



Rachel Taylor
Early Train Operator Procurement Manager
California High-Speed Rail Authority
770 L Street, Suite 620 MS 1
Sacramento, CA 95814

CC: Mark McLoughlin - Early Train Operator Protest Official

November 6, 2017

Re: Early Train Operator (RFP 16-13) - Request for a presentation to the Board

Dear Mrs. Taylor,

First of all, we would like to thank the Authority for reviewing our Protest concerning the Notice of Proposed Award for the Early Train Operator Services.

However, we would like to point out that the decision by the Protest Official states that "...there is no evidence that the Authority did not follow the RFP criteria in its ETO evaluation", but neither addresses any of the requests for clarification included in our letter nor clarifies a potential unfair scoring of Renfe during the discussion.

Furthermore, we would like to confirm that both DBI's statement in response to RENFE's Protest and RENFE's October 30 letter, have been taken into account for taking the decision on the Protest. In particular, we would like to stress the two main points of our letter:

As the Protest Official acknowledges, DBI does not respond nor opposes to any of the points and arguments claimed by Renfe for the Discussion Phase. If DBI doesn't outline any issue, it is probably because Renfe has been underscored during the discussion, given the papers and information provided by Renfe and having had DBI the opportunity to compare with their own documentation.

In accordance to DBI response letter, if their statement about knowledge transfer: (1) is referring to the technology of Siemens Track & Systems and Rolling Stock, and/or (2) is gained by its proposed Key Personnel, Commercial and Operations, it would entail a potential conflict of interest for the purpose of this tender process, taking into account that DBI's future counseling regarding the acquisition of Rolling Stock and Track & Systems could be biased.

Finally, as the potential difference between the provisional scores of the two best rated Proposers is so small, we consider both as a proven delivery partner. So that, the Board might have the opportunity to meet DBI and Renfe before taking his final decision. For this reason, we kindly suggest to organize a presentation to the Board prior to the vote to award the contract for the Early Train Operator Services.

Sincerely,

Juan Matías Archilla Pintidura
RENFE-Operadora

