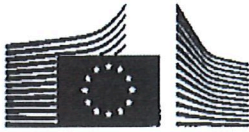


Agreement number: INEA/CEF/TRAN/M2015/1125609 Modif. no 6 Amend. no 6
Action number: 2015-CZ-1M-0238-M



Innovation and Networks Executive Agency

Department C - Connecting Europe Facility (CEF)

**AMENDMENT N° 6
TO AGREEMENT No INEA/CEF/TRAN/M2015/1125609**

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

Správa železnic, státní organizace (Správa železnic)

Public law body

Registration No A 48384

Dlážděná 1003/7

110 00 Praha

Czech Republic

VAT No CZ70994234.

represented for the purposes of signature of this amendment by Deputy DG for Rail Modernization, **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 28/10/2016 as amended on 21/12/2016, 14/11/2017, 24/10/2018, 05/12/2018 and 02/03/2020,

Whereas:

- (1) The Agency informed the Beneficiary on 28/05/2020 of its intention to amend the above-mentioned grant agreement for the following reason(s): reduce the scope of the Action and consequently the eligible costs and related maximum amount of the grant.
- (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) In Article 1 the title of the action "ETCS Cesky Brod - Praha Junction (including)" is replaced by "ETCS Cesky Brod - Praha Junction".

(2) Article 3 "Maximum amount and form of the grant" is replaced by the following article:

"ARTICLE 3 – MAXIMUM AMOUNT AND FORM OF THE GRANT

The grant for the action shall be of a **maximum amount of EUR 3,320,907.**

The grant shall take the form of:

- (a) the reimbursement of 85% of the eligible costs of the action ("reimbursement of eligible costs"), which are estimated at EUR 3,906,949 and which are:
 - (i) actually incurred ("reimbursement of actual costs")
 - (ii) reimbursement of unit costs: not applicable
 - (iii) reimbursement of lump sum costs: not applicable
 - (iv) reimbursement of flat-rate costs: not applicable
 - (v) declared on the basis of an amount per unit calculated in accordance with the beneficiary's usual cost accounting practices ("reimbursement of costs declared on the basis of the beneficiary's usual cost accounting practices") for personnel costs
- (b) unit contribution: not applicable
- (c) lump sum contribution: not applicable
- (d) flat-rate contribution: not applicable"

(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
 - Horizontal priority: Telematic applications systems for rail (ERTMS).
 - Corridor(s): Orient/East-Med
 - Pre-identified section(s) on the core network corridor(s):
 - Hamburg - Dresden - Praha - Pardubice

ARTICLE I.2 – LOCATION OF THE ACTION

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

I.2.2 Region(s) (using the NUTS2 nomenclature): Praha (CZ01), Strední Cechy (CZ02).

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

ARTICLE I.3 – SCOPE AND OBJECTIVES OF THE ACTION

The "ETCS Cesky Brod - Praha Junction" is an important Action within the global ETCS deployment project, related to the backbone rail network in the Czech Republic. It is part of the "ERTMS National Implementation Plan, which aims at deploying ETCS on approximately 1,350 km of railway lines in the Czech Republic by 2020. Three of the nine TEN-T Core Network Corridors cross the territory of the Czech Republic: the Baltic-Adriatic, the Orient/East-Med and the Rhine-Danube Corridors.

The present Action aims at deploying ETCS L2, Baseline 3 on the Cesky Brod – Praha Junction section on approximately 37 km of double track along the route Český Brod - Praha Bechovice - Praha Malešice - Praha Uhřetěves. This section is part of the Orient/East-Med Core Network Corridor.

The deployment of ETCS L2 within the Czech rail infrastructure, which forms part of the Trans-European conventional rail network, will increase interoperability and safety on European Core railway network. It will be beneficial for the Czech Republic not only in terms of interoperability, but also in terms of increased rail transport safety and efficiency. This will help consolidate the position of the Czech railways in transit transport, particularly within the European Rail Freight Corridors (RFC 7, 9).

The implementation of the Action will increase the level of safety, utilization capacity, as well as the general efficiency of rail transport management in the Czech Republic. The deployed system will respect a mixed operation of ETCS equipped and non-equipped trains on conventional lines according to the operating rules applicable to the infrastructure managed by the Rail Infrastructure Administration and will not be a hindrance for the use of

the current railway capacity provided by the existing infrastructure.

This Action will be implemented in the frame of the contract for ETCS deployment on section Kolin-Praha junction.

