

Riga, 10 March 2017
No 6.1/2017- 81

**Answers to the questions from the interested suppliers
in open competition "Study on Rail Baltic/Rail Baltica section
"Polish / Lithuanian state border – Kaunas – RRT Palemonas" upgrade", id. No RBR 2017/2**

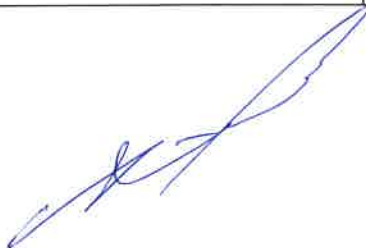
RB Rail AS presents the following answer to the question received until 10 March, 2017 from the interested suppliers:

No	Question	Answer
1.	In the chapter "2.1 Related projects – completed, ongoing and planned" of the Technical Specification (ToR) project which should be considered, reviewed or analysed are listed. Please confirm that the completed project will be available to the Consultant also in editable digital version (design in .dwg or similar format, documentation in .doc format, etc.).	Contracting Authority is not in a position to confirm this.
2.	Please confirm that the existing track alignment (horizontal and vertical) will be available to the Consultant in digital and editable version together with associated georeferenced geodetic bases (conventional maps, ortophoto maps).	Contracting Authority is not in a position to confirm this.
3.	Please confirm that the new track alignment (horizontal and vertical) prepared by AECOM in 2011 will be available to the Consultant in digital and editable version together with associated georeferenced geodetic bases (conventional maps, ortophoto maps).	Contracting Authority is not in a position to confirm this.
4.	Please confirm that the Contracting authority will provide required 3D terrain model in the area of the existing railway line and the proposed new line (prepared by AECOM in 2011).	Contracting Authority is not in a position to confirm this.
5.	Please confirm that the Contracting authority will provide necessary special plans in digital form covering the area of the existing and new line.	Contracting Authority is not in a position to confirm this.
6.	Please explain what kind of computer simulations Contracting authority consider as appropriate while preparing the proposal for elimination of the bottlenecks within the track crossings and intersections.	Computer simulations shall include train traffic and railway capacity analysis. Proposals regarding the elimination of bottlenecks shall be confirmed by the results of appropriate computer simulations.

7.	The timetable for which year will be considered relevant for the calculation of the track capacity.	The period for calculation of track capacity shall cover entire project life-cycle, i.e. 30 years, as it is specified in Section 3.3 in Technical specification.
8.	Please confirm that the Contracting authority will provide the time table for the existing railway line in editable version.	Contracting Authority is not in a position to confirm this.
9.	In Tender documents Chapter 6, point 6.1.3 stated that: "copies of the documents for the Security as requested in Section Error! Reference source not found. of this Regulation, including the copy of the payment certificate for the insurance premium (unbound originals in one copy to be attached to the Proposal);" Please clarify which copy of payment certificate for the <u>insurance</u> premium you need. Also please confirm, that you need original <u>just</u> of Security attached unbound to the proposal.	If the bid security is submitted in form of insurance policy then the payment certificate for the insurance premium, that proves that payment is done, must be submitted. Contracting authority confirms that documents for the Security must be attached unbound to the proposal. Please note that according to Clause 12.2. "if the Tenderer submits document derivatives, then in case of doubt about the authenticity of the submitted document derivation the procurement commission can demand that the Tenderer shows the original documents.
10.	Please clarify if Kaunas railway bypass Jiesia-Rokai-Palemonas should be included in to the scope of the study?	Yes, section Jiesia – Rokai – Palemonas shall be included in the scope of the study.
11.	Please list the companies which are not allowed to participate at the tender because of a conflict of interest.	It is up to Tenderer's obligation to avoid situations of conflict of interest. Contracting authority is not in possession of such list.
12.	Please confirm that the proposal on which company who participated before in design/study/construction/supervision services on this section, is nominated as subcontractor will be rejected due to the conflict of interest as per point 16.2.1 of the tender	This is subject to be evaluated by procurement commission during the process of proposal assessment if such case occurs.
13.	Liability: the Contract contains, with the exception of default interest (10.2) and termination penalty (10.3), an unlimited liability for the Contractor, which is quite uncommon for European Tenders. Usually the Tenders stipulate at least a limitation of the liability to the contractual fee and/or in regards to gross negligence and willful misconduct. Does the Customer foresees any common limitation, e.g. to the contractual fee? Please clarify.	For the default interests and termination penalty limitation of liability is 10 % of the contract value. There is no limitation of liability in other cases.
14.	Please clarify if Tenderer can rely on professional experience of his Sub-contractors i.e. will professional	Tenderer can rely on professional experience of its sub-contractors. Please

	experience of Sub-contractors be taken into account during evaluation process?	refer to the Clause 11.5 of Procurement regulation.
15.	Please confirm that the Design guidelines which will be the result of the published tender "Design guidelines for Rail Baltic I Rail Baltica Railway" (identification No: RBR 2017/1), will not influence in any way implementation of this tender.	As stated in Section 2.1 the results of study "Design guidelines for Rail Baltic I Rail Baltica Railway" shall be taken in consideration during the preparation of the study No RBR 2017/2.
16.	Please, could you confirm that, in case of a group of suppliers, the leader can present a consolidated invoice of the suppliers and then the client would pay separately the suppliers on different bank accounts?	All payments shall be handled according to procedures set out by contract.

Procurement commission
chairman



Aigars Kivliņš