

ANSWERS TO THE QUESTIONS FROM SUPPLIERS
regarding published procurement procedure (ID No EDZL 2021/6 CEF)

„RAIL BALTICA MAINLINE CONSTRUCTION IN LATVIA”

	Supplier's questions	Answer
1.	How far is the procedure with land acquisitions for the construction works?	The land acquisition process has started all over the mainline in Latvia. The progress of the acquisition process depends on the progress of technical designs. Construction works will be phased and phases are conditional. One of preconditions to start construction works is land acquired by the Client (EDZL). For committed phases, where the construction works will start by signature of construction contract, land will be available.
2.	Is there any restriction for the nationality of the bidder/candidate?	Question is on the investigation process with the competent state authorities of Latvia. Initial vision - there could not be restrictions from the Public Procurement Law point of view. But there could be restrictions from the national security regulations point of view. The information will be published in the Electronic Procurement System, when answering a similar question already submitted.
3.	What will be the technical qualification criteria for joint venture participation?	The joint venture shall fulfil all requirements of the procurement procedure. For example, turnover requirement can be achieved by summing up the turnovers of the participants of the joint venture.
4.	When do the full 220 km need to be completed?	Basing on main principle that the construction works will be phased and phases are conditional, it is hard to predict exact end date of the construction works. According to the EU TEN-T transportation network completion plans the project should be completed on 2030 (to be finalized Rail Baltica project in whole Latvia and be ready

		to be operated for passenger and commercial purposes).
5.	To fulfil the 100 km civils and track works requirements (Sub-Clause 3.3.1 a), is it valid to bring a reference project where we have been involved as a partner of the main contractor consortium (as long as this project is over 100 km), or do we need to be the leader of this consortium or justify a minimum share in this consortium to fulfil the requirements?	Yes, works executed within a partnership will be valid if the works are compliant with the requirements of the procurement procedure. The Candidate is entitled to refer to the experience acquired in the execution of the construction works in the composition of a consortium, if he can objectively prove that he has been actively participated in the management of the consortium regarding the execution of the relevant works and /or execution of the relevant works specified for attesting the experience in the composition of the consortium.
6.	What is status of the procurement of FIDIC Engineer?	The procurement procedure will be announced in the end of 2021.
7.	If the final completion certificate of our reference project is not available, is it ok to submit as alternative documentation a copy of the consortium agreement stating the nature of the works undertaken by our consortium, and a proof of operation of the line?	According to Regulations for the Selection of Candidates all objects on which Candidate refers shall be completed by issuing completion certificate from the respective client. If some parts/sections from a bigger project is accepted by the respective client, those parts/sections can be used as references to prove compliance with the requirements.
8.	To fulfil the financial criteria, especially the equity and liquidity ratio (Sub-Clause 3.5.2), is it valid if only the leader (or at least one participant) of the consortium fulfil the requirements?	According to procurement Regulations for the Selection of Candidates the requirements regarding the positive equity and liquidity ratio must be fulfilled by those members of a partnership or an association of persons, on whose capabilities the partnership or the association of persons relies to fulfil the financial requirements.
9.	Can you comment on the indexation and explain how will it work – when the prices on main materials significantly increase during such a long period of time as 8 years allocated for this construction project? What will be the reference point for price indexation? I wonder if those will be London Stock Exchange prices?	It is planned to use indexation based on the indexes published by Ministry of Economics of the Republic of Latvia and Central Statistical Bureau of Latvia. The mentioned indexation is defined by type of building/infrastructure and it gives price indexation for three main resources – manpower, material and equipment. Base date for indexation will be submission date (quarter) of the tenderer’s proposal.

10.	Could you kindly provide if supplier may use partially completed project which satisfies the requirement?	Please see answer No 7.
11.	You mentioned that the rail and sleeper installation is included in the contract. What about the ballast installation?	Yes, the ballast installation works are included in the scope of this procurement. Delivery of ballast material is a part of the consolidate procurement of construction materials and will be supplied by the Employer.
12.	Could a reference also be fulfilled by a nominated subcontractor – not a JV member?	According to Regulations for the Selection of Candidates works on which the Candidate refers shall be obtained in the position of the Main contractor. The Candidate can rely on the capabilities of the subcontractor.
13.	Regarding high-speed: Traffic Code P2 tells about minimum 200 km/h. Should we interpret fulfilment requirements as execution previous works for velocity above 200 km/h or equal and above 200 km/h and more?	Answer is given by the Commission Regulation (EU) No. 1299/2014. Regulations for the Selection of Candidates sets a minimum requirement, and the Candidate is entitled to refer also to the high-speed TSI compliant double-track railway line, the speed of which exceeds the speed requirements of the traffic code P2, in order to attest his conformity. Accordingly, the speed of the high-speed TSI compliant double-track railway line must be at least 200 km/h or more. At the same time, the Contracting Authority draws attention that the double-track railway line indicated by the Candidate must meet also at least all the other requirements of the traffic code P2.
14.	Except Riga station and Airport station are other large concrete works in the project?	The scope of mainline construction works includes large amounts of concrete works. Also, concrete works will be included in the scope of mainlines construction works in Riga city section, which is not a part of this procurement.
15.	Please, can you develop a bit more the bonus system in relation with ECI? Developing innovative & best value solutions have a cost for the contractor.	It is expected that “bonus” will be based on the difference between cost of re-design and re-expertise and savings achieved by the proposed solution from the Contractor. Mechanism, calculation formula and legal formulation is in the evaluation process and information will be given in the

