**REQUIREMENTS FOR SUPPLIERS REGARDING THE ABSENCE OF GROUNDS FOR EXCLUSION AND QUALIFICATION AND THE STANDARDS OF THE QUALITY MANAGEMENT SYSTEM AND ENVIRONMENTAL MANAGEMENT SYSTEM**

1. The Supplier must comply with the requirements set out in *Table 1* concerning the absence of grounds for exclusion, the qualification requirements (where applicable) and the requirements of the standards of quality management system and/or environmental system (where applicable). The Supplier's qualifications must have been acquired by the time limit for the submission of requests or*, in the case of a request submitted after the expiry of the initial specific time limit for the submission of requests, by the date on which the Supplier’s request was submitted*.
2. If the Supplier is unable to provide the documents referred to above to prove that the grounds for exclusion provided for in Article 46(1) and Article 46(3) and Article(6)(2) of the Law on Public Procurement do not exist, either because the Member State or the country concerned does not issue such documents, or because the documents issued in that country do not cover all of the matters covered by Article 46(1) and Article 46(3) and Article 46(6)(2) (if applicable), these documents may be replaced by:
   1. an declaration of oath;
   2. an official declaration from the Supplier, if the country does not use a sworn declaration. The official declaration must be certified by a competent legal or administrative authority, a notary public or a competent professional or trade organisation in the Member State or in the Supplier's country of origin or in the country in which the Supplier is established.
3. In particular, the KC shall require for the type of certificates and forms of documentary evidence for which information is available on the European Commission’s information repository e-Certis. The fourth column of the table indicates the documents to be provided by Suppliers registered in the Republic of Lithuania. For the documents to be provided by foreign Suppliers, the KC has consulted e-Certis at https://ec.europa.eu/tools/ecertis/.
4. The grounds for exclusion shall apply to the Supplier or to all members of the group of Suppliers individually and to the economic operator on whose capacities the Supplier relies (excluding quasi-Suppliers).
5. The UAB „LTG Kompetencijų centras“ (hereafter – KC) shall exclude a Supplier from the procurement procedure on the basis of the specified grounds for exclusion and where it has conclusive evidence that the Supplier is established or is participating in the procurement in place of another person in order to avoid the application of the specified grounds for exclusion.

*Table 1*

| **Seq. No** | **Grounds for exclusion** | **Article, paragraph, subparagraph and part of the ESPD form to be completed** | **Documentation evidencing the absence of the grounds for exclusion** | To be completed if the entity is established outside Lithuania. |
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| **The KC shall exclude a Supplier from the procurement procedure if it becomes aware that:** | | | |  |
| *1* | *2* | *3* | *4* | *5* |
| 1. | The Supplier or its responsible person referred to in Article 46(2)(2) of the LPP has been convicted of this offence :  1) participation in a criminal organisation, formation or being in charge thereof;  2) bribery, bribery of an intermediary, graft;  (3) fraud, misappropriation of property, squandering of property, misleading declaration about the activities of a legal entity, use of a credit, loan or targeted support not in accordance with its purpose or the established procedure, credit fraud, provision of inaccurate data on income, profit or assets, failure to file a tax return or to submit a report or another document, fraudulent management of accounts or abuse of office having the aim of threatening the financial interests of the European Union as defined in Article 1 of the Convention on the Protection of the European Communities’ Financial Interests;  4) criminal bankruptcy;  5) acts of terrorism and crimes related to terrorist activity;  6) laundering of crime-related property ;  7) trafficking in human beings, purchase or sale of a child;  (8) a crime committed by the Supplier from another country as defined in Article 57(1) of Directive 2014/24/EU, set out in the legal acts of other countries implementing the legal acts of the European Union.  A Supplier or the person responsible for the Supplier shall be deemed to have been convicted for the criminal act provided for in this paragraph where:  1. a judgement of conviction was passed and became effective against the Supplier who is a natural person within the past 5 years and the afore-mentioned person has an unspent or unexpunged conviction ;  2) a judgement of conviction was passed and became effective against the the manager, another member of the management or supervisory body or another person of the Supplier, which is a legal person, another organisation or a subdivision thereof, or the person(s) authorised to draw up and sign the Supplier’s financial accounting documents, was passed within the past 5 years and the afore-mentioned person has an unspent or unexpunged conviction;  3) a judgement of conviction or, in case set forth in Article 46(3) of the Law on Public Procurement, a final administrative decision if such decision is passed according to the requirements of the legal acts of the country of the Supplier, was passed and became effective against the Supplier who is a legal person, another organisation or subdivision thereof within the past 5 years. | Article 46(1) of the Law on Public Procurement  Part III, points A1 to A6 of the ESPD  Part III, point D1 of the ESPD | * Extract from a court decision or * A certificate from the Information Technology and Communications Department under the Ministry of the Interior, or * a document issued by the State Enterprise Centre of Registers in accordance with the procedure established by the Government of the Republic of Lithuania, certifying the aggregated data processed by the competent authorities, or * a document from the relevant foreign authority\*,   a copy of the request form, issued not earlier than 120 calendar days before the time limit for the submission of requests and, in the case of an request submitted after the initial specific time limit for the submission of requests, before the date of submission of the Supplier's request. If the document is issued earlier but its period of validity is longer than the time limit for the submission of documents certifying the absence of grounds for exclusion in accordance with the ESPD, it shall be admissible for the period of its validity.  *\* If the Supplier is unable to provide the documents referred to because no such documents are issued in the Member State or country concerned, or because the documents issued in that country do not cover all the matters referred to in this paragraph, they may be replaced by:*  *1) declaration of oath;*  *2. an official declaration by the Supplier, if the country does not use a sworn declaration. The official declaration must be certified by a competent legal or administrative authority, a notary public or a competent professional or trade organisation in the Member State or in the Supplier’s country of origin or in the country in which the Supplier is established.* | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 2. | The Supplier has been convicted for for for a failure to perform the obligations relating to payment of taxes including social security contributions in accordance with the legal provisions of the country of registration of the Supplier or the country in which the KC is established within the meaning of Article 46(2)(1) and Article 46(2)(3) of the Law on Public Procurement, or the KC has other evidence of non-compliance with the afore-mentioned obligations.  A Supplier shall be deemed to have been convicted for the criminal act referred to above where:  1. a judgement of conviction was passed and became effective against the Supplier, upon who is a natural person within the past 5 years and the afore-mentioned person has an unspent or unexpunged conviction;  2. an effective court judgement or, in the case set forth in Article 46(3) of the Law on Public Procurement, a final administrative decision, was taken and became effective in the last 5 years by the Supplier, which is a legal person, another organisation or a subdivision thereof, if such a decision is taken in accordance with the requirements of the legislation of the Supplier’s country.  Nevertheless, the above provision shall not be applicable if:  1. the Supplier has undertaken to pay taxes including social security contributions and, thus, is deemed to have performed the obligations provided for in this paragraph;  2) the amount of the debt does not exceed EUR 50 (fifty euro);  3. the Supplier time that it did not have enough time to pay taxes including social security contributions, enter into a tax loan contract or another similar binding agreement on payment thereof or assume other measures meeting the provisions of subparagraph 1 of paragraph 1 till expiry of the time limit for submission of requests for participation or tenders. The Supplier shall not be eliminated from the Procurement procedure on the afore-mentioned grounds if, at the request of the KC to provide relevant documents in accordance with Article 50(6) of the Law on Public Procurement, it proves that it is already considered as performing the obligations related to payment of taxes including social security contributions. | Article 46(3) of the Law on Public Procurement  Part III, points B1 and B2 of the ESPD | 1) The following is requested in respect of tax payment obligations:  Extract from a court decision (if any) or a document issued by the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania or a document issued by the State Enterprise Centre of Registers under the procedure established by the Government of the Republic of Lithuania certifying the aggregated data processed by the competent authorities.  If the Supplier is registered in a foreign country, a document issued by the competent authority of the relevant foreign country not earlier than 120 calendar days to the time limit for submission of requests/tenders must be provided.  If the document was issued earlier, but the validity period specified in it is longer than the time limit for the submission of documents evidencing the absence of grounds for exclusion under the ESPD, it shall be acceptable for the period of its validity.  2) For the fulfilment of obligations relating to the payment of social security contributions, the following documents shall be requested:  2.1) If the Supplier is a legal entity registered in the Republic of Lithuania, it is not required to provide any documents evidencing compliance with the afore-mentioned requirement. The Commission shall independently check the data in the national database at <http://draudejai.sodra.lt/draudeju_viesi_duomenys/> at any time during the evaluation of requests and tenders and on the last day of the time limit for the submission of the documents supporting the information specified in the ESPD.  If, due to technical failures of the information system of the State Social Insurance Fund Board (hereinafter referred to as the “Fund Board”), the Contracting Authority shall not be able to verify the gratuitously available data on the Supplier (legal entity), it shall be entitled to request the Supplier (legal entity) to provide an extract from a court decision (if any) or a document issued by the Fund Board in accordance with the procedure laid down by the Fund Board, evidencing compliance with this requirement. The Supplier may also provide a document issued by the State Enterprise Centre of Registers in accordance with the procedure laid down by the Government of the Republic of Lithuania, confirming the aggregated data processed by the competent authorities;  2.2) If the Supplier is a natural person registered in the Republic of Lithuania, the Supplier shall provide an extract from a court decision (if any) or a document issued by the Fund Board or a document issued by the State Enterprise Centre of Registers in accordance with the procedure laid down by the Government of the Republic of Lithuania confirming the aggregated data processed by the competent authorities;  2.3) If the Supplier is registered in a foreign country, he shall provide a document issued by the competent authority of the relevant foreign country;  The documents referred to in paragraphs 2.2 and 2.3 must be issued no earlier than 120 calendar days to the time limit for the submission of requests and, in the case of an request submitted after the initial specific time limit for the submission of requests, before the date on which the Supplier's request is submitted, a copy of the document. If the document is issued earlier but its period of validity is longer than the time limit for the submission of documents evidencing the absence of grounds for exclusion in accordance with the ESPD, it shall be admissible for the period of its validity. