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Our Ref: 1.13p/LV-2021-174

***Answers to questions from the interested suppliers
in open competition "Assessment Body (AsBo)
services for Rail Baltica Global Project",
identification number RBR 2021/3***

RB Rail AS presents following answers to the questions received from the interested suppliers until 30 April 2021:

Nr.	Questions	Answers
1.	The question relates to the INF subsystem. Per Design section, we understand that a single Design contractor (the General Consultant as per Table 2 p.29 of the Technical Specification) and several construction contractors could be contracted. Could you confirm that the General Consultant will be in charge of the safety management for the section for both Design & Construction stage?	The Procurement commission cannot confirm that general design consultant will be in charge of the safety management for both design and construction stages. Assumption shall be taken that both design consultant and construction contractor will be involved in the delivery of the safety management.
2.	Could you detail your expectations regarding the AsBo assessment of the test train? We understand that the assessment of the Rolling Stock itself and the onboard CCS are out of scope as well as the assessment of the capacity of the train to perform tests (i.e. configuration and equipment of the train for test performance). Could you confirm ?	The Procurement commission explains that AsBo for the test train shall be involved in the evaluation of risk assessment and safety evidence delivered as part of the setting-up of the dynamic test session. The Procurement commission cannot confirm your understanding. AsBo evaluation shall consist in delivering a judgement on the suitability of risk management, risk identification, and risk control applied to the test train configuration and test train environment. Refer to Technical Specification 4.4.2, 4.5.1.3, 6.7.5.
3.	The question relates to the ISA assessment of electrical, electronical or programmable electronic safety related systems implemented as part of the ENE subsystem. Could you confirm this assessment is to be priced with an hourly rate only under "UNDEFINIED SCOPE VARIATIONS"	The Procurement commission indicates that this ISA assessment of electrical, electronical, or programmable electronic safety related systems is to be priced as part of respective ENE Work packages.

	(VARIATIONS)" ? (no specific work package for such service).	
4.	The question relates to the ISA assessment of electrical, electronical or programmable electronic safety related systems implemented as part of the ENE subsystem. If this activity has to be priced under a specific ENE work package (to be specified), please confirm that it does not cover equipment that are not listed in the technical specification such as detectors, sensors, etc.	The Procurement commission clarifies that any electrical, electronical or programmable electronic safety related equipment part of ENE system shall be included in respective ENE Work Packages activities.
5.	The question relates to the Operating section. Could you confirm that WP 4.1, 4.3 and 4.5 is per operating section? Could you detail the expected content of WP 4.2, 4.4 and 4.6 "Additional safe integration stage for commissioned operating sections"? Is the WP per operating section as well?	The Procurement commission confirms that WP 4.1, 4.3 and 4.5 is per operating section and will be applied for activities undertaken by AsBo as part of the evaluation of 1 st integrated operating section. WP 4.2, 4.4 and 4.6 "Additional safe integration stage for commissioned operating sections" will be applied for activities undertaken by AsBo for each single operating section integrated separately from 1 st operating section. Please refer to definition of Operating section" provided as part of Technical Specification.
6.	The question relates to the Operating section. How many operating sections do you plan?	At the moment there is no information available about planning of numbers of operating sections.
7.	The question relates to the Building Permit. Could you detail the number of building permit that will be requested for each DPS?	Mainline Design Priority Sections and Local Facilities could have different number of Building Permits (BP). In accordance of current approach all Building Permits included in relevant DPS or LF(Local Facility) will be covered by single specific AsBo risk assessment report. In selected special cases some BPs or construction objects could be evaluated separately. In this case Generic price for evaluation of separated structure (e.g., railway bridge) at Design Stage (see Clause 1.6.5. of Annex 4) shall be applied.
8.	What kind of Assessment is expected for Regional stops/stations? Could you confirm that the price is to be given for 1 regional stop/station?	AsBo shall evaluate Regional stops/stations and form / report its judgement on suitability of application of CSM along design construction and integration stages. The price shall be given for the whole package taking into account provided list of objects (please refer to Annex No2 "INDICATIVE CHARACTERISTICS OF DESIGN SECTIONS: expected numbers of constituents and components of the railway infrastructure"). During

