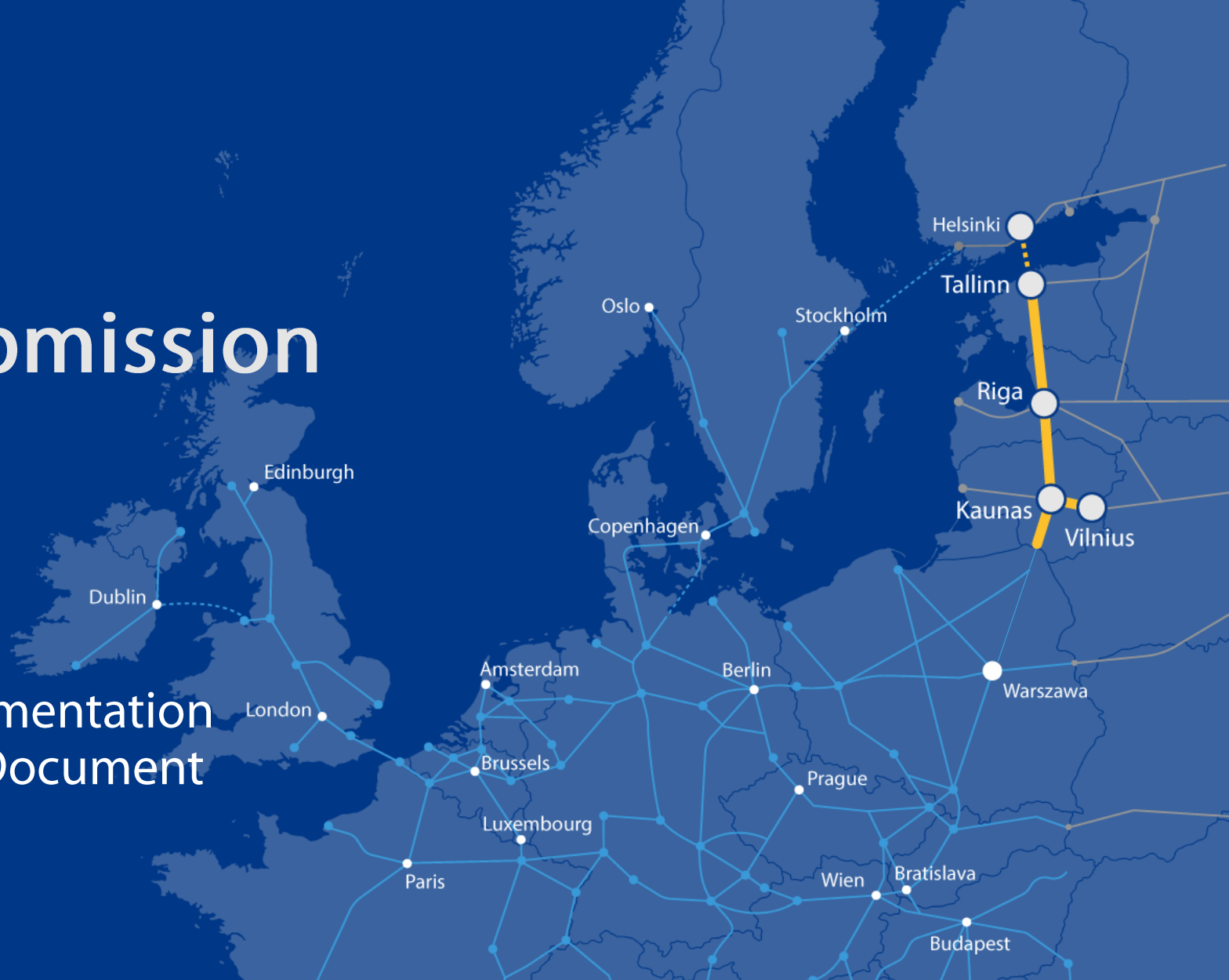




Briefing on the submission of the Application

Procurement of Provision, Implementation
and Customization of Electronic Document
Management System (EDMS),
RBR 2022/12



Co-financed by the Connecting Europe
Facility of the European Union

Agnese Gudrenika, Procurement Specialist, RB Rail AS

Jānis Lukševics, Senior Procurement Specialist, RB Rail AS

19.07.2022

Raitis Bušmanis, Head of Virtual Design and Construction Department, RB Rail AS

- General information;
- Registration in the E-Tenders system (available user manuals);
- Qualification stage Regulations;
- Submission of the Application;
- Q&A

01

Legislative Requirements

- **Public Procurement Law of the Republic of Latvia**
- **Cabinet Regulation No. 107 of the Republic of Latvia**
- Law on Prevention of Conflict of Interest in Activities of Public Officials
- Law on Administrative Liability
- Latest Latvian Court Practices
- (EE and LT Court Practices)
- EU Directives
- European Court of Justice principles
- **Procurement Monitoring Bureau of the Republic of Latvia Practices**

02

Company & Project Rules and Policies

- Contracting Scheme Agreement
- Shareholders Agreement
- Inter-Beneficiary Agreement
- RB Rail AS Statutes
- **Common Procurement Standards and Guidelines**
- **In-house Procurement Regulations:**
 - **Regulations for Organisation of Procurements**
- Regulations on Representation Rights
- Other in-house rules & policies

Procurement Commissions are safeguarded by Legislation, Corporate Governance and applicable practice, de-politicised and empowered to act based on due professional diligence, following the Rail Baltica Global Project requirements.