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 3. | The Supplier and other Suppliers have concluded agreements aimed at distorting competition in the conducted Procurement and the KC has convincing data to this end. | Article 46(4)(1) of the Law on Public Procurement  Part III, point C10 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 4. | In the course of the Procurement, the Supplier is subject to a conflict of interest as defined in Article 21 of the Law on Public Procurement and it is impossible to remedy the respective situation.  It shall be considered that the respective situation in relation to the conflict of interest cannot be remedied if the persons involved in the conflict of interests have determined the decisions of the Public Procurement Commission or the KC and reversal of the afore-mentioned decisions would be contrary to the provisions of the Law on Public Procurement. | Article 46(4)(2) of the Law on Public Procurement  Part III, point C12 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 5. | The competition has been prejudiced as defined in Article 27(3) and Article 27(4) of the Law on Public Procurement and the respective situation cannot be remedied. | Article 46(4)(3) of the Law on Public Procurement  Part III, point C13 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 6. | In the course of the Procurement procedures the Supplier has concealed information or provided false information on conformity with the requirements provided for in Articles 46 and 47 of the Law on Public Procurement and the KC may prove this by any lawful means or the Supplier cannot provide the supporting documents requested according to Article 50 of the Law on Public Procurement due to provided false information.  On this basis, the Supplier shall also be excluded from the Procurement procedure in the event of a previous procedure carried out in accordance with the procedure laid down in the Law on Public Procurement, the Law on Public Procurement in the Field of Defence and Security, the Law on Public Procurement in the Field of Defence and Security, the Law on Procurement by Contracting Entities in the Field of Water Management, Energy, Transport or Postal Services or the Law on Concession, the Supplier has withheld information or has provided false information as referred to in this paragraph, or the Supplier has not been able to provide the supporting documents required under Article 50 of the Law on Public Procurement as a result of the false information provided, and has been excluded from the Procurement or concession award procedures within the last one year.  On this basis, a Supplier shall also be excluded from the Procurement procedure where, in accordance with the legislation of other countries, it has, in previous procedures, withheld information or supplied false information or, as a result of the supply of false information, has not been able to provide supporting documents, with the result that it has been excluded from the award of the contract or concession within the last one year, or has been subject to other similar penalties. | Article 46(4)(4) of the Law on Public Procurement  Part III, point C15 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient.  The KC verifies the data in the national database by itself.  [*List of Suppliers who provided false information - Public Procurement Office (lrv.lt)*](https://vpt.lrv.lt/lt/nuorodos/kiti-duomenys/powerbi/melaginga-informacija-pateikusiu-tiekeju-sarasas-3/) | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 7. | During the Procurement, the Supplier took unlawful actions with a view to affecting the decisions of the KC, obtaining confidential information which would confer any undue advantage to it during the Procurement procedure or provided false information which may have a substantial impact on the decisions on elimination of the Service Providers, assessment of their qualification, recognition of the successful tenderer passed by the KC and the KC may prove this by any lawful means. | Article 46(4)(5) of the Law on Public Procurement  Part III, point C15 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 8. | The Supplier has failed to perform a public contract concluded in accordance with the Law on Public Procurement, the Law on Public Procurement in the Field of Defence and Security or the Law on Procurement by Contracting Authorities Operating in the Water, Energy, Transport or Postal Services Sectors, or a concession contract, or has failed to perform the contract properly, and such failure constituted a material breach of contract as defined in Article 6.217 of the Civil Code (hereinafter referred to as the “material breach of the contract”) which has led to the termination of the contract within the last 3 years, or to a court judgment which has been delivered and has become final within the last 3 years, granting the Contracting Authority, contracting entity or awarding authority’s claim for compensation for the suffered loss, performance of the essential term of the contract by the Supplier with serious or persistent deficiencies, or a decision of the Contracting Authority within the last 3 years that performance of an essential term of the contract by the Supplier with serious or persistent deficiencies has been subject to a contractual sanction.  