		assignment of selected object offered price will be divided into parts proportionally.
9.	Is it possible to have several Lead QMS?	The supplier can envisage several Lead Assessors for Quality management as well as other experts based on their experience and scope of services required in the Regulations Annex 1 "Technical Specification". The Procurement commission expects that number of the proposed experts will be indicated in the Financial proposal and justified suitability of the proposed organisation as part of the Technical Proposal, "A3-Organisation" part.
10.	Please according to the answer to question 7 (Answers_Nº_4) it which it is stated that the Principal shall pay for the Services provided in the Republic of Latvia, the Implementing Body in Estonia shall pay for the Services provided in the Republic of Estonia and the Implementing Body in Lithuania shall pay for the Services provided in the Republic of Lithuania. Please confirm if invoice shall be also submitted to the Principal for the Services provided in the Republic of Latvia, to the Implementing Body in Estonia for the Services provided in the Republic of Estonia or to the Implementing Body in Lithuania for the Services provided in the Republic of Lithuania. If not please clarify.	Please note that all draft invoices shall be delivered to the Principal. If draft invoice is confirmed, AsBo shall submit invoice to the Principal or to the respective Implementing Body if applicable.
11.	Would it be possible to provide a master program draft in this phase in order to make a preliminary planning in the tender phase? If this is not possible, Could Rail Baltica indicate how far in advance during the development of the works it will inform of the work packages time schedule and the delivery dates.	The Procurement commission cannot provide a master program for full Rail Baltica Global Project in the tender phase. Schedule for design stages of the mainlines and local facilities could be provided during inception phase. Planning data will be provided approximately for 1.5 – 2 years in advance.
12.	Appendix 1 to Annex 4 - Work Packages and Financial Proposal 20210322 Appendix 1 to Annex 4 - Work Packages and Financial Proposal 20210322 With reference to: 1) Worksheet named "Total contract price", #REF! errors occur for both cell number C70 and C71. 2) Worksheet named "EE Design Sections Pricelist", cell J50 doesn't count cell J49. 3) Worksheet named "LV Design Sections Pricelist" column J60 sums only J56 and J59, but it does not count J57 and J58 4) Worksheet named "LT Design Sections	For your convenience the Procurement commission has corrected formulas in the Appendix 1 to Annex 4 - Work Packages and Financial Proposal. Please refer to the excel file "Appendix 1 to Annex 4 - Work Packages and Financial Proposal" attached to this letter. In addition, the Procurement commission explains the following: 1) Regarding your 1 st comment: table "Compliance with deliverables pricing requirements" is developed to help the Tenderer to check price compliance with the requirements of Clause 2.2. of