What we want to ensure?

- Better understanding of the public procurement principles, Rail Baltica project procurement process and requirements;
- Improvement of overall quality of the applications;
- Avoid mistakes in the application process which can lead to unnecessary rejection of the applications.

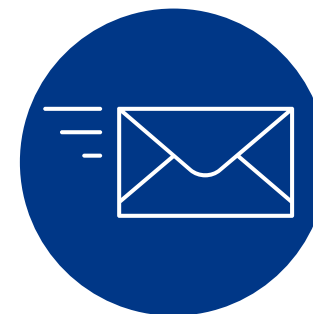
How to achieve this?



Carefully review the regulations
(prepare the checklist of
required documents)

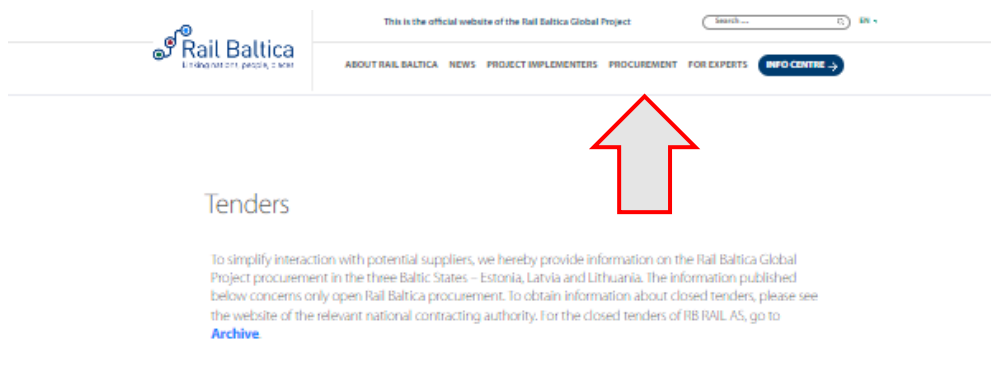


Review all relevant Info on
www.railbaltica.org and E-
tendering system www.eis.gov.lv



If something is not clear -
Submit the question timely

www.railbaltica.org/tenders



This is the official website of the Rail Baltica Global Project

Search ... EN

ABOUT RAIL BALTICA NEWS PROJECT IMPLEMENTERS PROCUREMENT FOR EXPERTS INFO CENTRE

Tenders

To simplify interaction with potential suppliers, we hereby provide information on the Rail Baltica Global Project procurement in the three Baltic States – Estonia, Latvia and Lithuania. The information published below concerns only open Rail Baltica procurement. To obtain information about closed tenders, please see the website of the relevant national contracting authority. For the closed tenders of RB RAIL AS, go to [Archive](#).

Contracting Authority

RB Rail AS	Estonia	Latvia	Lithuania
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RB Rail AS

Procurement ID No.	Title	Announced	Updated	Submission Date	Language
RBR 2022/13	Data center services	29.06.2022	11.07.2022	11.07.2022	
RBR 2022/12	Provision, Implementation and Customization of Electronic Document Management System (EDMS)	27.06.2022	08.07.2022	29.07.2022	

Provision, Implementation and Customization of Electronic Document Management System (EDMS), RBR 2022/12

Announced: 27.06.2022
Updated: 08.07.2022
Submission Date: 29.07.2022

Competitive procedure with negotiation "Provision, Implementation and Customization of Electronic Document Management System (EDMS)", Identification No RBR 2022/12

The Contracting authority joint stock company "RB Rail AS", legal address: Sateklis street 28, Riga LV-1050, Latvia, announces competitive procedure with negotiations "Provision, Implementation and Customization of Electronic Document Management System (EDMS)".

The identification number of this competitive procedure with negotiation is **RBR 2022/12**.

The applicable CPV codes are main CPV code 4831100-2 (Document management system); additional CPV codes: 72200000-7 (Software programming and consultancy services), 80500000-9 (Training services).

Competitive procedure with negotiations and subject matter is co-financed by Connecting Europe Facility (CEF).

Competitive procedure with negotiation is organized in accordance with Public Procurement Law of the Republic of Latvia.

This competitive procedure with negotiation is carried out using E-Tenders system which is subsystem of the Electronic Procurement System (<https://www.railbaltica.org/procurement/e-procurement-system/>).

To apply as a Candidate for this procurement interested supplier has to register in E-Tenders system by submitting Tenderer's Electronic Procurement System registration documents (if the candidate is not registered in Electronic Procurement System) in State Regional Development Agency (please see information here: <http://www.railbaltica.org/procurement/e-procurement-system/>).

Subject matter of competitive procedure with negotiation

The subject-matter of the Competition is provision (including consultations and support) of electronic document management system (EDMS) Software-as-a-service, implementation (configuration, training, consultations, data migration services) and customization services. Subject-matter of this Competition is not divided in parts (lots).

Availability of the documents of the competitive procedure with negotiation

The candidate selection regulation and all its annexes of competitive procedure with negotiation are available at the E-Tenders system in profile of publication in webpage <https://www.railbaltica.org/procurement/94050> and at the Contracting authority's Internet webpage <http://www.railbaltica.org/tenders/> (see section documents of the competitive procedure with negotiation below). Regulation of the competitive procedure with negotiation is available free of charge.

