

Riga

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Reg. No: 1.13p/LV-2026-93

Electronic Procurement System

An answer to the question from the interested suppliers in the open competition “Functional audit of RB Rail AS”, identification number RBR 2026/5

RB Rail AS presents following answers to the questions received from the interested suppliers until 12th June 2026:

Nr.	Question	Answer
1	How is the selection criteria in Section 8 applied to entities that have previously provided services to the Contracting Authority? Specifically, could the criteria and approach be set out that are applied when assessing whether such prior involvement gives rise to (i) a competition-restricting advantage under Section 8.1 (cf. Section 18(4) of the Public Procurement Law), or (ii) any concern as to the impartiality and neutrality required under Section 8.4.1.2 — including how it distinguishes prior work falling within the subject matter of this audit from work that does not; and (iii) for those that fall within, whether any reliability-restoration or transparency measures (cf. Section 43 of the Public Procurement Law) are available? We seek the general principles applied and supporting examples rather than a determination on any specific Supplier. For example, would work of an entity - that is not a design consultant nor an engineering consultant - related to CAPEX validation services or general CAPEX support to the RBR project controls team fall within the subject matter of this audit or be compliant to run in the procurement process?	Procurement commission assesses prior involvement of Tenderers on case-by-case basis in accordance with Section 8 of the Regulations and Public Procurement Law of Republic of Latvia. Prior participation of a Tenderer or related entity does not automatically result in exclusion of the competition, however, if such involvement potentially could create competition restricting advantage within the meaning of Section 8.1 of the Regulations, and this advantage cannot be mitigated by less restrictive measures, the Tenderer may be excluded from the competition. In accordance with Section 43 of Public Procurement law of Latvia, if the contracting authority establishes that tenderer should be excluded from participation in the procurement procedure on the basis of the reasons for exclusion referred to in Section 42, Paragraph two, Clauses 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of the Public Procurement law of Latvia, the contracting authority shall grant the tenderer the right to provide an explanation and evidence which confirm reliability of the tenderer (...).
2	The Technical Specification refers to "the capabilities and performance of the Consultants" in the context of analyzing causes for cost increases and timeline prolongations of the DTD design contracts (Sections 1.b.i and 3.i of the task description). Could you clarify what types of consultants this point refers to? Does the point refer to the design consultants or engineering consultants engaged under those DTD contracts? Does the	The Consultants referred to in Sections 2.b.i and 3.i of Technical Specification are the companies contracted by RB Rail AS to provide design services and design supervision services under DTD contracts. Procurement Commission kindly notes that as per information included in the Technical Specification the auditor will be asked to analyze documentation related

	audit scope extend to reviewing or assessing any management consulting work previously performed for RB Rail AS by the Tenderer? If yes, what type of consulting work?	to nine (9) tenders for design and author supervision services, in particular related to setting the deadlines and developing the Technical Specifications, decisions by the Technical Reference Group and RB Rail AS organizational structures related to adoption and changes to the Design Guidelines (approximately 30 substantive changes) and Operational Plan (approximately 25 changes), decisions by the Management Board (meeting of Management Board take place two (2) times a week on average) and decisions by the Supervisory Board (during the period in question meetings of the Supervisory Board took place two times (2) a month on average).
3	Section 8.4.2.3 of the Regulations requires the Internal Auditor Key Expert to hold a valid CIA (Certified Internal Auditor) certificate or equivalent. Could you confirm whether a holding a CPA (Certified Public Accountant) certification be accepted as an equivalent certificate for this role?	As per Regulations Annex No 5 "Table No 2", if Tenderers proposed Key expert has the equivalent certificate, then Tenderer should justify why the relevant certificate is recognized as equivalent (for example, by submitting an explanation with reference to regulatory enactments etc.). Appropriate evidence must be submitted with the proposal. Please note that the Procurement Commission does not assess or pre-approve the compliance of proposed experts or their qualifications prior to the submission and evaluation of proposals. Tenderers are therefore responsible for demonstrating in their proposals that the qualifications of the proposed expert, including any certification, meet the requirement of being equivalent to the requested certification.
4	Section 8.4.2.2 of the Regulations requires the Project Manager Key Expert to hold a valid project management certificate (PMP, PRINCE2, IPMA Level A/B or equivalent). Could you confirm whether the APM Project Management Qualification (APM PMQ), issued by the Association for Project Management (APM), would be accepted as an equivalent certificate for this role?	Please see the answer to Question No 3.

Sincerely,
Procurement commission chairperson / secretary
E.Saule