The Supplier shall also be excluded from the Procurement procedure on the afore-mentioned ground where, in accordance with the legislation of other countries, it has been established within the last 3 years that, in the performance of a previous public contract, a previous public contract with a contracting entity or a previous concession contract, it has complied with the essential requirement of the contract with serious or persistent deficiencies and that this has led to the termination of that previous contract before the term of validity of the contract, to the award of damages, or to the application of other similar sanctions. | Article 46(4)(6) of the Law on Public Procurement  Part III, point C14 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient.  The KC shall verify the data in the national database by itself.  [*Unreliable Suppliers - Public Procurement Office (lrv.lt)*](https://vpt.lrv.lt/lt/nuorodos/kiti-duomenys/powerbi/nepatikimi-tiekejai-1/) | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| The KC shall verify the data in the national database by itself  [*https://vpt.lrv.lt/lt/pasalinimo-pagrindai-1/nepatikimu-koncesininku-sarasas-1/nepatikimu-koncesininku-sarasas*](https://vpt.lrv.lt/lt/pasalinimo-pagrindai-1/nepatikimu-koncesininku-sarasas-1/nepatikimu-koncesininku-sarasas) |  |
| 9. | The Supplier has committed a serious professional misconduct which causes the KC to doubt about the Supplier’s integrity, where the Supplier has committed a breach of financial reporting and auditing legislation less than one year from the date of the breach. | Article 46(4)(7)(a) of the Law on Public Procurement  Part III, point C11 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient.  Decisions to exclude a Supplier from the procurement procedure on the grounds of exclusion referred to in this paragraph shall take account, *inter alia*, of the address in the national database:  [*https://www.registrucentras.lt/jar/p/index.php,*](https://www.registrucentras.lt/jar/p/index.php) as well as the information contained in this information notice*:* [*Are Suppliers who do not submit the required reports and financial statements to the State Enterprise Centre of Registers not allowed to participate in the procurement? - Public Procurement Office (vpt.lt)*](https://klausk.vpt.lt/hc/lt/articles/360018817040-Kaip-pirkimuose-neleisti-dalyvauti-tiek%C4%97jams-kurie-neteikia-privalom%C5%B3-ataskait%C5%B3-ir-finansini%C5%B3-rinkini%C5%B3-V%C4%AE-Registr%C5%B3-centrui)*.* | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 10. | The Supplier has committed a serious professional misconduct which leads the contracting authority to doubt the Supplier’s integrity, where the Supplier does not meet the minimum criteria of a reliable taxpayer as set out in Article 401(1) of the Republic of Lithuania Law on Tax Administration. | Article 46(4)(7)(b) of the Law on Public Procurement  Part III, point C11 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient.  Decisions to exclude a Supplier from the procurement procedure on the grounds of exclusion referred to in this paragraph shall take account, *inter alia*, of the information published in the national database at https://www.vmi.lt/evmi/mokesciu-moketoju-informacija. | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 11. | The Supplier has committed a serious professional misconduct which leads the contracting authority to doubt the Supplier’s integrity, where the Supplier has committed a breach of the prohibition on the conclusion of prohibited agreements laid down in the Republic of Lithuania Law on Competition or in a similar legislation of another country, and the period of time elapsed from the date of the breach is less than 3 years. | Article 46(4)(7)(c) of the Law on Public Procurement  Part III, point C11 of the ESPD | No supporting documents are required from entities established in Lithuania. The provided ESPD is sufficient.  Decisions to exclude a Supplier from the procurement procedure on the grounds of exclusion referred to in this paragraph shall take account, inter alia, of the address in the national database:  [*Open data |*](https://kt.gov.lt/lt/atviri-duomenys/diskvalifikavimas-is-viesuju-pirkimu) Information published by [*the Competition Council (kt.gov.lt)*](https://kt.gov.lt/lt/atviri-duomenys/diskvalifikavimas-is-viesuju-pirkimu). | The supplier or all members of the group of suppliers separately and the economic entity on whose capabilities the supplier relies. |
| 1.12. | The supplier has not complied with the punitive measure imposed on him in the form of a ban on the participation of a legal entity in public procurement. | Article 46(21) of LoPP Part III(D2) of ESPD | No supporting documents are required from entities established in Lithuania. The ESPD is sufficient. | The supplier or all members of a group of suppliers individually and an economic entity on the capacities whereof the supplier relies. |

**Qualification Requirements for Suppliers**

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| **Seq. No** | **Requirement** | **Documents proving conformity with the requirement** | **Entity which must meet the requirement** |
| **2. ECONOMIC AND FINANCIAL SITUATION** | | | |
| 2.1. | The Supplier's average annual revenue from all its activities during the last 3 (three) financial years, or, if the economic entity is registered later or has started its activities later, since the entity’s registration or commencement of its activities, shall be at least:  **Category 1 and 3:** EUR **350,000.00** (three hundred and fifty thousand).  **Category 2** EUR **140,000.00** (one hundred and forty thousand). | The economic entity’s set of financial statements for the last three financial years, together with the auditor’s report (where an audit has been carried out), or an extract thereof, if the law of the country in which the supplier is established requires the publication of an annual set of financial statements. **If the financial statements have not been published in the Register of Legal Persons yet, a set of financial statements signed by the head of the economic entity and the chief accountant (accountant) of the economic entity, or by another person authorised to keep the economic entity’s accounts in accordance with the law, or an extract thereof, or a certificate of the received annual revenue from all activities.**  If a supplier is unable, for objective and justifiable reasons, to provide the documents required by KC to prove its financial and economic capacity, it shall be entitled to provide other documents acceptable to KC. | The supplier, the members of the group of suppliers jointly (or one member of the group of suppliers), in the light of the obligations they have assumed, and/or the economic entity on whose capacity the supplier relies, where that economic entity is jointly and severally liable for performance of the contract. |
