

Rīga, 16 January 2018

No 6.1/2018-24

**Answers to the questions from the interested suppliers  
in open competition "Risk management framework" ID. No RBR 2017/24**

RB Rail AS presents the following answers to the questions received until 9 January 2017 from the interested suppliers:

No	Questions	Answers
1.	<p>According to the tender regulation Section 6, "Tenderer" it is implied that proposal can be submitted only by:</p> <ul style="list-style-type: none"> <li>• Supplier</li> <li>• A group of suppliers</li> </ul> <p>However, is it possible, that the proposal is technically submitted by "person on whose abilities Tenderer relies"? The actual Tendered would have prepared all the documents and would comply to all the criteria, but the technical input and submitting in the E-tender system would be done by "person on whose abilities Tenderer relies" and who is registered and familiar with the E-Tender system.</p> <p>Example: Tenderer would be company domiciled outside Latvia and not registered in the E-Tender system. As registration of Tenderer in E-Tender system is not possible for whatever reason, in order to take part in the open competition, Tenderer would ask company registered in Latvia, acting on behalf/according to agreement with Tenderer, to upload all the documents in the E-Tender system and submit them.</p>	<p>Tender can be submitted by any authorized person. According to the Clause 13.8., the Proposal must be signed by a person who is legally representing the Tenderer or is authorized to represent the Tenderer in this open competition procedure.</p> <p>The Tenderer must submit a document confirming the right of signature (representation) of the representative of the Tenderer, or a member of a partnership, or a person on whose abilities a Tenderer relies, who signs the proposal. For a Tenderer which is a legal person (or a member of a partnership), a person on whose abilities a Tenderer relies, registered in Latvia the Contracting authority shall verify the information itself in publicly available databases.</p>
2.	<p>According to Section 13, "Contents and form of proposal" point 13.9. it is implied, that Proposal document should be submitted in electronic form and that assumption is supported also in Section 15 "Submission of a proposal". However, points 13.4. and 13.6. of Section 13 states, that paper format documents – signed and bound paper copy and original, and USB with digital documents should be submitted. Do I understand correctly,</p>	<p>Procurement commission informs that Clauses 13.4, 13.6 are in conflict with the provisions of Clauses 15.1, 15.3 and there have been made amendments in the Regulations, excluding Clauses 13.4 and 13.6 from Regulations, as Clauses 13.4 and 13.6. are in self-evident conflict with Regulations (Section 1.,3.,4. of Regulations), which indicates that proposals shall be submitted electronically using the tools offered by</p>

that Proposal shall be submitted both in E-Tender system and in actual physical (paper and USB) format (according to pt.13.4-13.6) but only proposals that are submitted via E-Tender system will qualify?	the E-Tenderers system available at <a href="http://www.eis.gov.lv">http://www.eis.gov.lv</a> .
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Procurement commission chairman



Mārtiņš Blaus