



Non-binding call for expression of interest (“EOI”) for the supply of new electric locomotives, homologated to operate freight transport both for Italy and for international traffic, to be purchased by Mercitalia Rail S.r.l. and TX Logistik AG, both controlled by *Ferrovie dello Stato Italiane S.p.A.*

Enquiries and Answers

Enquiries raised to
locotender2017@mercitaliarail.it

Answers DC locos
Mercitalia Rail S.r.l.

Answers MS locos
TX Logistik AG

C) Contract (General enquiries):

1 bis) Under what conditions, is it allowed to sub-contract within legal entities of the same Holding, in case the applicant doesn't have, on its own, the capacity to perform all the contractual obligations provided for in the contracts?

It is forewarned that, if the applicant has the intention to use subcontracts just in order to proof the capacity to perform some of the obligations included in the contracts, which the applicant alone is not able to perform on its own (i.e.: the maintenance), the applicant shall have to submit, from the beginning, a joint EOI with such subcontractor, belonging or not to the same Group. The applicant and the proposed subcontractor will demonstrate that the whole requirements requested in order to perform the concerned obligations are met

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3bis) What legal form must the applicants use for the demonstration of the requirements if only one legal entity belonging to a multinational Group, representing the group and using the references of the national legal entities part of the same group, submits an EOI for the supply of the two batches of product and maintenance?

In particular, for the demonstration of the requirements, the applicants can use any corporate form or unincorporated joint-venture. In the latter case, the EOI must be submitted jointly by all the members of the unincorporated joint-venture

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11) Are the financial statements of the legal entity representing the interested company sufficient or additional financial statements are to be provided?

In case of EOI presented by a company (or companies) belonging to a Group of companies under the control of a parent company (Holding), in case financial statements of the Group are presented, such (consolidated) annual financial statements, representing the situation of the Group, will be considered as satisfactory only if they permit, in a clear and simple way, an evaluation of the economic and financial indicators of the specific companies involved in the purchasing procedure (see paragraph 5, last bullet, of the call for the EOI)

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TX Logistik AG

Mercitalia Rail S.r.l.