

Rīga, 17 January 2018
No 6.1/2018- 35

**Answers to the questions from the interested suppliers
in Restricted Competition "Design and design supervision services
for the construction of the new line from Kaunas to Ramygalā ID. No RBR 2017/29**

RB Rail AS presents the following answers to the questions received until 17 January 2018 from the interested suppliers:

No	Question	Answer
1.	<p>We have looked thorough and evaluated tender documents for restricted competition "Design and design supervision services for the construction of the new line from Kaunas to Ramygalā" (hereinafter - "The Procurement"). We believe that some of the conditions are unproportional to the object of The Procurement and thus pose unreasonable boundaries on open competition and may prevent contracting authority from receiving best offers they could get.</p> <p>A requirement of technical and professional ability set in item 7.4 of the conditions inter alia describes that a candidate should have the experience: in the provision of 2 large bridge designs, where each bridge has a span length of at least 150 m and at least one bridge is railway bridge with the speed above 200 km/h. As far as we are concerned such requirement is unproportional due to several factors.</p> <p>The conditions require that a candidate would have prepared no less than two large bridge designs.</p> <p>As qualification requirements are normally set in order to verify whether potential candidate has enough qualifications and experience to perform required task. Therefore it is normal to ask for experience with similar projects, however such requirements should be reasonable. A single completed similar assignment is generally considered as sufficient proof that a candidate is in fact capable of providing such services. Doubling the quantity of such requirement does not really affect its quality yet it may exclude candidates who had one similar assignment in the past, successfully completed it, thus are in fact capable of doing it again yet cannot meet formal requirement as they never had another similar project. Therefore such requirement may exclude competent and experienced candidates from participating in The Procurement and thus limits the competition and may not allow for the contracting authority to receive best possible offers.</p> <p>The conditions also set that each of such bridges should have a span length of at least 150 meters. As far as we can see the only place in the proposed route where such bridge might be needed is crossing of Neris river. This river is generally under</p>	<p>Procurement Commission has reviewed your letter with the proposal to amend qualification criteria stated in the Clause 7.4, sub-clause 3) of the Regulations. All qualification criteria set out by Clause 7.4. of the Regulations are closely related to the subject-matter of the procurement and ensures that Tenderer will have sufficient experience for the purpose of the subject-matter to deliver high quality services. Therefore the qualification criteria stated in the Clause 7.4, sub-clause 3) of the Regulations are not amended.</p>

150 meters wide so contracting authority would only need 150 meter span if it would decide on building single-span bridge with no intermediate supports. However conditions of The Procurement do not describe the future parameters of the bridge in question and it is perfectly possible that a bridge with intermediate supports would be chosen thus rendering candidates experience with designing 150 meter spans completely irrelevant. It must also be noted that 150 meter span is very long for a railway bridge: for example such span is the longest for railway bridge in Japan, a country noted for its extensive and modern railway infrastructure. Therefore such requirement unreasonably and unproportionally limits competition and does not allow competent, qualified and experienced candidates participate in the competition merely because they could not comply with qualification requirement which in turn has no relevance to the services contracting authority intends to buy.

The conditions also set that at least one of the bridges designed should be a railway bridge with the speed above 200 km/h. In fact the bridge construction does not really depend on how fast the trains are going to pass on it. The railway bridge with the speed above 200 km/h will be technically quite similar to the bridge built in similar conditions and of similar size yet with the railway line speed of under 200 km/h. Higher speed may affect loads, but such loads would have to be estimated and calculated anyway and any construction would have to be chosen accordingly. While the speed is paramount to railway track design it is of little significance to actual bridge design thus requirements to have experience designing a bridge carrying high speed railway line would not help in any way to choose better designers and would merely limit the competition.

Having evaluated the aforementioned we kindly ask the contracting authority to limit requirements for bridge design to the requirements that are actually related to the object of The Procurement and may help to select qualified designers without limiting the competition unreasonably. Namely we ask to limit the requirement of experience to one successfully completed bridge design, describe the requirement of the bridge designed by its total length rather than its longest span and abolish the requirement for the bridge to carry the high speed railway line.

Procurement commission chairman



Mārtiņš Blaus