| 2.2. | The supplier's current liquidity ratio, based on the financial statements for the last financial year, must be at least 1. If the company’s liabilities are equal to 0, the supplier shall be deemed to meet the current liquidity requirement. (Current liquidity ratio = Current assets ÷ Short-term liabilities).  **Applicable to all categories of QAS** | A declaration (certificate) on the calculation of the value of the current ratio and a set of the supplier's financial statements for the last financial year including the auditor's report (where an audit has been carried out), or an extract from the accounts signed by the head of the economic entity and the chief accountant (accountant) of the economic entity, or by another person qualified to keep the economic entity’s accounts in accordance with the legislation if the law of the country in which the supplier is established requires the publication of an annual set of financial statements. If the financial statements have not yet been approved and/or published in the Register of Legal Entities, a set of financial statements signed by the head of the entity and the entity’s chief accountant (bookkeeper), or by another person authorised to keep the entity's accounts in accordance with the law, or an extract thereof.  If a Supplier is unable, for objective and justifiable reasons, to provide the documents required by the KC to prove its financial and economic capacity, it shall be entitled to provide other documents acceptable to the KC. | The supplier, at least one member of the group of suppliers, or the economic entity on whose capacity the supplier relies, where that economic entity is jointly and severally liable for the performance of the public contract. |
| **3. TECHNICAL AND PROFESSIONAL CAPACITY – COMPLETED CONTRACTS** | | | |
| 3.1. | 3.1.1. The Supplier has, within the last ten (10) years or within the period from the date of registration of the Supplier (if the Supplier has been in business for less than ten (10) years) until the time limit for the submission of the request, duly carried out, on its own account, under one or more contracts, the following services for the independent expert review and checking of the master design and/or master-detailed design and/or the detailed design[[1]](#footnote-2), which would include all these requirements:   * Transport communications: railway track; * The development and/or reconstruction and/or new construction of 1435 mm gauge railway track; * Design speed of trains ≥200 km/h; * Transport communications: other transport structures (bridges and/or viaducts and tunnels); * the value of the contract shall not be less than EUR 200,000.00 excluding VAT.   **Applicable to category I of the QAS**  3.1.2. The Supplier has, within the last ten (10) years or within the period from the date of registration of the Supplier (if the Supplier has been engaged in activities for less than ten (10) years) to the time limit of the request, duly performed, on its own account, under one or more contracts, the following services for the independent expert review and checking of the master design and/or master-detailed design and/or the detailed design[[2]](#footnote-3) which would include all these requirements:   * Reconstruction and/or new construction of non-residential buildings; * Transport communications: railway track * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * The value of the contract shall not be lower than EUR 100,000.00 excluding VAT.   **Applicable to category II of the QAS**  3.1.3. The Supplier has, within the last ten (10) years, or within the period from the date of registration of the Supplier (if the Supplier has been in engaged in activities for less than ten (10) years) until the time limit for the submission of the request, satisfactorily performed, on its own account, under one or more contracts, the services for the independent expert review and checking of the master design and/or master-detailed design and/or the detailed design[[3]](#footnote-4), which would include all these requirements:   * Transport communications: railway track * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * Design speed of trains ≥200 km/h; * The value of the contract shall not be lower than EUR 200,000.00 excluding VAT.   **Applicable to category III of the QAS**  3.1.4. The Supplier has, within the last ten (10) years or within the period from the date of registration of the Supplier (if the Supplier has been engaged in activities for less than ten (10) years) to the time limit of the request, duly carried out, on its own account, under one or more contracts, the following services for the independent expert review and checking of the master design and/or master-detailed design and/or the detailed design[[4]](#footnote-5) which would include all these requirements   * Transport communications: other transport structures (bridges and/or viaducts and/or tunnels.   **Applicable to category IV of the QAS** | 1. List of the main services provided during the last 10 (ten) years (to be prepared in accordance with the QAS Annex VIII. List of services performed by the Supplier);  2. Certificates issued by the customers (both public and private). The certificates must indicate the total amounts of services provided, the dates, the recipients of the services and whether the services were properly provided.  **Note:** A certificate evidencing that the services have been properly provided is not required if the Customer was LTG, LTG Cargo AB, KC, LTG Infra AB, LTG Link UAB, Geležinkelio tiesimo centras UAB.  The Supplier shall not be precluded from referring to a contract which the Supplier has performed it not alone but jointly with other economic entities. However, in such case, namely the services provided by the particular Supplier participating in the public procurement, their scope and value, and not the whole object of the procurement shall be assessed. | The Supplier, the members of a group of Suppliers jointly (or a single member of a group of Suppliers) and/or the economic entity on whose capacities the Supplier relies, provided that the latter (its employee) shall carry out the part of the contract for which it needs to make use of its own capacities by itself. |
