

Riga

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Our Ref: 1.13p/LV-2024-205

Electronic Procurement System

***An answer to the questions from the interested supplier
In the open competition "Recruitment services – in the Baltic States
(Latvia, Lithuania, Estonia)",
Identification number, RBR 2024/4***

RB Rail AS presents following answer to the questions received from the interested supplier until 10th June 2024:

No	Question	Answer
1.	Regarding the point 8.4.3. we need to provide an information regarding our representation in all 3 Baltic countries. If we do not have a plan to include one of the representative company in a partnership agreement, is it still could be our representative in that country? If yes, is there any additional information needed to prove that we have a cooperation with the company for these and other services?	<p>The Procurement commission informs that to fulfill the requirements stipulated in the Section 8.4.3 of the Regulations, it is not obliged to include a cross-border cooperation partner (representative) as a member of the partnership. The Procurement commission would like to point out that the purpose of the relevant requirement is not to formally verify the Tenderer's cross-border cooperation. The identified cooperation partners (representatives) will play an active role during the execution of the Procurement Contract.</p> <p>In compliance with the above and depending on the planned goal of cooperation, the Tenderer can choose the following forms of cooperation, for example:</p> <ol style="list-style-type: none"> 1) identify the cooperation person as the person on whose capabilities the Tenderer relies (please pay attention to Section 9 of the regulations); 2) engage a cooperation partner as a subcontractor (please pay attention to Section 10 of the regulations). <p>At the same time, the Procurement commission asks to pay attention to Section 8.2 of the Regulations, i.e. formal aspects and documents to be submitted.</p>

2.	The question is related to the procurement regulations paragraph 8.4.4 and its subparagraph b) 3). Can a construction manager and a construction project manager be considered as a "management level" position?	The Procurement commission informs that it is not entitled to give specific answers/instructions to an interested supplier in the process of preparing its proposal regarding the compliance/non-compliance of the candidates with the relevant requirements of the Regulations. When preparing a proposal, it is the interested supplier's (tenderer's) responsibility to demonstrate why Construction Manager and Project Manager are equivalent to the "management level" position, and therefore complies the subparagraph b) 3) of Section 8.4.4. The Procurement commission points out that although the Regulations do not include the definition of "management level position" the industry practice is to classify the levels of management in following 3 categories – top level, middle level, and low or supervisory level managers. In compliance with the above, when the interested supplier fill out Annex No 5 of the Regulations, the Procurement commission asks to include clear indications about the provided services (recruitment project(s)) what characterize required experience, stated in Section 8.4.4. of the Regulations.
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Sincerely,

Procurement commission chairperson / Secretary

I. Zuļķe

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