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*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 Ramygala" ID. No RBR 2017/29*

RB Rail AS presents the following answers to the questions received until 12 January 2018 from the interested suppliers:

No	Question	Answer
1.	Point 5.1 of Regulation: Subject-matter is not specified unambiguously. Please indicate that rail system infrastructure subsystem (according TSI) is included in subject matter.	Clause 5.1 of the Regulations covers the general summarised description of the services being procured. More details about the scope of the services being procured is provided in Annex 2 of the Regulations.
2.	Point 7.4 of Regulation: The submission of application is 29.01.2018, so do 7 years mean 2010-2016 or 2011-2017? Please clarify.	Sub-clause 1. of Clause 7.4 of the Regulations covers the requirement for the experience within the period from 2010 to 2017, including the period till the date of the submission of application.
3.	Point 7.4 of Regulation: Do value of contract (5 M EUR) means price without VAT or total price (including VAT). Please clarify.	The required contract value specified in sub-clause 1. of clause 7.4 of the Regulations does not cover VAT.
4.	A new railway track in urban or rural residential areas, in accordance with mandatory Technical Construction Regulation STR 1.04.04: 2017 "Structure Design, Design Expertise Examination", is included in the list of public structures (their parts), therefore it is necessary to prepare design proposals ("Projektiniai pasiūlymai"), to inform the public about the planned design and execute the necessary actions in accordance with the procedure established by the regulation before the start of the design. Had these actions already been executed or not? If not, who will execute mentioned actions?	Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured shall be provided to the candidates qualified in the first stage of Competition.
5.	Is it necessary to design reconstruction/construction of Palemonas railway station 1520 mm gauge rail system infrastructure, energy, control-command and signalling, subsystems?	Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured shall be provided to the candidates qualified in the first stage of Competition.

6.	What level of details and accuracy shall be ensured in design prepared solutions for each Design stage?	Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured shall be provided to the candidates qualified in the first stage of Competition.
7.	Is it necessary to design platforms with all related infrastructure (access roads and paths, pedestrian tunnels/viaducts, elevators, roofing, etc.)?	Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured shall be provided to the candidates qualified in the first stage of Competition.
8.	Will RB Rail AS provide planned railway line alignment and other solutions in CAD format?	The available information shall be provided to extent necessary for the provision of services for "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" and in the digital formats available to the Contracting authority.
9.	Do the reference projects must be completed/built?	The requirement of "completed designs" in sub-clause 1.1) of clause 7.4 of the Regulations refers to fully accepted design under the construction legislation. The requirement of "completion of 1 design service contract" in sub-clause 1.2) of clause 7.4 of the Regulations refers to the successful fulfilment of design service contract conditions. The requirement of "provision of 2 large bridge designs" in sub-clause 1.3) of clause 7.4 of the Regulations refers to fully accepted designs under the construction legislation.
10.	Source information European gauge railway line between Kaunas and the Lithuanian-Latvian border. Environmental Impact Assessment Report; Spatial plan European gauge railway line between Kaunas and the Lithuanian-Latvian border. Consolidated Preliminary Technical Design by RB Rail AS  What is "Consolidated Preliminary Technical Design by RB Rail AS" and when RB Rail AS will provide it?	Please be informed that, in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured, as well as on the source information, shall be provided to the candidates qualified in the first stage of Competition.
11.	Applicable construction law Lithuanian Please clarify who is/will be the builder and how the builder's right will be implemented in	The services to be procured under the restricted competition "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" shall be implemented on behalf of The Ministry of