| **4. TECHNICAL AND PROFESSIONAL CAPACITY – SPECIALISTS** | | | |
| 4.1. | 4.1.1. the Supplier must propose at least one specialist as an independent expert **review and checking project manager** to perform the contract in the event of the award of the contract who meets the following requirements:  (1) the proposed specialist must have completed\* at least one (1) contract for the provision of services for the independent expert review and checking of the master design and/or master-detailed design and/or the detailed design services [[5]](#footnote-6) in the last 10 (ten) years to the time limit for submission of requests, in which he has acted as the project manager of master design and/or master-detailed design and/or the detailed design of independent expert review and checking, and which would include all these requirements:   * Transport communications: railway track * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * The design speed of trains ≥200 km/h. * The design would include at least one construction (the group of the construction: Transport Communications (sub-group: other transport structures (bridges and/or viaducts and/or tunnels)) and at least one railway station;   **Applicable to category I of the QAS**  4.1.2. The Supplier must propose at least one specialist as an **independent** **expert review and checking project manager** to perform the contract in the event of the award of the contract who meets the following requirements:  the proposed specialist must have completed\* at least one (1) contract for master design and/or master-detailed design and/or the detailed design independent expert review and checking services[[6]](#footnote-7) within the last ten (10) years prior to the time limit for submission of requests, in which he has acted as the project manager of master design and/or master-detailed design and/or the detailed design of independent expert review and checking, and which would include all these requirements:   * reconstruction and/or new construction of non-residential buildings.   **Applicable to category II of the QAS**  4.1.3. The Supplier must propose at least one specialist as an **of the independent expert review and checking project manager** to perform the contract in the event of the award of the contract who meets the following requirements:  (1) the proposed specialist must have completed\* at least one (1) contract for the provision of master design and/or master-detailed design and/or the detailed design independent expert review and checking services[[7]](#footnote-8) during the last ten (10) years prior to the time limit for submission of requests, in which he has acted as the project manager of master design and/or master-detailed design and/or the detailed design of independent expert review and checking, and which meets the following requirements:   * Transport communications: railway track * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * The design speed of trains ≥200 km/h. * The design would include at least one railway station;   **Applicable to category III of the QAS**  4.1.4. The Supplier must propose at least one specialist as an **of the independent expert review and checking project manager** to perform the contract in the event of the award of the contract who meets the following requirements:  (1) the proposed specialist must have completed\* at least one (1) contract for the provision of master design and/or master-detailed design and/or the detailed design independent expert **review and checking** services[[8]](#footnote-9) during the last ten (10) years prior to the time limit for submission of requests, in which he has acted as the project manager of master design and/or master-detailed design and/or the detailed design of independent expert review and checking, and which would include all these requirements:  reconstruction and/or new construction of other transport construction works (bridge and/or viaduct and/or tunnel).  **Applicable to category IV of the QAS**  ***\**** *The implemented project is deemed to be the evaluation of the design documentation carried out for the technical design of the construction works and/or the technical design of the work and/or the work design, for which the Customer’s confirmation of the completion of the services, or equivalent, has been obtained.* | 1. List of specialists (Annex IX to the QAS); 2. Curriculum vitae of the Supplier's specialists (model form QAS Annex XII); 3. Certificates issued by the customers, the order appointing the specialist to the relevant post, or other equivalent documents proving that the specialist has actually performed the duties specified in the contracts listed in the list. | The Supplier, the members of a group of Suppliers jointly (or a single member of a group of Suppliers) and/or the economic entity on whose capacities the Supplier relies, provided that the latter (its employee) shall perform the part of the contract for which it needs rely on its own capacities by itself. |
| 4.2. | 4.2.1. The Supplier must propose at least one **railway track expert** who, if successful, shall perform the contract and who meets all of the following requirements:  1) the proposed expert must have completed\* at least one (1) contract for the provision of services for the master design and/or master-detailed design and/or the detailed design independent expert **review and checking services** [[9]](#footnote-10)  during the last 10 years preceding the time limit for the submission of requests, where he acted as the railway track expert and which would include all these requirements:   * Transport communications: railway track * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * The design speed of trains ≥200 km/h.   **Applicable to all categories of the QAS**  ***\**** *The implemented project is deemed to be the evaluation of the design documentation carried out for the technical design of the construction works and/or the technical design of the work and/or the work design, for which the Customer’s confirmation of the completion of the services, or equivalent, has been obtained.* |
