must pledge to pay the Security on the first demand of the Contracting authority in cases stipulated in Clause 12.2.;
- The Contracting Authority shall not be obliged to demand the Security from the Tenderer prior to submitting the request to the insurer;
- **The insurance policy must be in force for the term stipulated in Clause 12.6. (at least 180 days from the day of opening of the Initial Bids)** and be subject to realisation from the opening of the Bid, that is, the insurance premium must be paid until the Bid is submitted as proved by a copy of the payment certificate enclosed thereto;
- The insurance policy must be irrevocable;
- **Any claims and disputes regarding the Security shall be heard in the courts of the Republic of Latvia, in accordance with the laws of the Republic of Latvia.**

Basic steps to prepare and submit compliant Bid successfully

If the Security is a bank guarantee, it must comply with the following additional requirements:

- The Uniform Rules for Demand Guarantees (URDG), ICC Publication No.758, issued by the International Chamber of Commerce (ICC), shall apply to the guarantee, but laws of the Republic of Latvia shall apply in matters not regulated by the aforementioned International Chamber of Commerce (ICC) Rules.
- The guarantor must pledge to pay the Security on the first demand of the Contracting authority in cases stipulated in Clause 12.2. of the Invitation;
- The Contracting Authority shall not be obliged to demand the Security from the Tenderer prior to submitting the request to the guarantor;
- **The bank guarantee must be in force for the term stipulated in Clause 12.6 of the Invitation (at least 180 days from the day of opening of the Initial Bids);**
- The bank guarantee must be irrevocable;
- **Any claims and disputes regarding the Security shall be heard in the courts of the Republic of Latvia, in accordance with the laws of the Republic of Latvia.**

Basic steps to prepare and submit compliant Bid successfully

The Security shall be submitted:

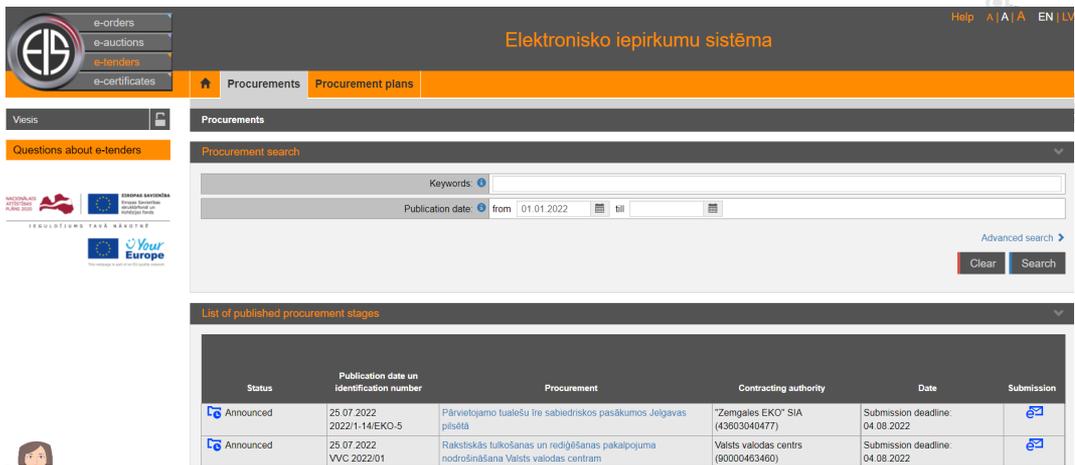
- **together with the Bid in the E-Tenders system signed by a secure electronic signature with a time seal** (in this case the Security must have a separate valid secure electronic signature by the issuer of the Security);
- or
- **separately as an original document in hard copy** by sending it to the address stipulated in Clause 1.4. of the Invitation, arriving no later than the deadline for the submission of Bids stipulated in Clause 7.1. of this Invitation (**only if the guarantor (bank or insurance company) doesn't provide electronically issued Security** signed with a certified electronic signature as described in Section 12 and additionally a scanned copy of the original Security document shall be submitted together with the Bid in the E-Tenders system).

Basic steps to prepare and submit compliant Bid successfully

If the Tenderer fails to submit Bid security which is prepared and issued according to requirements set in Section 12 of the Invitation, Tenderer shall be rejected from further participation in this procurement procedure!

Basic steps to prepare and submit compliant Bid successfully

The Tenderer shall submit the initial bid using the E-Tenders system available at <https://www.eis.gov.lv/EKEIS/Supplier>.



The screenshot displays the 'Elektronisko iepirkumu sistēma' (EIS) website. The interface includes a navigation menu on the left with options: e-orders, e-auctions, e-tenders, and e-certificates. The main content area is titled 'Elektronisko iepirkumu sistēma' and features a 'Procurements' section. This section contains a search bar with a 'Keywords' field and a 'Publication date' filter set to 'from 01.01.2022'. Below the search bar is a table titled 'List of published procurement stages'.