Submission of Applications

Applications shall be submitted electronically using the tools offered by the E-Tenders system available at <https://www.railbaltica.org/procurement/94050> by **29 July 2022 08:15:00** (Riga time).

Only Applications submitted to the E-Tenders system will be accepted and evaluated for participation in the procurement procedure. Any Applications submitted outside the E-Tenders system will be declared as submitted in a non-compliant manner and will not participate in the procurement procedure.

Opening of Applications

The Applications will be opened in the E-Tenders system 29 July 2022 at 15:00 o'clock (Riga time) during the open meeting. It is possible to follow the opening of submitted applications online in the E-Tenders system.

Contact person of the Company

Procurement Specialist – Mrs. Agnese Gudzenika, phone: +371 20218254, e-mail address: agnese.gudzenika@railbaltica.org.

Documents of the Competitive procedure with negotiation (Downloads)

1. Competitive procedure with negotiation "Provision, Implementation and Customization of Electronic Document Management System (EDMS)" candidate selection regulation in English with annexes ([download](#));
2. Answer to question from the interested supplier, 8 July 2022 ([download](#)).

• Where to find the information

<https://www.eis.gov.lv/EKEIS/Supplier>

Elektronisko iepirkumu sistēma

Help A|A|A EN|LV

Procurements Procurement plans

Procurements

Procurement search

Keywords: RB Rail

Publication date: from 01.01.2022 till

Advanced search >

Clear Search

List of published procurement stages

Status	Publication date and identification number	Procurement	Contracting authority	Date	Submission
Bids opened	29.06.2022 RBR 2022/13	Datu centra pakalpojumi	"RB Rail" AS (40103845025)	Submission deadline: 11.07.2022	
Announced	27.06.2022 RBR 2022/12	Provision, Implementation and Customization of Electronic Document Management System (EDMS) Elektroniskās dokumentu vadības sistēmas (EDVS) nodrošināšana, ieviešana un pielāgošana	"RB Rail" AS (40103845025)	Submission deadline: 29.07.2022	
Announced	02.06.2022	Design and design supervision services for the construction of the	"RB Rail" AS (40103845025)	Submission deadline:	

Elektronisko iepirkumu sistēma

Procurements Procurement plans

Procurements > RBR 2022/12 > Basic data

Procurement basic data

Contracting authority

Procurement object

Proposal preparation conditions

Procurement deadlines (1. Procurement stage)

Documents (actuals)

Document type	Number	Date	Name
Commission respond		08.07.2022 20:55	Answer to the question of interested supplier/Atbilde uz ieinteresētā piegādātāja uzdoto jautājumu_1
Procurement documents		27.06.2022 16:25	Regulations (with annexes)/Nolikums (ar pielikumiem)
Procurement documents		27.06.2022 16:25	Iepirkuma priekšmeta (1.posma) prasības, 1.versija

EPS registration procedure

To register into the EPS, the supplier must fill in and submit the following to the State Regional Development Agency (SRDA):

- EPS user's registration form (signed by the supplier's authorised representative);
- Authorisation to act as administrator within the e-tender system in name of the user (signed by the supplier's authorised representative and the administrator to be authorised, meaning that the authorisation must be confirmed by two persons).

SRDA contacts: <http://www.vraa.gov.lv/en/>

Necessary application forms in English language:

[Authorisation of the Administrator Application Form](#)

[Registration Form](#)

Once the forms have been filled, they must be submitted to SRDA. The forms may be submitted either:

- in print;
- electronically, with a secure e-signature [1], by sending the electronic document to the email address: pasts@vraa.gov.lv.

After receiving the registration documents, SRDA registers the organisation as an EPS's member and creates a user with an assigned role supplier administrator. The supplier administrator receives an e-mail with the system's access data – a username, password and a code card.

Detailed manual on how to use the e-tender sub-system can be found [here](#).

General questions on How to use e-tender subsystem can be found [here](#).

Use of European Single Procurement Document (ESPD) in e-tender sub-system can be found [here](#).



The screenshot shows the Rail Baltica website with the 'E-Procurement System' section highlighted. The page header includes the Rail Baltica logo and navigation links: ABOUT RAIL BALTICA, NEWS, PROJECT IMPLEMENTERS, PROCUREMENT (underlined), FOR EXPERTS, and INFO CENTRE. The main content area is titled 'E-Procurement System' and contains text explaining the transition to an electronic procurement system in Latvia. An image of a hand using a tablet with 'PROCUREMENT' on the screen is also visible. A large blue arrow points from the text on the left towards this screenshot.

This is the official website of the Rail Baltica Global Project

Search ... EN

ABOUT RAIL BALTICA NEWS PROJECT IMPLEMENTERS **PROCUREMENT** FOR EXPERTS INFO CENTRE →

E-Procurement System

Due to changes in the Latvian Public Procurement law, all Rail Baltica tender applications administered by RB RAIL AS onwards will be processed using free of charge electronic information system and its sub-system e-tender. The Electronic Procurement System (EPS) is currently an alternative to previous application and proposal submission system in Latvia that will completely replace the previous system of paper proposal submission.