| 4.3. | 4.3.1. The Supplier must propose at least one specialist as an **expert in other transport structures** who, if successful, shall perform the contract and who meets all of the following requirements:  1) the proposed specialist must have completed\* at least one (1) contract of master design and/or master-detailed design and/or the detailed design for independent expert **review and checking** services[[10]](#footnote-11) within the last 10 years before the time limit for the submission of requests, where he has acted as an expert on other transport structures, and which would include all these requirements:   * Transport communications: railway track; * development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks; * the design speed of trains ≥200 km/h. * The design would include at least one structure: Transport communications (Sub-group: other transport structures (bridges and/or viaducts and/or tunnels);   **Applicable to categories I and IV of the QAS**  *\* The implemented project is deemed to be the evaluation of the design documentation carried out for the technical design of the construction works and/or the technical design of the work and/or the work design, for which the Customer’s confirmation of the completion of the services, or equivalent, has been obtained.* |
| 4.4. | 4.4.1. The Supplier must propose at least one specialist as a **geotechnical/geological expert** to perform the contract in the event of the award of the contract who meets all the following requirements:  (1) the proposed specialist must have completed\* at least one (1) contract for master design and/or master-detailed design and/or the detailed design independent expert **review and checking services**[[11]](#footnote-12) within the last 10 years preceding the time limit for the submission of requests, in the capacity as a geotechnical/geological expert, and which would include all these requirements:   * Transport communications: railway track * the design speed of trains ≥200 km/h. * Development and/or reconstruction and/or new construction of 1435 mm gauge railway tracks;   **Applicable to all categories of the QAS**  ***\**** *The implemented project is deemed to be the evaluation of the design documentation carried out for the technical design of the construction works and/or the technical design of the work and/or the work design, for which the Customer’s confirmation of the completion of the services, or equivalent, has been obtained.* |
| **5. TECHNICAL AND PROFESSIONAL CAPACITY - NATIONAL SECURITY** | | | |
| 5.1. | The supplier, its sub-suppliers or the economic entities whose capacities are relied upon, or persons controlling them, must be free from conflicts of interest which may adversely affect the performance of the contract and from interests which may jeopardise the national security.  A supplier shall be deemed to have a conflict of interest that may adversely affect the performance of the public contract when the Government of the Republic of Lithuania has adopted a decision confirming that the intended or concluded transaction is not in the interest of national security, in accordance with the Law on the Protection of Objects Critical for National Security.  **Applicable to all categories of the QAS** | For the purposes of verification of compliance with national security interests during the procurement, the Supplier shall be required to provide the documentation necessary for such verification. | The supplier, each partner, the sub-supplier(s) used by the supplier and the economic entities whose capacities are relied upon, or persons controlling them. |

**Requirements for the Suppliers regarding the standards of quality management system and environmental management system**

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| --- | --- | --- | --- | --- |
| **Seq. No** | **Requirement** | **Documents evidencing conformty with the requirement** | **Entity to meet the requirement** | **Document to be provided (To be completed by the Supplier)** |

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| --- | --- | --- | --- |
| **6. MANAGEMENT SYSTEM STANDARDS** | | | |
| 6.1. | The Supplier shall comply with a quality management system **for engineering services and/or design** in accordance with LST EN ISO 9001:2015 (or equivalent standard) or complies with other (equivalent) validated quality management system measures.  **Applicable to all categories of the QAS** | 1. A digital copy of a valid certificate issued by an independent body certifying that the Supplier complies with the LST EN ISO 9001:2015 (or equivalent) quality management standard in the required field.  The KC shall recognise equivalent valid certificates issued by independent bodies established in other Member States.  Equivalent evidence shall be accepted only if the Supplier is unable, for objective reasons beyond his control, to produce valid certificates within the time limit set.  Where the Supplier itself meets the afore-mentioned requirement but uses sub-suppliers for the provision of the specified services for which this requirement applies, the following shall be provided: an internal document of the Supplier (e.g. a quality management policy adopted by the company or other documents) or an agreement signed with the sub-supplier, or another document describing the sub-supplier’s compliance with the Supplier’s quality management standard in so far as it is applicable to the sub-supplier’s obligations under the contract, and the Supplier’s responsibility for monitoring the sub-supplier's compliance with the Supplier's own quality management standard. | Subject to the obligations assumed under the contract:  The Supplier, members of a group of Suppliers or an economic operator on whose behalf the Supplier relies.  NOTE: If the Supplier itself meets this requirement but uses sub-suppliers, the sub-suppliers must comply with the required standard/equivalent environmental management measures in the light of their commitment to the contract. |
