

Riga, 21 February 2017

No 6.1/2017-55

**Answers to the questions from the interested suppliers  
in open competition "Design guidelines for Rail Baltic / Rail Baltica Railway",  
id. No RBR 2017/1**

RB Rail AS presents the following answers to the questions received until 21 February, 2017 from the interested suppliers:

No	Question	Answer
1.	For the proposal (bid) security, if our company is a member of a consortium to join the bidding, could the security be issued only with the name of our company (instead of the name of consortium)?	Section 9 of the open competition Regulation states that, if the Tenderer is a group of suppliers or a partnership, then the Security must be formalized in such a way that it applies to all the members of the Tenderer (the name of the Tenderer in the Security must be the same as the name of the Tenderer in the proposal).
2.	For the supporting documents for qualification criteria, for example, the audited yearly reports, must it be notarized and authenticated? For international companies, the authentication might take a time longer than one month, therefore, if necessary, we advise that the submitting of proposals to be postponed respectively.	Audited yearly reports don't have to be notarized or authenticated. Tenderer's yearly reports have to be prepared and certified for instance by a certified public accountant or approved in any other procedure set by the regulations of Country of residence of the Tenderer.
3.	Can a group of natural persons engaged in joint activities be considered as a legal advisor as indicated under the subparagraph 8.3.1. (g) (Legal advisor) of the paragraph 8.3 (Team of experts) of the tender documents, respectively, would a joint venture between several natural persons be considered as an expert? In respect to the aforementioned, can CVs of several natural persons be provided as requested in the Annex No. 3? What additional documents would be needed if several CVs (not a CV of a single person) were provided?	For the position of Legal advisor it is required to propose natural person who shall be member of required Team of experts and his qualification according to his submitted CV will be evaluated according to evaluation criteria as set in open competition Regulation.
4.	Can a legal person be considered as a legal advisor as indicated under the subparagraph 8.3.1. (g) (Legal advisor) of the paragraph 8.3 (Team of experts) of the tender documents?	Tenderer can involve or rely on capabilities of another supplier if deems necessary, but for Legal advisor Tenderer must name natural person regardless of type of cooperation.

	What documents should this legal person provide?	
5.	<p>We are contacting you concerning your answer n°1 in letter N° 6.1/2017-25, where you stated: « <u>being engaged in the execution of this contract will not automatically exclude the respective supplier...</u>»</p> <p>Question please: do you mean by "<u>automatically</u>" that:</p> <p>1.it may or may not depending on the circumstances or</p> <p>2.it will not exclude the supplier from future design or engineering services within RB project</p>	It will not exclude the supplier from future design or engineering services within RB Rail AS procurements.
6.	<p>Copy and translation certification in the framework of "Design guidelines for Rail Baltic / Rail Baltica Railway" (procurement identification no.: RBR 2017/1) will be a rather lengthy procedure, which could be avoided by applying an approach that has been used in other recent tenders in Latvia. More specifically, would you, please, allow tenderers to certify all copies and translations with a single document stating the following:</p> <p>---</p> <p><i>DECLARATION OF CONFORMITY</i></p> <p><i>we, the undersigned, hereby declare that all copies and translations included in this proposal, which we submit for the open competition "Design guidelines for Rail Baltic / Rail Baltica Railway" (procurement identification no.: RBR 2017/1), organized by joint-stock company RB Rail AS, registration number: 40103845025, registered address: Gogoļa iela 3, Rīga, LV-1050, Latvija, conform to their original counterparts.</i></p> <p><i>[place and date]</i></p> <p>_____</p> <p><i>/signature/</i></p> <p><i>[name, surname]</i></p> <p><i>[position of the authorized representative]</i></p> <p>---</p> <p>If such an approach is not acceptable for this specific tender, could you, please, approve that</p>	Both of proposed approaches are acceptable if they deliver clear recognition of proposal content.

the following information will be sufficient for certification:

a) for copy certification:

- mention "COPY" (kopija) in the upper right corner of the first page of the copy of the original document;
- mention "TRUE COPY" (kopija pareiza) in the lower right corner of the last page of the copy of the original document;
- mention of place and date of signature, placed below mention "TRUE COPY";
- name, surname, position and signature of the authorized representative of the tenderer, placed below mention mention of place and date of signature;

b) for translation certification:

- mention "TRANSLATED FROM X LANGUAGE INTO Y LANGUAGE" (tulkots no x valodas y valodā) in the upper right corner of the first page of the translation of the document;
- mention "TRANSLATION CORRECT" (tulkojums pareizs) in the lower right corner of the last page of the translation of the document;
- mention of place and date of signature, placed below mention "TRANSLATION CORRECT";
- name, surname, position and signature of the authorized representative of the tenderer, placed below mention mention of place and date of signature.

Procurement commission  
chairman



Aigars Kivliņš