



Innovation and Networks Executive Agency

Department C - Connecting Europe Facility (CEF)

AMENDMENT N° 1

TO AGREEMENT No INEA/CEF/TRAN/M2014/1050844

The **Innovation and Networks Executive Agency (INEA)** ("the Agency"), under the powers delegated by the European Commission ("the Commission"), represented for the purposes of signature of this amendment by the Head of Department C of the Agency, Andreas Boschen,

on the one part,

and

Sprava železniční dopravní cesty, státní organizace (SZDC)

Dlážděná 1003/7

11000 Prague

Czech Republic

represented for the purposes of signature of this amendment by Deputy Director General, Mojmír Nejezchleb

hereinafter referred to collectively as "the beneficiaries", and individually as "beneficiary" for the purposes of this amendment

on the other part,

Having regard to the above-mentioned grant agreement concluded between the Agency and the beneficiary on 23/11/2015,

Whereas:

- (1) The beneficiary has requested the Agency on 25/07/2019 to amend the above-mentioned grant agreement for the following reason(s): (i) delays in settlement of property rights with the owner of private railway siding, affecting the implementation schedule and end date of the action; (ii) adjustments in technical description of Activities 3 and 4 resulting from completed design documentation and actual implementation of works, affecting the description of the action.
- (2) The measures provided for in this amendment do not affect the award of the Union financial aid.

HAVE AGREED AS FOLLOWS:

Article 1

(1) Article 2.2 is replaced by the following article:

"2.2 The action shall run from 01/05/2014 ("the starting date") until 31/10/2021 ("the completion date")."

(2) Article 4.1.1 "Reporting periods" is replaced by the following article:

"4.1.1 Reporting periods

The action is divided into the following reporting periods:

- Reporting period 1 from the starting date of the action to 31 December 2014;
- Reporting period 2 from 1 January 2015 to 31 December 2015;
- Reporting period 3 from 1 January 2016 to 31 December 2016;
- Reporting period 4 from 1 January 2017 to 31 December 2017;
- Reporting period 5 from 1 January 2018 to 31 December 2018;
- Reporting period 6 from 1 January 2019 to 31 December 2019;
- Reporting period 7 from 1 January 2020 to 31 December 2020;
- Last reporting period from 1 January 2021 to the completion date of the action."

(3) Annex I shall read as follows:

"ANNEX I

DESCRIPTION OF THE ACTION

ARTICLE I.1 – IMPLEMENTATION OF THE TEN-T NETWORK

The action contributes to the implementation of the:

- the core network
 - Corridor(s): Rhine - Danube
 - Pre-identified section(s) on the core network corridor(s):
 - München - Praha
 - Nürnberg - Praha

ARTICLE I.2 – LOCATION OF THE ACTION

I.2.1 Member State(s): Czech Republic.

I.2.2 Region(s) (using the NUTS2 nomenclature): Strední Čechy (CZ02).

I.2.3 Third country(ies): not applicable.

ARTICLE I.3 – SCOPE AND OBJECTIVES OF THE ACTION

The railway line "Praha–Plzeň-Domažlice/Cheb-DE border" is part of Rhine-Danube Core Network Corridor and connects the Czech cities Praha and Plzeň with the German metropolitan areas of Nürnberg and München. The action addresses an upgrade of the railway line in section "Beroun – Králův Dvůr" located between km 37.461 and km 42.700 in total length of 5,239 m. The main objective of the upgrade is to increase the maximum speed to 110-150 km/h and to achieve parameters of the railway line category of UIC D4. The action is part of the Global Project aiming at modernisation of the whole railway line "Praha–Plzeň-Domažlice/Cheb-DE border" in order to increase its speed, capacity, safety and interoperability.

The action consists of both studies and works. The studies concern: (i) elaboration of project design, (ii) assessment/verification of compliance with the relevant environmental legislation, (iii) acquisition of the building permits, and (iv) tender procedure for the main works contract. The construction works cover: (i) land acquisition, (ii) reconstruction of railway line, (iii) reconstruction of Beroun station, and (iv) supervision.