| 1. **APPLICATION OF THE ENVIRONMENTAL MANAGEMENT SYSTEM** | | | |
| 7.1. | The Supplier shall comply with/apply the requirements of the European Union’s *Eco-Management* *and* *Audit* *Scheme* (EMAS) or the requirements of an environmental management system in accordance with the standard LST EN ISO 14001 “Environmental management systems. Requirements and guidance for use” (hereinafter referred to as “LST EN ISO 14001”) or other environmental management schemes recognised in accordance with Article 45 of Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary application by organisations of a Community eco-management and audit scheme (EMAS) and repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342), or other environmental management standards based on relevant European or international standards approved by certification bodies complying with European Union legislation or relevant European or international certification standards in **the field of Engineering Services and/or Design.**  **Applicable to all categories of the QAS** | 1. A digital copy of a valid certificate issued by an independent body certifying that the Supplier complies with the required environmental management system standards.  The KC shall recognise equivalent valid certificates issued by independent bodies established in other Member States.  Equivalent evidence shall be accepted only if the Supplier is unable, for objective reasons beyond his control, to produce valid certificates within the time limit set. Equivalent evidence of environmental management measures may take the form of a description by the Supplier of the environmental management measures in place which satisfy all the following requirements:  1. a defined environmental policy approved by the management of the undertaking or body and compliance with environmental requirements in the provision of services and works;  2. identification of the most significant aspects of the environment which are, or may be, affected by the activities of the undertaking or body and the legislation governing these aspects of the environment;  3. the environmental objectives and targets set and the means to achieve them;  4. monitoring of the implementation of the environmental objectives – the persons responsible, their responsibilities, duties and time limits for the implementation of the measures;  5. an environmental and emergency management plan;  6. monitoring of environmental improvement activities (e.g. annual reports are prepared and presented to the company’s management).  If the Supplier fulfils the above requirement itself, but uses sub-suppliers for the provision of the specified services covered by this requirement, the following shall be provided: an internal document of the Supplier (e.g. the Supplier’s approved environmental policy or other documents) or an agreement signed with the sub-supplier or other document describing the sub-supplier’s compliance with the Supplier’s environmental management standard insofar as it is applicable to the sub-supplier’s obligations for the contract, and setting out the Supplier’s responsibility for monitoring the sub-supplier’s compliance with the Supplier’s existing environmental management standard. | Subject to the obligations assumed under the contract:  The Supplier, members of a group of Suppliers or an economic entity on whose capacities the Supplier relies.  NOTE: If the Supplier itself meets this requirement but uses sub-suppliers, the sub-suppliers must comply with the required standard/equivalent environmental management measures in the context of their commitment to the contract. |

**Notes:**

* A Supplier may nominate (by clearly indicating this) the same specialist for several positions, provided that the nominated specialist meets all the qualification requirements for the respective position. A Supplier may not rely on the qualifications of two or more persons to meet the qualification requirements for an individual specialist, unless otherwise specified for a particular qualification .
* Proper performance of an obligation shall mean that it must be performed on time, in accordance with the requirements of law, contract and civil law, and in the absence of defects in performance .
* In cases where the procurements documents do not provide for the verification of the Supplier’s qualification for the right to engage in the activity in question, or where the qualification requirements set out in the contract documents are not fully verified, but the regulatory framework lays down certain requirements for the right to engage in the activity, the Supplier shall undertake to the contracting authority that only persons who are qualified to do so will perform the contract. The Supplier shall be required to provide appropriate documentation demonstrating that the contract will be performed only by persons qualified to perform the relevant activities.

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1. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-2)
2. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-3)
3. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-4)
4. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-5)
5. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-6)
6. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-7)
7. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-8)
8. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-9)
9. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-10)
10. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-11)
11. The design evaluation services shall include the assessment of the compliance of the prepared technical documentation with the technical regulations of the European Union or another country and the European Technical Specification for Interoperability, with the legal and regulatory acts of the Republic of Lithuania and with the European and/or global best practice for the design of this type of buildings. [↑](#footnote-ref-12)