	accordance with article 3 of the Law on Construction of the Republic of Lithuania.	Transport and Communications of the Republic of Lithuania which is considered as "builder" according to Construction Law of the Republic of Lithuania.
12.	<p>General scope of the contract</p> <ul style="list-style-type: none"> <li>a) Master design,</li> <li>b) Value engineering studies (including recommendations of Consolidated preliminary technical design),</li> <li>c) Design solutions presentation and approval,</li> <li>d) Spatial planning solutions development (if necessary),</li> <li>e) Public consultation,</li> <li>f) Detailed technical design,</li> <li>g) Design author's supervision.</li> </ul> <p>In Lithuania, Technical Construction Regulations are mandatory legislation according to point 2 of Article 8 of Law on Construction of the Republic of Lithuania. Mandatory Technical Construction Regulation STR 1.04.04:2017 "Structure design, project expertise" clearly defines the structure of Design, Design stages, requirements for Design documents and other.</p> <p>General scope of the contract does not match the Structure of design defined in mandatory STR 1.04.04:2017.</p> <p>If Design will not be performed according to Law on Construction of the Republic of Lithuania, STR 1.04.04:2017 and other mandatory legislation, construction permitting document will not be issued. Please clarify what is a) "Master design", c) "Detailed technical design" and specify general scope of the contract defining Design stages in accordance with mandatory STR 1.04.04:2017.</p> <p>What does b) "Value engineering studies" mean and when RB Rail AS will submit it?</p>	<p>Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured, as well as on the source information, shall be provided to the candidates qualified in the first stage of Competition.</p> <p>In accordance to the item 2 of the Annex No. 2 of the Regulations, the "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" shall be implemented under the construction legislation of the Republic of Lithuania.</p>
13.	<p>Key milestones of design process</p> <ul style="list-style-type: none"> <li>a) Site surveys (including geological investigation)</li> <li>b) Preparation of topographical layout</li> <li>c) Application for technical conditions to receive from local institutions</li> </ul>	<p>Please be informed that in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured, as well as on the source information, shall be provided to the candidates qualified in the first stage of Competition.</p>

	<p>d) Design proposals' (Master Design) preparation (including Engineering studies) and approval</p> <p>e) Preparation and approval of Technical design</p> <p>f) Technical design general expertise (including NoBo / Independent Safety Assessor verification)</p> <p>g) Receipt of construction permitting document</p> <p>h) Work design preparation and approval</p> <p>i) Work design special expertise (to be procured separately)</p> <p>Please clarify what is "Engineering studies".</p> <p>In Lithuania, Technical Construction Regulations are mandatory legislation according to point 2 of Article 8 of Law on Construction of the Republic of Lithuania. Who will have to submit the application (with all necessary documents) for construction permitting document obtainment in accordance with requirements of Technical Construction Regulation STR 1.05.01:2017 "Construction Permits. Completion of construction. Suspension of construction. Removal of the consequences of arbitrary construction. Removal of the consequences of construction under an illegal construction permit"?</p> <p>Shall all mentioned services excluding h) „Work design preparation and approval“ and i) „Work design special expertise (to be procured separately)“ be provided within 24 months?</p> <p>Please confirm that remark "to be procured separately" means that RB Rail AS will buy it by itself and will pay for it, so candidate will not be responsible for the payment or compensation of such services.</p>	<p>In accordance to the item 2 of the Annex No. 2 of the Regulations, the "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" shall be implemented under the construction legislation of the Republic of Lithuania.</p> <p>Designer awarded to implement the services of "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" shall not be responsible for the procurement, implementation and compensation for the design expertise and NoBo / Independent Safety Assessor inspection services. The Contracting authority shall bear this responsibility and ensure that these services are managed within the overall design process.</p>
14.	<p>Indicative amounts (based on EIA studies / spatial planning design / preliminary design)</p> <p>Length of the section 76.6 km (double track)</p> <p>Number of railway bridges: 3</p> <p>Number of road viaducts: 7</p> <p>Number of railway viaducts: 11</p>	<p>As it is specified in the subject-matter in clause 5.1 of the Regulations, railway track design is a part of the services to be procured under the restricted competition "Design and design supervision services for the construction of the new line from Kaunas to Ramygala".</p>

	<p>Number of eco-ducts: 3</p> <p>Number of culverts: 69</p> <p>Number of stations / passing loops: 2</p> <p>Number of crossovers: 2</p> <p>Specific objects:</p> <p>cut-and-cover tunnels – 1 for road, 1 for pedestrians,</p> <p>large bridge (1,7 km length) over Neris river.</p> <p>Please specify that railway track design is part of scope of services, because in the current situation only the length is indicated.</p>	
15.	<p>RB Rail internal regulations (studies) to consider</p> <ul style="list-style-type: none"> <li>a) Design guidelines;</li> <li>b) BIM;</li> <li>c) Operational plan;</li> <li>d) Infrastructure management study;</li> <li>e) Climate change impact assessment study;</li> <li>f) Visual, architectural and landscaping guidelines study;</li> <li>g) Mineral materials supply study;</li> <li>h) Related Studies carried out by National Implementing Bodies (freight terminals, maintenance depots, etc.);</li> <li>i) Other.</li> </ul> <p>When will RB Rail AS submit these documents: a) Design guidelines, b) BIM guidelines, c) Operational plan, d) Infrastructure management study, e) Climate change impact assessment study, f) Visual, architectural and landscaping guidelines study, g) Mineral materials supply study, h) Related Studies carried out by National Implementing Bodies (freight terminals, maintenance depots, etc.), i) Other?</p> <p>Will RB Rail AS provide CAD/BIM standard and/or CAD/BIM manual with defined requirements for the templates, models and drawings and other files, layers (names, codes, colors, etc.), formats, etc.?</p>	<p>Please be informed that, in accordance to clause 1.5.2 of the Regulations, the detailed information on the scope of the services to be procured, as well as on the source information, shall be provided to the candidates qualified in the first stage of Competition.</p>

