



**PREQUALIFICATION FOR THE HSL INFRASTRUCTURE PROVIDER**

CLARIFICATION 2 TO THE PREQUALIFICATION DOCUMENT

SUBJECT: QUESTIONS AND ANSWERS SUBMITTED BEFORE 8 MARCH 1999

DATE: 10 MARCH 1999

Nr	Question	Answer
1	Is a company which prequalifies free to make "teaming arrangements" without seeking to prequalify again?	Each respondent must nominate its Partners, whether as Shareholders or Members responsible for one or more of the Specified Functions in its Request for Prequalification (see Sections 8.7 and 8.8 of the Prequalification Document). After prequalification, a Respondent may establish a new legal entity or entities which will take on the position of the Respondent with the prior written approval of Government (Section 8.13). Furthermore, a Respondent may supplement its group of Partners with additional Shareholders (i.e. parties intending to participate in the equity capital of the Respondent) again subject to the prior written approval of the Government (see Section 8.14). If a Respondent wishes to alter responsibility for certain Specified Functions, the prior written approval of Government is required (see Section 8.15). If Government approval is given, it may be given on specific terms.
2	Is the consortium that will be selected for the HSL superstructure (the Infrastructure Provider) the same party that will be selected for the GSM-R project (part of the BB21 project)?	This is not a requirement. The arrangements for the BB21 GSM-R project and the competitive tender process for the provision of the HSL Infrastructure are separate.
3	In the event that a party other than the Infrastructure Provider is requested to implement the GSM-R project, what will the relationship be between the two?	As indicated in the Prequalification Document, there is an interface between the two projects, which will require liaison initially between the Infrastructure Provider and NSRIB. The Infrastructure Provider will be responsible for ensuring that its requirements are compatible with the national GSM-R system (see Section 4.3 of the Prequalification Document). Precise details of the nature of the interface and the manner in which co-ordination will be managed will, in accordance with the opening paragraph of Section 4 of the Prequalification Document, be provided later in the tender process.
4	What arguments are there to involve ERTMS in the tender for the HSL Project?	Government wishes to ensure that the HSL Infrastructure will be in compliance with various European initiatives in relation to rail transport. ERTMS and ETCS are examples of such initiatives.
5	Is there an NS-RIB requirement that the choice for the BB21 GSM-R contractor will be the same as for the HSL Project?	No.
6	Where in the Prequalification Document is the relationship between GSM-R/ERTMS described?	See paragraph 4.3 on pages 21 and 22 of the Prequalification Document and the relevant definitions relating thereto.

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7	<p>Mention has been made in the Prequalification Document and in the Prequalification Conference to the 10 year maintenance contract with the Civils Works contractors. The Infrastructure Provider's scope includes a 25 year maintenance period for the total performance of the infrastructure, including Civils Works. Is our understanding correct that the Infrastructure Provider will have to guarantee the Civils Works for the remaining 15 years?</p>	<p>As stated in Section 3.5 of the Prequalification Document, the Infrastructure Provider "... will be principally responsible for the maintenance and renewal (including procuring the finance to perform this role) of the HSL Infrastructure in such manner that it will meet or exceed the minimum performance and functional requirements for the HSL-IP Project". This responsibility will continue throughout the term of the Implementation Agreement. The final paragraph of Section 4.1 of the Prequalification Document sets out the options available to the Infrastructure Provider in relation to how the maintenance might be contracted. Further details of the contracts for the Civils Works, the Infrastructure Provider's performance obligations and the requirements for tender submissions will be provided later in the process.</p>
8	<p>The Infrastructure Provider's design could effect the Civils Works. The Prequalification Document mentions that "... the Infrastructure Provider will liaise, through the State, with the Civils Works contractors to optimise the design." For the purposes of the Method Statement, please explain how this co-operation between the State, Civils Works and the Infrastructure Provider will work in terms of the design decision process and responsibility.</p>	<p>The Prequalification Document identifies a number of interfaces (see, for example, Sections 4.1 to 4.3). Further details of these interfaces will be made available later in the tender process. The Infrastructure Provider will obviously need to be involved in the arrangements for these interfaces. The Government envisages that Respondents/Tenderers will contribute to the process of finding the optimum solutions for these interfaces as indicated in Section 3.5 c) of the Prequalification Document. The Method Statement provides an opportunity for Respondents to describe their proposals.</p>