The action does not include implementation of ERTMS which is subject of a separate ERTMS deployment plan for the whole railway line.

The fulfilment of EU environmental law, in particular, the provisions of Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, Directive 2009/147/EC on the conservation of wild birds, Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna,

Directive 2000/60/EC establishing a framework for community policy in the field of water, is a pre-condition for the disbursement of EU financial aid to the action. The compulsory assessments must be duly completed and approved by the competent authorities according to national law and in line with requirements of relevant EU legislation before the start of the physical intervention. If this information is not provided or is not positively assessed by the Commission services, the Agency may suspend, reduce, recover or terminate financial assistance in accordance with articles II.15, II.16, II.24.5 and II.25.4.

ARTICLE I.4 – ACTIVITIES

I.4.1 Activities timetable

Activity number	Activity title	Indicative start date	Indicative end date	Milestone number
1	Preparatory studies	01/05/2014	31/01/2020	1, 2, 3, 4
2	Land acquisition	01/03/2015	21/06/2018	5
3	Reconstruction of railway line "Beroun – Králův Dvůr"	01/11/2017	31/07/2021	6, 7, 8
4	Reconstruction of Beroun station	03/11/2016	31/07/2021	9, 10
5	Supervision	03/11/2016	31/10/2021	11, 12, 13, 14, 15

I.4.2 Activities description

Activity 1: Preparatory studies

The activity covers preparatory studies and tasks necessary for commencement of the construction works. It consists of the following:

Elaboration of project design - This task concerns elaboration of project documentation identifying precisely the technical scope of construction works. It forms an integral part of the request for the building permit as well as the tender documentation for construction works. The service contract for elaboration of project design will be concluded with an external contractor.

Verification of compliance with environmental legislation - Based on the completed screening procedure performed according to Act no. 100/2001 on Environmental Impact Assessment, the competent environmental authority concluded that the action has no significant impacts on environment and therefore it is not subject to environmental impact assessment as per provisions of Act no. 100/2001 on Environmental Impact Assessment (Screening Decision issued by Central Bohemia Region Authority of 10/7/2012). The environmental aspects of the action will be further assessed in line with the provisions of Act no. 39/2015 (amending Act no. 100/2001 and other relevant Acts) in subsequent proceedings to obtain the building permit / development consent. The compliance of the action with the applicable EU environmental legislation will be ensured through application of the provisions of the mentioned Act no. 39/2015. In particular, the general public will be granted, as per provisions of the Act no. 39/2015, a right for information and a possibility of appeal by public concerned.

Acquisition of the building permits – Based on elaborated and approved project documentation, requests for issuance of the building permits will be submitted to the competent authorities. This task will be performed by the external contractor responsible for preparation of the project design.

Tender procedure for the main works contract – The main works contract will be procured in compliance with the applicable public procurement law in force.

The deliverables of the activity are:

- Project design documentation
- Confirmation of compliance with environmental legislation – building permit / development consent
- Building permits for the main works
- Signed main works contract

Activity 2: Land acquisition

In order to be able to upgrade the technical parameters of the railway line, it is necessary to acquire new land in several areas of the future railway line alignment. The land acquisition consists of permanent measures (purchase of land) or temporary measures (leasing or deposit easement). Furthermore, it is necessary to perform acquisition of some assets belonging to third parties such as railway tracks and switches belonging to private siding lines. The eligible costs related to land acquisition will not exceed 10% of total eligible costs.

The deliverables of the activity are:

- Land acquisition completed - Contracts

Activity 3: Reconstruction of railway line "Beroun – Králův Dvůr"

The activity concerns construction works along the whole railway section from km 40.510 to km 42.700. The construction works are divided into the operational sets in order to respect the technical aspects and planning of the foreseen works. The activity will be performed by an external contractor selected through the public procurement procedure.