16.	<p>After assessment of tender regulations, considering the short time to deliver tenders' documentation and requirements, we kindly ask for a possibility to extend deadline for the mentioned tenders for 4 weeks. We are very interested in these projects, so we would like to gain more time to be able to prepare all documents properly. Hoping to receive a positive answer on this matter.</p>	<p>Contracting authority shall inform about the decision on the extension of the deadline for the submission of applications separately.</p>
17.	<p>General terms and the scope of building design services in Estonia and Lithuania are analogous, however Point 7.4 "Technical and professional ability" (requirement for company) of Candidate selection regulation for LT Competition requires additional experience, i.e. Within the previous 7 years (year 2010, 2011, 2012, 2013, 2014, 2015, 2016 and 2017 till the date of the submission of the application), the candidate has gained the following experience:</p> <ol style="list-style-type: none"> <li>1. in the provision of 2 large bridge designs, where: <ul style="list-style-type: none"> <li>- each bridge has a span length of at least 150 m;</li> <li>- at least one bridge is railway bridge with the speed above 200 km/h;</li> </ul> </li> <li>2. experience in the design of cut-and-cover tunnels with the length at least 1 km long;</li> <li>3. experience in the civil design within urban environment.</li> </ol> <p>Such additional requirements unreasonably reduce competition and limits participation in LT Competition opportunities for of big number of professional and experienced candidates.</p> <p>Point 4.2.1 of Commission Regulation (EU) No 1299/2014 (hereinafter – TSI) states that the European Union rail network may be subdivided into different categories for the:</p> <ul style="list-style-type: none"> <li>- Trans-European conventional rail network,</li> <li>- Trans-European high-speed rail network.</li> </ul> <p>Please note, that TSI (see table 2 of Point 4.2.1) determines, that 'gauge' and 'axle load' shall be treated as minimum requirements as</p>	<p>Please be informed that restricted competitions "Design and design supervision services for the construction of the new line from Pärnu to Rapla" and "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" conducted separately and cover different scopes of services to be procured. Selection criteria for the candidate specified in clause 7.4 of the Regulation are defined according to the general scope of the services being procured under the restricted competition "Design and design supervision services for the construction of the new line from Kaunas to Ramygala" and cannot be related to the scope of services being procured under other restricted competition. Therefore, the question related to the other restricted competition is not applicable.</p>

<p>they directly control the trains that may run; as 'line speed', 'usable length of platform' and 'train length' are indicative of the range of values and are typically applied for different traffic types and they do not directly impose restrictions on the traffic that may run over the line.</p> <p>Whereas TSI defines performance levels according to 'TSI categories of line', required experience in bridge design with certain span length and speed have no direct correlation with experience in design of certain TSI level line and technically is not reasonable.</p> <p>Please pay attention that for the speeds up to 250 km/h (minimum speed limit for new high-speed line) there is no essential difference in design, so one of the formal requirements mentioned above: "- at least one bridge is railway bridge with the speed above 200 km/h" is redundant and in principle do not properly define professional competence of candidates. Therefore, it artificially reduces competition, especially considering required experience in provision of bridge design depending both on bridge span length and speed for the same project.</p> <p>Thus, to ensure technically reasonable international LT Competition and do not restrict participation of big number of professional and experienced candidates please:</p> <ol style="list-style-type: none"> <li>1. cancel the part of the requirement of Sub-point 3) of Point 7.4 "Technical and professional ability" of Candidate selection regulation for LT Competition: - at least one bridge is railway bridge with the speed above 200 km/h;</li> <li>2. equalize the level of LT Competition requirements with EE Competition technical and professional ability requirements.</li> </ol>	
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Procurement Commission chairman



Martinš Blaus