

Rīga, 22 January 2018  
No 6.1/2018-54

*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 15 January 2018 from the interested suppliers:

No	Question	Answer
1.	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.	Submission deadline for the Application will be prolonged, please follow the updates on publication of the Competition at E-Tenders system ( <a href="https://www.eis.gov.lv/EKEIS/Supplier/Procurement/9772">https://www.eis.gov.lv/EKEIS/Supplier/Procurement/9772</a> ).
2.	Since in section 7.9 of Regulation it is said that "If the candidate complies with any of the exclusion grounds mention in Section 7.1 (except tax debts), the candidate indicates this fact in Annex 1.", Tenderer kindly asks if what is stated in the table listed in section 7.1, with particular reference to point 1 of the same table, will undergo an additional evaluation by the Contracting Authority that can decide for the further participation of the Tenderer according to information provided in ESPD of the Tenderer.	In case Tenderer complies with any of exclusion criteria (except tax debts) the Tenderer shall explain what are these cases and how Tenderer would avoid them in the future. The justification can be evaluated by Procurement Commission and considered as proof to avoid exclusion from the Procurement in cases where sufficient measures are taken.
3.	Tenderer kindly asks if the word "candidate" listed in the point n. 1 of the table of section 7.1 has to be intended only as "physical person" or if shall be read also as "entity" or "legal entity" and, consequently, if Exclusion grounds (7.1) concern only person or also legal entity.	The word "candidate" is explained in Section 6 of the Regulation. Exclusion criteria stated in Clause 7.1 refers in some cases to legal entity and a person who is the candidate's board or council member, person with representation rights or a procura holder, or a person who is authorised to represent the candidate in operations in relation to a branch.
4.	Tenderer kindly asks if the value of 10M Eur in point 1 of the section, related to financial turnover regarding railway building design services, refers to the average turnover of	As it is specified in sub-clause 1 of Clause 7.3, the Candidate has to have at least 10 M EUR average annual financial turnover regarding railway building design services within last 3

	<p>three years i.e. at least 10M Eur of total services during three years, or to the average turnover of one year i.e. at least 30M Eur of total services during three years. Besides Tenderer asks, in the case he doesn't comply with the criterion, if this can be a reason for exclusion.</p>	<p>(three) years (2014, 2015, 2016, including 2017 until the date of submission of the application). Failing to comply with the above mentioned requirement shall exclude candidate from further participation in the Competition.</p>
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Procurement Commission chairman



Martin S. Blaus