In accordance with Article 39 and Transition provisions of the Public Procurement law of the Republic of Latvia, all contracting authorities registered in Latvia, including RB RAIL AS, as of 1 October 2017, have to ensure submission of electronic applications and proposals for public procurements if the contract value is equal or exceeds 135 000 euros for goods and services and 5 225 000 euros in case of construction tenders.

RB RAIL AS is inviting its potential suppliers to register to EPS in order to access e-tender sub-system and participate in its current and future tenders. To use the e-tender sub-system of EPS, all non-registered users must register to EPS and create user rights to administrate the e-tender subsystem.

The EPS will benefit all involved parties as it will reduce the administrative burden put on both parties as well as the related costs. The system will also shorten the tendering process and will ensure greater transparency. The new

Two registration forms must be submitted to State Regional development agency

To Assign the administrator of the of the Profile

Affirmation from authorized administrator of the E-procurement system participant	
(place)	(date)
By signing this document the E-procurement systems participant	
(name of the E-procurement system participant)	
authorized administrator:	
(Name and Surname of the authorized administrator)	
<ul style="list-style-type: none"> Assumes the responsibility of respecting the terms of use of the e-procurement system, the related documents and legal transaction terms (including the active framework agreement of the e-order subsystem) applicable to each subsystem of the e-procurement system, as well as other relevant requests applicable to participants of the e-procurement system; Agrees upon processing of personal data within the framework of the e-procurement system, which objective is to ensure identification to the system and contact information of users of the e-procurement system; Commits to assure and retain personal data and will refrain from unlawful disclosure of it; Commits to assure that users assigned personal data and refrain from unlawful 	
Contact information of the administrator:	
e-mail	
telephone	
Authorized administrator	(Name and Surname) (Signature)
<p>Note do not fill the "Signature" section if the document is signed electronically using a secure e-signature according to regulations by law.</p>	

Registration of the Company in E-Tender system

Registration form for the participant of the E-procurement system and an authorization for initial administrator	
(place)	(date)
(name of the participant)	
represented by	
<input type="checkbox"/> Member of the Board	<input type="checkbox"/> Chairman of the Board
<input type="checkbox"/> Another legal basis	<input type="checkbox"/> An attorney
<input type="checkbox"/> Procurator	
(indicate other legal basis for representation or held position)	
(Name and Surname of the participant's representative)	
By signing this registration form the participant:	
<ul style="list-style-type: none"> Agrees to join the e-procurement system and obtain the status of participant of the e-procurement system (indicate your user type in the e-procurement system, only one can be selected): 	
<input type="radio"/> Economical operator (micro enterprise)	<input type="radio"/> Economical operator (average enterprise)
<input type="radio"/> Economical operator (small enterprise)	<input type="radio"/> Economical operator (big enterprise)
<input type="radio"/> Contracting authority	
(Contracting authority)	
(locality the Contracting authority relies upon)	
proved with a signature that is legally	
which ensure confirmation the identity of	
the user, the taken actions, the created documents and the transactions done within the e-procurement system and its subsystems;	
<ul style="list-style-type: none"> Undertakes to respect the terms of use of the e-procurement system, the related documents and legal transaction terms (including the active framework agreement of the e-order subsystem) applicable to each subsystem of e-procurement system, as well as other relevant requirements applicable to users of the e-procurement system; 	
<ul style="list-style-type: none"> Authorizes as an participant's initial administrator 	
(Name and Surname of administrator)	

Electronically signed and sent to email address: pasts@vraa.gov.lv

- 1) Please register as soon as possible;
- 2) Please specify in registration form e-mail address where incoming mails are checked regularly and check also spam folder before your registration is approved.
- 3) If you have any problems with registration or any other questions regarding EPS and E-Tenders subsystem, please contact:



- e-orders
- e-auctions
- e-tenders
- e-certificates

[Help](#)
[A](#)
[A](#)
[A](#)
[EN](#)
[LV](#)

Elektronisko Iepirkumu Sistēma

[Statistics](#)

[View of publication](#)

[Publications](#)

[Contacts](#)

[Registration information](#)

26.02.2018

How to contact the Electronic Procurement Department of the State Regional Development Agency

Support Center for the Electronic Procurement System

 eis@vraa.gov.lv

 66155511

Correspondence Address

 pasts@vraa.gov.lv

Location of the provider of the electronic procurement system

 Alberta iela 10,
Rīga, LV-1010

Advice on the Electronic Procurement System can be obtained

Monday	08:30-16:30
Tuesday	08:30-16:30
Wednesday	08:30-16:30
Thursday	08:30-16:30
Friday	08:30-16:30

To the Users of the Electronic Procurement System

In order to receive an answer to your questions promptly, please consult the employees of the Department of Electronic Procurement and, by writing an email, choose an employee who has competence in your question or by calling the support center phone, select the relevant topic of the conversation from the entry instructions.