Status	Publication date and identification number	Procurement	Contracting authority	Date	Submission
Announced	25.07.2022 2022-1-14/EKO-5	Pārveļogamo tūsiēšu tīre sabiedriskos pašākumos Jelgavas pilsētā	"Zemgales EKO" SIA (43603040477)	Submission deadline: 04.08.2022	
Announced	25.07.2022 VVC.2022/01	Rakstiskās tulkošanas un rediģēšanas pakalpojuma nodrošināšana Valsts valodas centrā	Valsts valodas centrs (90000463460)	Submission deadline: 04.08.2022	

The Tenderer may submit a Bid only for the whole subject-matter of the particular lot of this Competition. The Tenderer is not permitted to submit partial Bids or Bid variations. Should a Bid contain variations, the Bid cannot be declared compliant.

Please refer to respective draft forms when filling the Technical proposal - Annex No 3 (**Draft of detailed technical design project delivery plan**)) and Annex No 7 (**Key expert's professional experience (form)**)).

The Technical Proposal shall demonstrate the Tenderer's understanding of the assignment and scope of the Services through proposed draft of detailed technical design project delivery plan with respective chapters and shall identify core team of key experts responsible for delivery of Services. The Contracting Authority shall assess whether the means and methodology offered will deliver execution of the Contract on time and according to requirements set in Technical specification and Draft agreement.

Key-experts involved (part I of Technical proposal):

Key-experts named in the Clause 9.5. of the Regulation shall meet the minimum qualification requirements. Should any of the Key-experts proposed fail to meet these minimum qualification requirements as set in Clause 9.5. of Regulation, the Procurement Commission shall discontinue the assessment of the relevant Bid and exclude it from further evaluation.

The experience of every Key-expert meeting the minimum requirements shall not be scored during the evaluation what means that Procurement Commission will not score with points those projects indicated by key-experts which prove compliance with minimum qualification requirements.

Part II - Tenderer shall submit a Draft of detailed technical design project delivery plan in accordance with Annex No 3 to Regulation, covering the sufficient and clear detalisation/description on the following Service provision aspects:

- 1) Understanding of the assignment – goals and objectives;
- 2) Service provision approach and organization;
- 3) Quality assurance approach;
- 4) Schedule of provision of design services (Gantt chart);
- 5) Draft BIM Execution Plan (pre-BEP).

ANNEX NO 7: TECHNICAL PROPOSAL (FORM) – PART 1 “KEY EXPERT’S PROFESSIONAL EXPERIENCE (FORM)”



No	Key-expert`s role in team <i>(in accordance with Clause 9.5. of Regulation)</i>		Name, Surname	
<p>I Professional qualification/education according to the Country`s (Country, where the qualification/education has been obtained) legislation, (if applicable by the respective Country`s legislation) for the provision of respective services in the field of his/her expertise:</p>				
<p>II Professional experience:</p>				
No	Name of the project/contract and contracting authority, contact details of contracting authority for references	Time period for the respective experience <i>(date of commencement and completion of the duties by respective expert in project/ contract: month/year - month/year)</i>	Description of the experience/ <u>responsibilities/role</u> <i>(e.g. main designer/ project manager, track designer etc.)</i> for the respective expert	<u>Description of the project/ contract including key indicators proving compliance with respective requirement set for particular expert`s position according to Clause 9.5. of Regulation</u> <i>(e.g. scope, road class, designed speed of railway, gauge (mm), design length of road/ railway line section, TSI compliance, NoBo authority and confirmation on TSI compliance, information on grade-separated junctions/crossings, length of bridge/viaduct, design length of watercourse etc.)</i>

If the Tenderer's Technical proposal of the final Bid doesn't comply with all the requirements of Technical proposal form, Technical Specification and Draft Agreement, the Technical proposal will be deemed incompliant and will not be further evaluated.

7. Detailed financial proposal breakdown for the Design Services without Investigations of Building permit BP3.4

Table 7.1. Total Remuneration for the Design Services without Investigations of Building permit BP3.4 per Experts