The scope of construction works consists of the following main parts:

Substructure and superstructure - This covers reconstruction of substructure and superstructure using concrete sleepers of type B 91 and rails of type UIC 60 in total length of 1,190 m of double-track line. It also includes reconstruction of 2 railway bridges in km 42.082 (total length of 10.08 m) and km 42.380 (total length of 11.2 m) and construction of supporting wall in total length of 81 m. In addition, 2 new platforms in total length of 340 m and a new underpass in total length of 17.1 m will be built at the Králův Dvůr railway stop. Catenary in total length of 1,190 m will be reconstructed as well.

Level crossing in km 41.343 – This part covers reconstruction of the existing level crossing, including installation of new signalling equipment, modification of connection to the existing railway siding and the necessary modifications of the road network (approx. 750 m²).

Adjustment of connection of the private railway siding – Adjustment of connection of the private railway siding in km 40.548 is necessary due to the changes in alignment of the upgraded railway line. The works will cover modification of existing connection to railway siding in length of 94 m, as well as installation of new interlocking (2 switches).

Communication system at Králův Dvůr stop – This concerns installation of 22 speakers and preparatory works for the future development of communication and information system in the stop (the latter to be implemented outside the action).

Interlocking – The construction works include installation of interlocking equipment compliant with ETCS equipment to be deployed in the future. This includes 4 signalling devices and a remote diagnostic cable in total length of 1,400 m.

The deliverables of the activity are:

- Completed substructure and superstructure – Handover protocol
- Completed level crossing in km 41.343 – Handover protocol
- Completed adjustment of connection of the private railway siding – Handover protocol
- Completed works on communication system at Králův Dvůr stop – Handover protocol
- Completed interlocking – Handover protocol

Activity 4: Reconstruction of Beroun station

The activity concerns construction works in Beroun station from km 37.461 to km 40.510, including Beroun marshalling yard. The construction works are divided into the operational sets in order to respect the technical aspects and planning of the foreseen works. The activity will be performed by an external contractor selected through the public procurement procedure.

The scope of construction works consists of the following main parts:

Substructure and superstructure – This covers reconstruction of substructure and superstructure using concrete sleepers of type B 91 and rails of type UIC 60 on major tracks and rails of types 49E1 and/or S49 on secondary tracks in total length of 3,978 m (15 station tracks). The task also covers reconstruction of tracks no. 213, 215, 217 and 219 at the Beroun marshalling yard, reconstruction of the railway bridge in km 39.391 in total length of 20.9 m and construction of a new support traction substation in km 39.273 (22 kV substation, 2 transformers 6.5 MVA and other technological elements). In addition, 4 existing platforms in total length of 1,087 m and 1 existing underpass in length of 43.82 m will be reconstructed, including 3 new lifts. Catenary in total length of 3,049 m will be reconstructed as well.

Information and communication system in the Beroun station – A new information and communication system will be installed in the Beroun station. It will include 47 speakers, 40 cameras and 24 information panels.

Interlocking – The construction works concern installation of interlocking equipment compatible with ETCS equipment to be deployed in the future. It includes installation of 106 signalling devices and remote diagnostics cable in total length of 5,089 m, as well as

necessary upgrades in dispatch office in Beroun station and in Control-Command Centre Praha.

The deliverables of the activity are:

- Completed substructure and superstructure – Handover protocol
- Completed information and communication system in the Beroun station – Handover protocol
- Completed interlocking – Handover protocol

Activity 5: Supervision

The activity covers the supervisory services necessary to ensure compliance of the construction works with the relevant technical/legal rules and standards. It is composed of the following:

Design supervision – External contractor responsible for preparation of project design will perform the relevant supervision tasks in order to ensure the compliance of construction works with the project design. He will also be responsible for consulting and approving any changes in technical scope in relation to the original design.