If you have any problems with registration in EPS and E-Tenders subsystem, you may contact directly to:

Senior Consultant

Zigurds Drafens

zigurds.drafens@vraa.gov.lv

tel. +371 67509520

Advice on joining the e-Procurement system and updating
user access data

Most frequent questions regarding registration of group of suppliers:

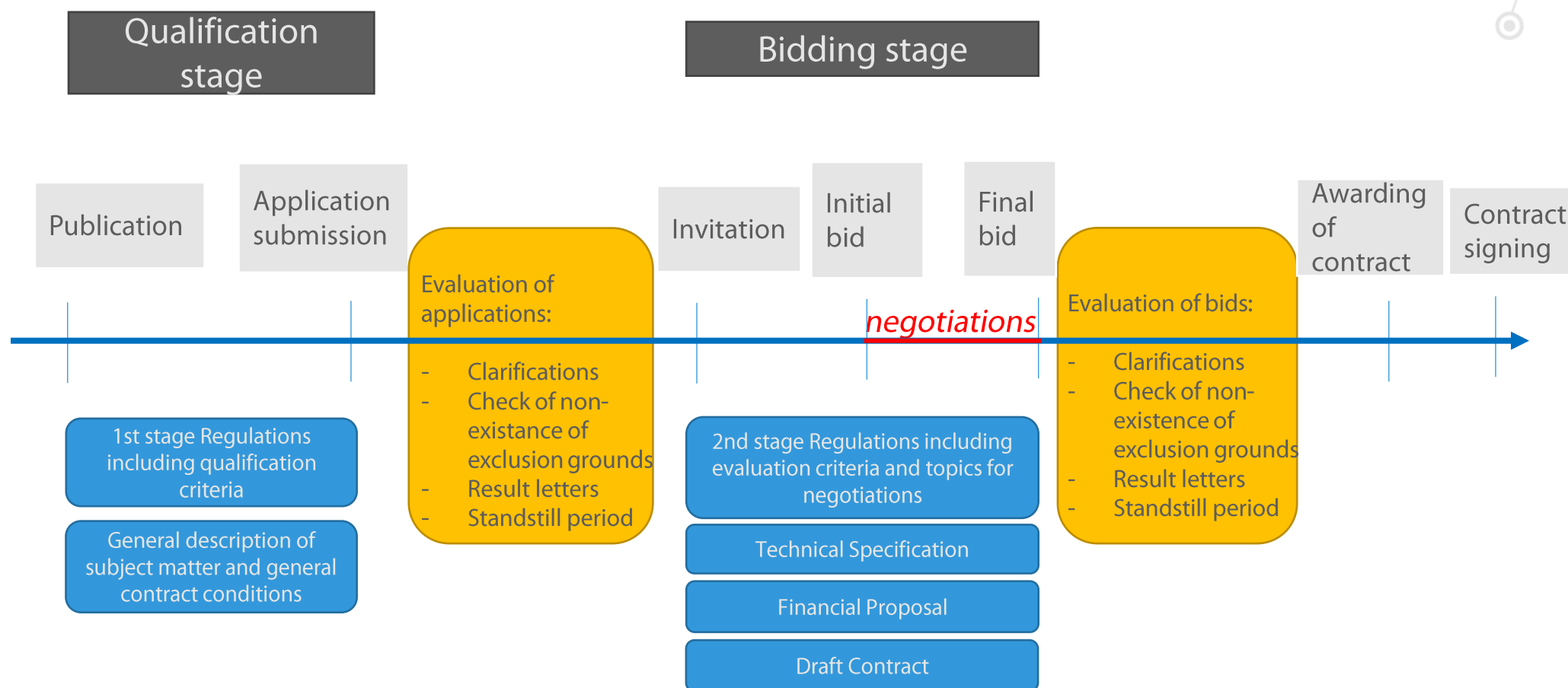
Q: Which companies shall be registered as users of E-Tenders system in order to submit Application/ Proposal if the Candidate or tenderer is a group of suppliers?

A: If the candidate is a partnership (consisting of several companies which have made commitment to submit application or proposal jointly):

- 1) All members may register as users of E-Tenders system and submit application jointly;
- 2) Partnership may authorize one member to submit application/ proposal on behalf of the partnership (partnership agreement must be concluded and attached);

If the candidate is just relying on capabilities and capacity of other entities in order to meet any of qualification requirements or involve sub-contractors, these entities shall not be registered as users of E-Tenders system.

Competitive procedure with negotiations



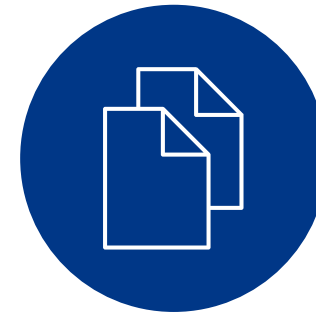
• Introduction of the Qualification stage regulations

The subject-matter of the Competition – provision (including consultations and support) of electronic document management system (EDMS) Software-as-a-service, implementation (configuration, training, consultations, data migration services) and customization services.



REGULATIONS:

- An instruction and information about the procurement process
- Selection criteria for candidates



ANNEXES:

- Application for participation in the Competition
- General description of the subject - matter
- Confirmation of Candidate's financial standing
- Description of the Candidate's experience
- Guidelines for the client's references

Category	Non-Functional requirements
System	Provide effective information management with accessible, reliable, and reporting information.
Visualisation Experience	Provide Digital Line of Sight throughout the organisation, bring organisation together through the visual experience of information
Information migration	The service provider shall ensure tools and processes for information migration from existing used systems to the deployed new system
Auditing and traceability	At any moment and time the full audit history shall be available for all actions performed within the system by any users. Full audit log shall be possible to be extracted in commonly known file formats (csv, html, xlsx, etc) at any moment of time.
Security	Reduce risk with a secure environment to create, share and publish information.
	The platform shall be up to the highest security standards currently used as standard in the software industry thus minimizing the cyber security risks. Data of the Rail Baltica Global Project shall be stored within the European Union or European Economic Area territory and fully adhere to the General Data Protection Regulation (GDPR).
Application Programming Interfaces (API)	Connect, integrate, interact, and interface with other RBR systems via a reliable and secure data integration or application programming interface (API).
Hosting	Cloud hosted software (SaaS)
UI	User interface shall be developed according to the latest industry standards to maximize the user-friendly experience for using the platform.
	The solution shall have access via web browser and mobile application that are available at least for Android and iOS devices.

