Joint Stock Company "Conexus Baltic Grid" (registered as "Akciju sabiedrība "Conexus Baltic Grid""), hereinafter – Conexus.

The negotiated procedure “Gas transmission and Inčukalns UGS SCADA modernization”(Id. Nr. AS Conexus Baltic Grid 2021/15), hereinafter – the Procurement.

Procurement commission (hereinafter – the Commission) has received questions from interested suppliers and provides the following answers to them (quoting questions):

|  |  |  |
| --- | --- | --- |
| **No.** | **QUESTIONS** | **ANSWERS** |
| **11** | Point 9.16. of “Candidate qualification (selection) regulations”:  Does the Customer confirm, that in order to prove the Candidate’s compliance with the qualification (selection) requirements, it will be enough to submit the European Single Procurement Document (ESPD) as the initial proof of compliance? When the Candidate will have to submit the documents confirming the information provided in the ESPD? | According to Paragraph 56 of the Law on the Procurements of Public Service Providers (LPPSP) a public service provider shall accept the European Single Procurement Document (ESPD) as the preliminary evidence of the conformity with the requirements for the selection of candidates laid down in the procurement procedure documents.  The obligation to indicate in the procurement regulations information on the possibility to submit the ESPD is specified in Paragraph 62 of the Cabinet Regulation No. 187 “Procedures for the Course of Procurement Procedures and Design Contests of Public Service Providers” (Adopted 28 March 2017).  Despite the above mentioned, the practical usefulness of submitting an ESPD within the negotiated procedure (by publishing an invitation to participate) is not apparent. Stage 1 of the negotiated procedure involves assessing the candidates' eligibility with all the requirements specified in the Regulations, which is not possible without having all the information requested.  It follows that, if a candidate chooses to submit an ESPD, than ESPD must contain all the information necessary for the verification of compliance.  In view of the above, after opening the application, finding that an ESPD has been submitted, in case if all the information needed for evaluation is not included in the ESPD, the procurement commission will decide on further actions (for instance, request to instantly submit all the necessary documents required for the assessment of the candidate's compliance; rejection of a candidate, etc.).  Please note that the submission of new information (not included / mentioned in the application) after the opening of applications may lead to the rejection of the candidate if such information is considered to be an amendment or addition to the application.  In case if all the information needed for evaluation is included in the ESPD, procurement commission (according to Paragraph 56 of the LPPSP) is entitled to ask the candidate, at any stage during the procurement procedure, to submit all or part of the documents certifying the conformity with the requirements for the selection of candidates laid down in the Regulations. |
| **12** | Point 9.16. of “Candidate qualification (selection) regulations”:  Does the Customer confirm, that in the Part IV of ESPD form (Selection criteria), it will be enough to fill the part “ɑ: Global indication for all selection criteria”, without filling the Sections A, B, C and D of the Part IV? | Please see answer to question 11.  Conexus as contracting authority is responsible for the preparation of the procurement regulations and the provision of answers/explanations regarding the procurement subject and other requirements included in the Regulations.  The candidate, in turn, is responsible for preparing and submitting the application documents.  The ESPD shall be completed by the candidate in accordance with the requirements set out in the European Commission Implementing Regulation (EU) 2016/7 of 5 January 2016 establishing the standard form for the European Single Procurement Document.  Please note, that attesting compliance by a single mark makes the ESPD inherently uninformative and that can be a reason for the Procurement Commission, for instance, to reject the candidate or to request information from the candidate to determine even seeming compliance.  The European Single Procurement Document is available on the following website: <http://espd.eis.gov.lv/>.  For more information on ESPD, please check this links:  1) <https://ec.europa.eu/growth/single-market/public-procurement/digital/espd_en>  2) <https://audiovisual.ec.europa.eu/en/video/I-125339>  If you are interested in the answers to the most frequently asked questions about the ESPD, please check this link: [FAQ leaflet](http://ec.europa.eu/DocsRoom/documents/16002/attachments/1/translations/en/renditions/native). |

Chairman of the Commission A. Tereševs