No.	Experts	Unit cost (excl. VAT), EUR	Amount of units, km	Total co (excl. VAT), Building perm
	Key experts			
1	Project manager	EUR for 1km of railway line	8,5	0€
2	Design manager	EUR for 1km of railway line	8,5	0€
3	Railway track designer (1435mm gauge)	EUR for 1km of railway line	8,5	0€
4	Bridge designer	EUR for 1km of railway line	8,5	0€
5	Road designer	EUR for 1km of railway line	8,5	0€
6	Land Amelioration Designer	EUR for 1km of railway line	8,5	0€
	Additional experts (as indicated in Technical Specification)			
7	Track & Alignment design team (1435mm gauge)	EUR for 1km of railway line	8,5	0€
8	Track & Alignment design team (1520mm gauge)	EUR for 1km of railway line	8,5	0€
9	Structures design team	EUR for 1km of railway line	8,5	0€
10	Hydrology and drainage design team	EUR for 1km of railway line	8,5	0€
11	Geotechnical team	EUR for 1km of railway line	8,5	0€
12	Geodesy experts/engineers	EUR for 1km of railway line	8,5	0€
13	Railway sub-systems design team (1520mm gauge)	EUR for 1km of railway line	8,5	0€
14	Railway sub-systems design team (1435mm gauge)	EUR for 1km of railway line	8,5	0€
15	Road design team	EUR for 1km of railway line	8,5	0€
16	Drainage design team	EUR for 1km of railway line	8,5	0€
17	Public utilities design team. All certified/licensed designers/experts to reconstruct all Affected parties' utilities (e.g. gas supply networks, heat supply networks, water supply networks, canalization networks, communication cables, drainage systems etc.)	EUR for 1km of railway line	8,5	0€
18	Construction planning expert/engineer	EUR for 1km of railway line	8,5	0€
19	Cost estimation expert	EUR for 1km of railway line	8,5	0€

Please follow up the Q&A letters published in E-Tenders system and on <https://www.railbaltica.org/tenders/detailed-technical-design-and-design-supervision-services-for-main-line-section-from-riga-international-airport-to-misa-and-from-upeslejas-to-railway-station-riga-precu/>

Please carefully read the Regulation and all annexes (including Technical specification and Draft agreement)

Please follow up the updates of competition regulation published in E-Tenders system

If questions or suggestions arise, please do not hesitate or leave them without answers, but submit them in E-Tenders system timely

Do not leave submission of the bid till the last moment

Conditions for well prepared bid and succesfull submission of bid in for the competition

Exclusion grounds & sanctions

Prior to award of the rights to conclude the Agreement, the Procurement Commission first checks:

- ✓ if the Tenderer to whom the rights to enter into the Agreement shall be awarded (and each member of a partnership, if the Tenderer is a partnership);
- ✓ each person indicated by the Tenderer on whose capabilities the Tenderer is relying to prove that its qualification conforms to the requirements specified in the procurement procedure documents;
- ✓ each subcontractor indicated by the Tenderer the value of the services to be provided by which amounts to at least 10 000 euros.

falls under the **exclusion grounds as per Section 9.1. of Regulation (Article 42, Paragraph 2 of Public Procurement Law of Latvia)**

and...

sanctions according to Article 11¹. of the **Law on International Sanctions and National Sanctions of the Republic of Latvia;**

and

article 5k, Clause 1 of **Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine.**

Sanctions

Article 5k, Clause 1 of Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine:

The sanctions prohibit contracts with:

- Russian nationals, companies, entities or bodies established in Russia as well as companies and entities directly or indirectly owned for more than 50% by them and persons bidding or implementing a contract on their behalf
- any person, regardless of their place of establishment or nationality, who implements or intends to implement a contract using Russian or Russian owned subcontractors, suppliers or capacity providers for participation above 10% of the contract value.

Additional security checks!

The Procurement Commission is entitled to send information on Tenderers to whom the rights to enter into the Agreement shall be awarded (and each member of a partnership, if the Tenderer is a partnership) to the Latvian State Security Service according to the Cabinet Regulations of Latvia No 508 “Procedures for the planning and implementation of identification, security measures and operational continuity of critical infrastructure, including European critical infrastructure” and any other state institution of Latvia for inspection, if required by applicable Law, before awarding the contract rights.

In the event of a negative conclusion of the Tenderer by the Latvian State Security Service or any other state institution of Latvia, the Procurement Commission will exclude it from the Competition.

Thank you!

Time for Q&A session!



Useful Information

Deadline for the submission of the Bids: 15 March 2024, 10:00 (EET) in E-Tenders system

Please note: make sure you submit the Bid timely (do not leave to the last day/minute), Bids submitted earlier are not accessible or readable before the opening time!!!

- RBR website: <https://www.railbaltica.org/tenders/>
- RBR procurements in E-tendering system: <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001>
- Public Procurement Law of the Republic of Latvia: <https://likumi.lv/ta/id/287760-publisko-iepirkumu-likums>
- Cabinet Regulation No. 107 of the Republic of Latvia: <https://likumi.lv/ta/id/289086-iepirkuma-proceduru-un-metu-konkursu-norises-kartiba>
- Procurement Monitoring Bureau of Republic of Latvia website: <https://www.iub.gov.lv/en>
- Guidelines for E-Tenders system users': <https://www.eis.gov.lv/EKEIS/Publication/View/1063?subsystemCode=KON>
- EU public procurement directive: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0024>
- European Court of Justice judgements: https://curia.europa.eu/jcms/jcms/j_6/en/