System modules

- Document Management
- Document Review and Approval Processes
- E-signatures
- Model Management
- Task Management
- Workflows Management
- Reporting
- Project Information Management
- Health & Safety Application
- Supply/Order Management Application (Framework agreement management)
- Contract Management
- Procurement Management
- Cost Control Management
- Correspondence Management
- CRM
- Implementation support

Full Technical Specification

(detailed requirements, information on the scope and delivery schedule of the system) will be provided to selected candidates during the Stage Two of the Competition.



Enrolment in a professional registry



Financial turnover & liquidity



Possession of expertise & experience



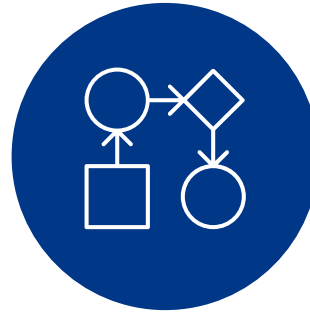
ISO 27001:2013 or equivalent



Evidence of non-exclusion grounds



Use the forms which have been provided in the procurement regulations (usually annexes regarding supplier experience, experts experience, financial standing etc.)



Annexes are prepared and structured in a way to assist the supplier in the preparation of all requested information and not to miss some information.



Consider the requirement included in the procurement regulations and describe the compliance at least in the same detail.

Form – Financial Standing

CONFIRMATION OF CANDIDATE'S FINANCIAL STANDING FOR THE COMPETITION

"PROVISION, IMPLEMENTATION AND CUSTOMIZATION OF ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS)"

(ID NO RBR 2022/12)

1. Section 5.2.(1) of the Regulations

The Candidate's or all members' of the partnership together (if the Candidate is a partnership and confirms the average financial turnover jointly), average annual financial turnover within the last 3 (three) financial years (2019, 2020, 2021) is not less than 1 000 000 EUR (one million euro).

In the event the average annual financial turnover of a limited partner of the limited partnership (within the meaning of The Commercial Law of the Republic of Latvia, Division X) exceeds its investment in the limited partnership, the average financial turnover shall be recognized in the amount of the investment in the limited partnership.

In the event the Candidate or a member of a partnership (if the Candidate is a partnership) has operated in the market for less than 3 (three) financial years, the requirement shall be met during the entity's actual operation period.

Financial information from the Candidate's financial statement used to calculate liquidity ratio and equity*	Last audited year _____
Current assets	
Total assets	
Short-term liabilities	
Total liabilities	

** Please continue and provide information regarding each entity to which this requirement applies. If value of assets or liabilities have been calculated from different parts of Candidate's financial statement, Candidate must provide explanation how the calculations have been made.*

$$\text{liquidity ratio} = \frac{\text{current assets}}{\text{short-term liabilities}} = \underline{\hspace{2cm}}$$

$$\text{equity} = \text{total assets} - \text{total liabilities} = \underline{\hspace{2cm}}$$

No	Year	Total Turnover in EUR*	Notes
Candidate's or all <u>members'</u> of the partnership together (if the Candidate is a partnership)			
1	2019		
2	2020		
3	2021		
Average within last 3 (three) financial years			
If the Candidate is partnership, please continue and provide info regarding each member:			
1	2019		

DESCRIPTION OF THE CANDIDATE'S EXPERIENCE FOR THE COMPETITION

"PROVISION, IMPLEMENTATION AND CUSTOMIZATION OF ELECTRONIC DOCUMENT MANAGEMENT SYSTEM (EDMS)"

(ID NO RBR 2022/12)

[Note: The Candidate shall indicate in the table the experience, which attests compliance with the requirements set in Clause 5.3. (2) of the Regulations for the Selection of Candidates:

Within the previous 5 (five) years (2017, 2018, 2019, 2020, 2021, 2022 until the date of submission of the Application) the Candidate has delivered project of the provision (including implementation (configuration, training, consulting, data migration) and customization services) of EDMS software-as-a-service with any of the following business requirements:

- 1) Document Management,
- 2) Task and workflow management,
- 3) Contract Management,
- 4) Health & Safety Management (risk assessment, safety observations, empl
- 5) Supply/Order Management,
- 6) Project Management,
- 7) Cost Control Management,
- 8) Correspondence Management,

and supporting at least 100 (one hundred) concurrent users, for a design and/or of each of the project of EDMS provision (including implementation and custom excluding VAT for each client.]