	<p>Pricelist", cell J69 sums only J65 and J68 but it does not count J66 and J67. Cell J74 sums only J70 and J73 but it does not count J71 and J72. Cell J79 sums only J75 and J78 but it does not count J76 and J77. Cell J84 sums only J80 and J83 but it does not count J81 and J82. We kindly ask for a revised worksheet.</p>	<p>Annex No 4 "WORK PACKAGES & PRICING REQUIREMENTS". It should calculate price weight of the respective deliverables indicated in your Financial proposal.</p> <p>2) Regarding your 2nd comment: cell J49 not counted on purpose, because assessment of additional safe integration sections shall be out of scope of the General price of the Contract (refer to Clause 3.2 of Annex No 4). Similar exclusion was made in calculation formulas used for LT and LV Design Sections Pricelist pages.</p> <p>3) Regarding your 3rd and 4th comments: in all cases (EE Design Sections, LV Design Sections, LT Design Sections, Local Facilities) total cost (excl. VAT) for Design Priority Section or total cost (excl. VAT) for local facility shall summarize all included work packages of according Design Priority Section or Local Facility.</p> <p>In case some formulas still not correct we kindly ask you to adjust them individually considering Procurement commission's explanation mentioned above.</p>
13.	<p>The lead and additional experts that appear in Table 3 and 4 in the document "AsBo Procurement Technical Specification RBR 20213" do not match 100% with the profiles that appear in "Appendix 1 of Annex 4 – Work Packages and Financial Proposal 20210322", "Detailed calculation of WP". Please confirm if it is a mistake in the calculation sheet.</p>	<p>Please refer to Procurement commission letter 30 April 2021, No 1.13p/LV-2021-173, particularly, Procurement Commission response to question No 9).</p>
14.	<p>Regarding "Appendix 1 of Annex 4 – Work Packages and Financial Proposal 20210322". Please clarify it is necessary to break down each work package price according to the table in the tab "Detailed calculation of WP" and if it is mandatory to send this breakdown in the financial proposal.</p>	<p>Hereby the Procurement commission confirms that it is necessary to break down each work package price according to the table in the tab "Detailed calculation of WP" and it is mandatory to send this breakdown in the financial proposal. Please note that AsBo may provide own templates to describe detailed calculation for deliverables, but it shall contain at least requirements indicated in Table 1(Annex 4 to the Technical specification).</p>
15.	<p>We have started to complete the excel worksheet "Appendix 1 to Annex 4 - Work Packages and Financial Proposal". We note that on the tab "Total Contract Price" there are some incorrect references (see cell C70 and C71). The incorrect reference appears in the formula for the cell. Rather than try to correct ourselves and potentially make a mistake,</p>	<p>Please refer to the answer on question No. 12.</p>

	could Rail Baltica please provide a corrected version of this document?	
16.	In 'Appendix 1 to Annex 4 - Work Packages and Financial proposal 20210322', sheet 'total contract price', there is a table with requirements regarding Compliance with deliverables pricing requirements. The price weights cannot exceed the percentages in this table. These percentages add up to 100%, meaning the percentages have to be met exactly in order to comply with this requirement. This makes it nearly impossible to create realistic detailed calculations while still fulfilling this requirement. Is Rail Baltica willing to change these percentages into bandwidths (e.g. 30 - 40%) or increase the maximum percentages so they will add up to more than exactly 100%, enabling the Tenderers to comply with this requirement while still being able to draft realistic detailed calculation instead of having to reverse-engineer them according to the current percentages?	The Procurement commission explains that Deliverables pricing requirements stated in Clause 2.2 of the Annex No 4 of the Technical specification were developed in order to specify cash flow of the contract implementation regarding split of General price. The Tenderer can variate split of price percentage between deliverables combined into groups, but the total price weight for each such group of deliverables remains unchanged.
17.	In the 'WP detailed calculation' sheet in 'Appendix 1 to Annex 4 - Work Packages and Financial Proposal 20210322', the names of the experts are all specified as 'TBD'. Could Rail Baltica please confirm we understand correctly that Rail Baltica wish to discuss this with the winning Tenderer at the start of the project? If not, could Rail Baltica please specify what you expect from the Tenderer in this stage?	In this case TBD means – “to be defined by AsBo”. In “WP detailed calculation” sheet you shall put the names of your experts in accordance with their positions.
18.	In “Answers_No_5”, answer no. 8, Rail Baltica refers to Annex 01 of the Technical Specification (DESIGN GUIDELINES (in force: 04.01.2021)). This document seems to be missing from the dossier. Could Rail Baltica please provide this document to the Tenderers?	The Procurement commission draws your attention that Annex No1 “Design Guidelines” of the Technical Specification is available starting from the day of announcement of the Procurement by providing dedicated online access to the Tenderer after receipt of signed mutual Non-Disclosure Agreement (Annex No10 of the Regulations) following Clause 2.6. and 2.7. of the Regulations.

Enclosed: Excel file “Appendix 1 to Annex 4 - Work Packages and Financial Proposal”.

Sincerely,

Procurement commission chairperson

N.Vjatkina

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