ARTICLE I.4 – ACTIVITIES

1.4.1 Activities timetable

Activity number	Activity title	Indicative start date	Indicative end date	Milestone number
1	ETCS deployment on the section Cesky Brod - Praha Junction	30/11/2016	31/12/2020	1, 2, 3, 4, 5, 6, 7, 8

1.4.2 Activities description

The deliverables of the Action shall cover the authorisation procedure documents. Reference of the following documents to the above mentioned section must be clearly demonstrated:

1. EC declaration of conformity for each interoperability constituent relevant for ERTMS issued by the supplier or the supplier's authorised representative established within the Union, including the certificate of conformity from a notified conformity assessment body. The EC declaration of conformity shall be fully in line with Directive 2008/57/EC;
2. Information regarding tests results (test report including operational scenarios) in line with the latest applicable technical specification for interoperability, performed with on-board units provided by at least one different supplier to the one in charge of the equipment of the line. The on-board units used for tests shall be compliant with the applicable technical specification for interoperability;
3. EC declaration of verification of the subsystem issued by the applicant for each Control Command Signalling subsystem installed including the EC certificate of verification of subsystem from a Notified Body and the safety assessment report following section 3.2.1 of Commission Regulation (EU)2016/919/EU. The EC declaration of verification shall be fully in line with Directive 2008/57/EC;
4. Copy of an application to a competent authority for an authorisation for placing the Control Command Signalling trackside subsystem in service or the authorisation issued by a competent authority, in case it is available by the time the final payment claim is due.

Activity 1: ETCS deployment on the section Cesky Brod - Praha Junction

This activity covers the deployment of ERTMS on approximately 37 km double track section between Cesky - Praha Junction along the route Český Brod - Praha Bechovice - Praha Malešice - Praha Uhřetěves, which is part of the Orient – East Med Core Network Corridor. The line will be equipped with Level 2, Baseline 2 or higher. In case of Baseline 2, this Action should implement national values for braking curves (Commission Regulation (EU)2016/919, Annex A, subset-026, packet 203). This will guarantee interoperability and avoid exported constraints from track to train. The trackside must be interoperable and fully compatible with railway vehicles equipped with ETCS on-board certified by ETCS Baseline 2, and vehicles equipped with ETCS on-board certified by ETCS Baseline 3 according to actual TSI CCS. This activity is split into 3 sub-activities which are:

- A1.1. Preparation of the construction design
- A1.2. Deployment
- A1.3. Testing and certification

ARTICLE I.5 – MILESTONES AND MEANS OF VERIFICATION

Milestone number	Milestone description	Indicative completion date	Means of verification
1	A1.1. Contract (design and build) for ETCS deployment on section Kolin - Praha junction	08/08/2018	Contract signed
2	A1.1. Start of the system design section Cesky Brod - Praha Junction	15/08/2018	Confirmation from the beneficiary
3	A1.1. Completion of the system design section Cesky Brod - Praha Junction	30/11/2019	Confirmation from the beneficiary
4	A1.2 Interoperability Constituents Conformity	10/10/2019	EC declaration of conformity for the Interoperability
5	A1.2. ETCS deployment on the section Cesky Brod - Praha Junction launched	05/11/2019	Confirmation from the beneficiary
6	A1.2. Operational tests description and results on the section Cesky Brod - Praha Junction	25/10/2020	Test report description
7	A1.3. Subsystem verification of the section Cesky-Brod - Praha Junction completed	25/11/2020	EC declaration of verification of the subsystem and EC certificates
8	A1.3. Authorisation of the section Cesky Brod - Praha Junction by a competent authority	31/12/2020	Authorisation requested

"

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(4) Annex III shall read as follows:

**"ANNEX III
ESTIMATED BUDGET OF THE ACTION**

Table 1: Planned sources of financing of the eligible costs of the action

Financing sources	Amount of financial contribution to the action eligible costs (EUR)
1. CEF-Transport financing	3.320.907
2. Beneficiary's own resources	0
of which:	
(a) EIB loan	0
3. State budget(s)	586,042
4. Regional/ local budget(s)	0
5. Income generated by the action	0
6. Other sources	0
TOTAL	3.906.949

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

Activities	2016	2017	2018	2019	2020	Total
ELIGIBLE DIRECT COSTS						
Activity 1	0	0	0	889,640	3,017,309	3,906,949
TOTAL ELIGIBLE DIRECT COSTS	0	0	0	889,640	3,017,309	3,906,949
Annual Instalments of maximum CEF contribution	0	0	0	756,194	2,564,712,65	3,320,906,65

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Table 3: Indicative breakdown per beneficiary of the maximum CEF contribution (EUR)

Not applicable.
"



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 the date of its entry into force.

SIGNATURES

For the beneficiary Správa železnic, státní
organizace
Mojmír Nejezchleb

For the Agency
Andreas Boschen

Done at Praha, on

06-08-2020

In duplicate in English.

Done at Brussels, on

Andreas
Boschen

Digitally signed
by Andreas
Boschen
Date: 2020.08.21
14:58:34 +02'00'

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

Doložka číslo: 1202518

Původní datový formát: application/pdf

UUID původní komponenty: 4cef250a-200b-4cc9-a988-9b26a4b898b5

Jméno a příjmení osoby, která změnu formátu dokumentu provedla:

System ERMS (zpracovatel dokumentu Anna VRÁNA)

Subjekt, který změnu formátu provedl: Správa železnic, státní organizace

Datum vyhotovení ověřovací doložky: 09.11.2020 14:18:46



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