No	Period during which the project of the provision of EDMS (including implementation and customization services) was delivered	Experience	Brief description of requirements which characterize the provided EDMS	Name, registration number, contact person (name of representative, phone, e-mail) of the Client ⁸	Title and brief description of the Client's project	Value of the project of EDMS provision (including implementation and customization services)*
1.	From [month/year] - to [month/year] ⁹	[The Candidate/has delivered project of the provision (including implementation (configuration, training, consultations, data migration) and customization services) of EDMS software-as-a-service [Description]	<ul style="list-style-type: none"> - with the following business requirements: [please specify the relevant: <ul style="list-style-type: none"> ▪ Document Management ▪ Task and workflow management ▪ Contract Management ▪ Health & Safety Management (risk assessment, safety observations, employee training and certifications) ▪ Supply/Order Management, ▪ Project Management ▪ Cost Control Management ▪ Correspondence Management] 	[Name, registration No of the Client. Name, phone, e-mail of the Client's contact person]	[Title and description that proves Client's project as design/construction/operation project]	[] ¹⁰ EUR without VAT
2.			<ul style="list-style-type: none"> - supporting at least 100 (one hundred) concurrent users [Description] 			

Forms to be filled in E-Tendering system


Form cell of the procurement stage

Requirement base data

3. requirement

Name: * Section 4.3.1. of Regulation (Financial standing)

Clarification: The Candidate shall download form (in accordance with Annex No 5 of Regulation) fill it in order to comply with the selection criteria for the

Hyperlink: Not 

Variants are allowed: ☐

Input field type

Without

Documents

Compulsary

Allowed to add:

☐ One file ☒ Several files

Allowed file types:

Any file

Other allowed file types:

(Extensions separated by a semicolon, for example, txt;doc;xls)

Document templates:



Financial standing (Annex No 5)

Forms to be filled in E-Tendering system

Selection requirements

Nr.	Name	Input field type	Documents		
1.	Section 5.1.1. of the Regulation	Proposal value input is not intended.	Files adding allowed Restrictions - Any file		
2.	Section 5.2.1. and 5.2.2. of the Regulation	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file Documents attached to the requirement		
3.	Section 5.3.1. of the Regulation	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file		
4.	Section 5.3.2. of the Regulation	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file Documents attached to the requirement		
5.	Section 5.4. of the Regulation	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file		

1 - 5 from 5 entries 20 entries in a page

page 1 from 1

Technical requirements

Financial requirements

Other requirements

Nr.	Name	Input field type	Documents		
1.	Citi dokumenti	Proposal value input is not intended.	Files adding allowed Restrictions - Any file		
2.	Application	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file Documents attached to the requirement		
3.	Section 5.1.3. of the Regulation (representation)	Proposal value input is not intended.	Files adding is mandatory Restrictions - Any file		
4.	Section 6.3. of the Regulation	Proposal value input is not intended.	Files adding allowed Restrictions - Any file		
5.	Section 6.4. of the Regulation	Proposal value input is not intended.	Files adding allowed Restrictions - Any file		
6.	Other documents	Proposal value input is not intended.	Files adding allowed Restrictions - Any file		

SUBMISSION DEADLINE
29.07.2022



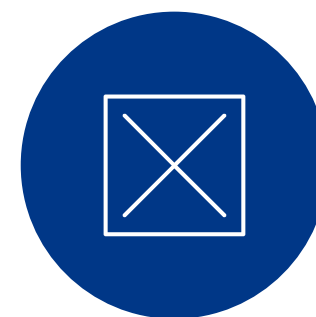
Supplier can ask questions and clarify requirements and request to amend them

NB! Please read the Q&A letters published in RBR website before asking your question!

In Qualification stage questions may be asked:

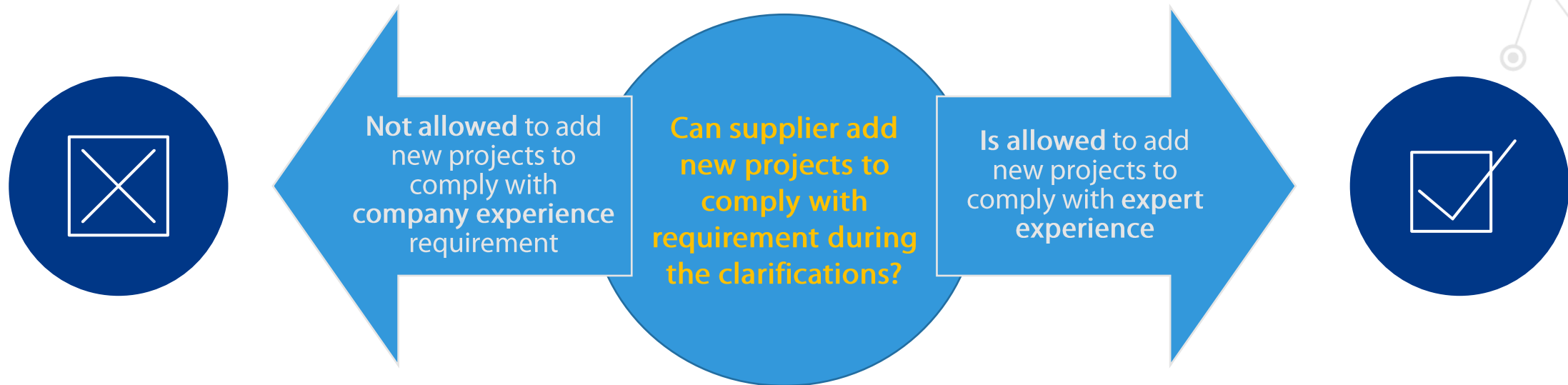
1. In E-Tendering system (for registered users)

2. By e-mail to:
agnese.gudrenika@railbaltica.org



No amendments after submission!
Tenderer has accepted the requirements by submitting the application!