		documentation of second stage of procurement procedure.
16.	To fulfil the 100 km civil and track works requirements (Sub-Clause 3.3.1 a), is it valid to bring a reference project as nominated subcontractor?	Please see answer No 12.
17.	Regarding Sub-Clause 3.3.5 the Candidate shall be entitled to rely on capabilities of other person regardless of the legal nature of their mutual relations. By other persons you mean just only civil person or we can also rely on capabilities of third-party employee?	There are not any restrictions in Regulations for the Selection of Candidates to rely on legal or natural person, regardless your mutual relations.
18.	For a specialized subcontractor who is willing to work with the potential tenderers during the tender to offer the best solutions and help to optimize the project costs (as a subcontractor, not to participate in the tender directly), what's the best way to know or meet potential tenderers? After the stage 1, will the list of qualified tenderers be announced somewhere officially?	During the first stage of procurement procedure all the names of the companies of Candidates will be public after the opening of Applications. Also, at the end of the procurement procedure all participant companies' and winner company's name will be published.
19.	Please clarify if the following situation is compliant, in terms of time frame, with the requirements stipulated in Sub-Clause 3.3.1 a): The Candidate has one (1) contract for a double-track railway line with a total length more than 100 km and the Candidate has performed works for this contract in two continuous double-track railway lots (Lot1 + Lot2) with a date of completion of the final lot (Lot2) performed within the last seven (7) years.	Similar question is received also in the Electronic Procurement System of Latvia and after evaluation the answer will be published in the Electronic Procurement System.
20.	At Stage 2 of procurement, will it be permitted to submit proposal variants (for example, alternative structural design for the Daugava river viaduct), whilst keeping the same alignment?	It will not be allowed to offer alternative solutions during procurement stage, but it is expected from the mainline construction work contractor to bring alternative solutions in Early Contractor Involvement (ECI) stage. The discussion is ongoing to share CAPEX saving with construction contractor based on value of the economical improvement of constructions.

21.	<p>Could you identify what materials will not be included in the contracts, as AS RB Rail implements a lot of separate tenders for materials, for example, fences, rails, sleepers, ballast.</p> <p>How the terms of those tenders will be coordinated with the next stages of this tender?</p>	<p>For the information on consolidate materials please follow information published on the Rail Baltica project homepage www.railbaltica.org.</p> <p>Information about consolidated materials supply – technical requirements and contract conditions will be included in contract and second stage of procurement for construction of mainline in Latvia.</p>
22.	<p>Is it already clear how many technical & economical rounds of proposals will be required before awarding?</p>	<p>This is a two-stage procurement procedure: First stage – qualification is ongoing; Second stage – submission of financial and technical proposals.</p> <p>Negotiations are optional and can be used or not used depending on the decision of the Procurement Commission.</p>
23.	<p>When will be announced requirements for the supervision tender?</p> <p>Will this tender be organised in 2 stages (qualification & financial)?</p>	<p>The procurement procedure will be announced in the end of 2021.</p> <p>It will be two stage procurement with: First stage – qualification; Second stage – submission of financial and technical proposals.</p>
25.	<p>Could a company not qualified in the first phase join a qualified company and jointly submit proposal?</p>	<p>The composition of the Candidate cannot be changed during the procurement procedure.</p>
26.	<p>Could we provide our written questions in English only?</p>	<p>According to Regulations for the Selection of Candidates questions must be submitted in both languages, also in Latvian.</p>
27.	<p>Can we prequalified individually and then find a partnership to form a JV?</p>	<p>Please see answer No 25.</p>
28.	<p>Is there a maximum number of companies which will be prequalified and will pass to the phase 2?</p>	<p>No, the limitations are not set.</p>
29.	<p>Is submission of translation of the Application into Latvian mandatory?</p>	<p>Yes, according to Regulations for the Selection of Candidates the Application must be prepared in English, attaching a translation of the Application into Latvian.</p>
30.	<p>Will there be a tender for heavy machinery rental separately like materials or it will be contained in general tender?</p>	<p>No, at the moment there is not a plan for tendering the heavy machinery rental services separately.</p>
31.	<p>What is the relative weight between price and technical criteria in the scoring of the Stage Two proposals?</p>	<p>Requirements are still on evaluation and will be set in Stage Two of the procurement procedure.</p>

32.	Does somebody made an analysis in Latvia, will there be sufficient amount of materials (mineral materials) in Latvia or nearest territories?	Yes, there have been several studies prepared by RB Rail AS. For some materials there are sufficient amounts available in the territory of Latvia but some of materials should be imported.
33.	Please clarify if the following situation is compliant with the requirements stipulated in Sub-Clause 3.3.1 a): Project references for Civil Works and Track Works from different contracts.	Please submit this question in the Electronic Procurement System, after evaluation the answer will be published in the Electronic Procurement System.
34.	Can the BIM requirement be fulfilled by a subcontractor?	Yes, according to Regulations for the Selection of Candidates the Candidate can rely on other person's (including subcontractor's) capabilities.
35.	Will you answer to all questions submitted before 28 th January 2022, or there is a previous deadline for this?	According to the Regulations for the Selection of Candidates and the Public Procurement Law of Latvia all questions must be answered 6 (<i>six</i>) days before the deadline for the submission of Applications. Taking into account the above-mentioned, the interested suppliers have to ask their questions in timely manner.

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