Health and safety supervision – A work safety coordinator will address safety and protection of health issues during the period of construction. Duties and tasks of the coordinator are based on the requirements of the Act no. 309/2006. This task will be performed by a specialist selected through a public procurement.

Geotechnical supervision – Geotechnical supervision concerns soil classification, assessment of excavation and backfilling materials, controlling and laboratory tests of building materials, and issuance of mandatory opinions and recommendations during the construction phase. This task will be performed by a specialist selected through a public procurement.

Archaeological supervision – The task concerns supervision by selected archaeological company or national archaeological authority assessing and monitoring the excavation works in terms of presence of archaeological objects. This task will be performed by a specialist selected through the public procurement.

Final documentation preparation - This task concerns the elaboration of "final project documentation" which covers and summarises all tasks, activities and procedures performed during the implementation of construction works. The document therefore defines the final state and technical parameters of the completed construction. It will be elaborated by the contractor responsible for execution of construction works.

The deliverables of the activity are:

- Design supervision completed – Final report
- Health and safety supervision completed – Final report
- Geotechnical supervision completed – Final report
- Archaeological supervision completed – Final report
- Final documentation preparation completed – Handover protocol

ARTICLE I.5 – MILESTONES AND MEANS OF VERIFICATION

Milestone number	Milestone description	Indicative completion date	Means of verification
1	Completion of project design	02/03/2016	Handover protocol
2	Confirmation of compliance with environmental legislation	31/01/2020	Building permit / development consent
3	Building permits issued	31/01/2020	Building permits
4	Main works contract signed	03/11/2016	Main works contract
5	Land acquisition completed	21/06/2018	Contracts
6	Commencement of reconstruction of railway line "Beroun – Králův Dvůr"	01/11/2017	Building log entry
7	Completion of level crossing in km 41.343	28/02/2021	Handover protocol
8	Completion of reconstruction of railway line "Beroun – Králův Dvůr"	31/07/2021	Handover protocol
9	Commencement of reconstruction of Beroun station	03/11/2016	Building log entry
10	Completion of reconstruction of Beroun station	31/07/2021	Handover protocol
11	Design supervision completed	31/07/2021	Final report
12	Health and safety supervision completed	31/07/2021	Final report
13	Geotechnical supervision completed	31/07/2021	Final report
14	Archaeological supervision completed	31/07/2021	Final report
15	Final documentation preparation completed	31/10/2021	Handover protocol

"

(4) Table 2 of Annex III "Estimated budget of the Action" is replaced by the following table:

Table 2: Indicative breakdown per activity of estimated eligible costs of the action (EUR)

Activities	2014	2015	2016	2017	2018	2019	2020
ELIGIBLE DIRECT COSTS							
Activity 1	1,961,261	0	17,789	0	0	0	0
Activity 2	0	165,816	278,339	0	0	0	0
Activity 3	0	0	0	12,893	276,802	2,634,788	2,634,788
Activity 4	0	0	0	22,885,199	20,234,413	8,812,793	9,812,793
Activity 5	0	0	0	97,899	85,073	88,117	88,117
TOTAL ELIGIBLE DIRECT COSTS	1,961,261	165,816	296,128	22,995,991	20,596,288	11,535,698	12,634,788
Annual instalments of maximum CEF contribution	1,481,928.81	125,290.57	223,754.32	17,375,770.8	15,562,555.21	8,716,373.41	9,148,117.41

"

Article 2

All the other provisions of the grant agreement shall remain unchanged.

Article 3

The present amendment shall form an integral part of the grant agreement and it shall enter into force on the date on which it is signed by the last party. It shall take effect on 01/05/2014.

SIGNATURES

For the beneficiary Sprava železniční
dopravní cesty, státní organizace
Mojmír Nejezchleb

For the Agency
Andreas Boschen

Done at Prague, on 27. 09. 2019

Done at Brussels, on 03. 10. 2019

In duplicate in English.

Ověřovací doložka změny datového formátu dokumentu podle § 69a zákona č. 499/2004 Sb.

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