- Qualification assessment is carried out according to YES/NO principle



- Evaluation according to award criteria

NB! During the qualification assessment or evaluation Commission is not allowed to deviate from the qualification requirements or award criteria.

Commission is willing to clarify all unclear information in the Application/proposal before it makes the decision regarding non-compliance, however...

Commission must ensure:

- Transparency
- Free competition
- Equal and fair treatment
- Effective use of the funds of RB

Dos and Dont's:

- It is **allowed** to clarify information which is included in the proposal (clarifications)
- It is **not allowed** to add totally new information to the proposal (amendments)

NB! Commission cannot recognize as compliant agreements, documents etc. which are dated after the proposal submission deadline, except the exclusion ground documents.

There are no restrictions in any of RB Rail AS Procurements regarding the form in which supplier/-s can participate in the procurement.

However, in case supplier plans to participate in the procurement as partnership there are specific requirements, such as:



In the proposal a **cooperation agreement must be submitted** where it is agreed upon liability and responsibility of each member of the partnership.

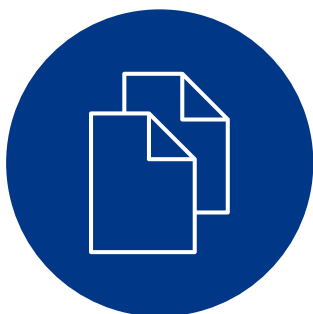


Content of the partnership (members) cannot **change** during the procurement procedure.
Choose the potential partners carefully to minimize the risk of future disagreements!

NB! Agreement must be signed by all members of partnership.

Entities on which capabilities supplier is relying

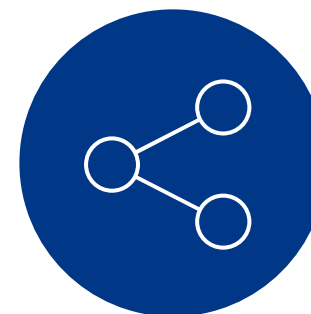
These are entities which experience, financial status etc. supplier is relying upon to comply with qualification requirements.



All Entities must be **clearly indicated** in the annex attached to the procurement regulations.



There must be **signed agreement or other document** between the supplier and the Entity indicating that the resource on which it is relying will be available during the contract.

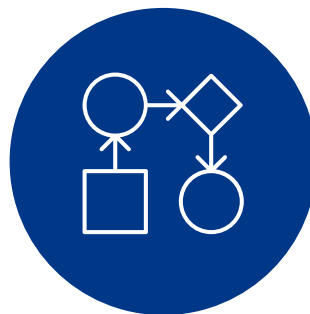


Entity and subcontractor is not the same, but a third party can be Entity and subcontractor at the same time.

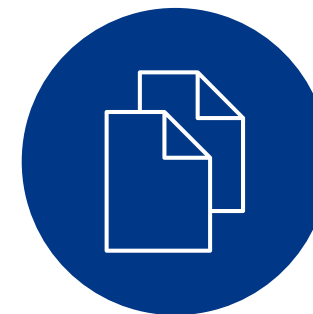
NB! Employees of the tenderer are not Entities or subcontractors.



Commission must verify that the proposal and other respective documents have been **signed by a person who has representation rights**.



If the person/-s in the company registration certificate differs from the one signing the proposal, it is mandatory to **submit the respective power of attorney** or other document that verify the persons rights to represent the supplier.



In some cases the chain between the person indicated in the company registration certificate and the person who has signed the proposal consist of **several documents**.

NB! All chain of documents (PoA) must be provided to the Commission.

Request for deadline extension



Must be **justified**



Must be sent in
timely fashion



Reasons why commission usually reject the request:

- No justification
- Tight timeline of the procurement (which is related to overall RBGP timeline)
- Already reasonable time for submission has been provided
- Already reasonable extension has been provided

Useful Information

Deadline for the submission of the Applications: 29 July 2022, 15:00 (EET) in E-Tenders system

Please note: make sure you submit the Application timely (do not leave to the last day/minute), Applications submitted earlier are not accessible or readable before the opening time!!!

- RBR website: <https://www.railbaltica.org/tenders/>
- RBR Procurement plan 2022: <https://www.railbaltica.org/procurements/>
- RBR procurements in E-tendering system: <https://www.eis.gov.lv/EKEIS/Supplier/Organizer/3001>
- Public Procurement Law of the Republic of Latvia: <https://likumi.lv/ta/id/287760-publisko-iepirkumu-likums>
- Cabinet Regulation No. 107 of the Republic of Latvia: <https://likumi.lv/ta/id/289086-iepirkuma-proceduru-un-metu-konkursu-norises-kartiba>
- Procurement Monitoring Bureau of Republic of Latvia website: <https://www.iub.gov.lv/en>
- EU public procurement directive: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014L0024>
- European Court of Justice judgements: https://curia.europa.eu/jcms/jcms/j_6/en/

Thank you!

Time for Q&A session!

