



Innovation and Networks Executive Agency

Department C - Connecting Europe Facility (CEF)

**AMENDMENT N° 4
TO AGREEMENT No INEA/CEF/TRAN/M2015/1137583**

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)

State Organisation

Registration No A48384

Dlázdena 1003/7

11000 Prague

Czech Republic

VAT No CZ70994234,

represented for the purposes of signature of this amendment by Deputy Director General, Mojmir 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 04/11/2016 as amended on 14/11/2017, 05/11/2018 and 02/03/2020,

Whereas:

- (1) The beneficiary has requested the Agency on 22/09/2020 to amend the above-mentioned grant agreement for the following reason(s): delays in obtaining the relevant permits and signature of the works contract; need to align the description of activities 3 and 4 with the actual implementation of the works based on the completed designs.
- (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 01/01/2017 ("the starting date") until 31/12/2021 ("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 2017;
- Reporting period 2 from 1 January 2018 to 31 December 2018;
- Reporting period 3 from 1 January 2019 to 31 December 2019;
- Reporting period 4 from 1 January 2020 to 31 December 2020;
- Last reporting period from 1 January 2021 to the completion date of the action."

(3) Article 6.3 is replaced by the following article:

"6.3 Communication details of the beneficiaries"

Any communication from the Agency to the beneficiaries shall be sent to the following addresses:

For Správa železnic, státní organizace:

Radka Snajdrova

Head of External Financing Unit

Dlazdena 1003/7, 11000 Praha, Czech

Republic E-mail address: xxxxxx

(4) 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):
 - Ostrava/Prerov - Žilina - Košice - UA border

ARTICLE I.2 – LOCATION OF THE ACTION

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

1.2.2 Region(s) (using the NUTS2 nomenclature): Střední Morava (CZ07).

1.2.3 Third country(ies): not applicable.

ARTICLE 1.3 – SCOPE AND OBJECTIVES OF THE ACTION

The action addresses an upgrade of the Czech railway line "Valašské Meziříčí - Hustopeče nad Bečvou" from km 15.991 to km 24.039. It is part of the Global Project covering the upgrade of entire railway line "Hranice na Moravě-Vsetín-Horní Lideč-CZ/SK border" which belongs to Rhine-Danube core network corridor. The main objective of the action is to upgrade the technical parameters of the conventional railway line in compliance with the relevant standards for rail core network. The main parameters include: nominal track gauge of 1,435 mm; 22.5 t axle load; 135-160 km/h line speed; and possibility of running trains with a length of 740 m. The action does not include implementation of ERTMS which will be subject of a separate action in line with the Czech National Deployment Plan.

The action is composed of studies and works. The studies concern elaboration of project documentation to obtain the building permit, as well as elaboration of tender documentation and procurement of the works contract. The construction works cover: (i) land acquisition, (ii) upgrade of the railway line in two phases including a reconstruction of station Lhotka nad Bečvou, and (iii) supervision. Project management will be ensured by the beneficiary on its own expenses within the established management structure for implementation of EU funded projects. The action therefore does not include a specific project management activity.

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 1.4 – ACTIVITIES

1.4.1 Activities timetable

Activity number	Activity title	Indicative start date	Indicative end date	Milestone number
1	Preparatory studies	14/12/2017	22/08/2019	1, 2, 3, 4
2	Land acquisition	01/01/2017	31/10/2021	5
3	Construction works – 1st phase	01/06/2019	31/03/2021	6, 7, 8
4	Construction works – 2nd phase	15/06/2019	31/03/2021	9, 10, 11
5	Supervision	01/06/2019	31/12/2021	12, 13, 14

1.4.2 Activities description

Activity 1: Preparatory studies

The activity addresses preparatory studies and tasks to be implemented in order to commence with the construction works. It consists of the following:

Documentation for acquisition of the building permit - This task concerns elaboration of the project documentation necessary to obtain the building permit. It will be performed by an external contractor/consultant selected through public procurement. The documentation will be prepared in line with the applicable national legislation and will reflect the outcomes of the previous preparatory phases such as feasibility study, EIA screening, and zoning procedure. Based on elaborated and approved project documentation, a request for issuance of building permit will be submitted by the consultant to the competent authorities. One building permit will be issued for the construction works subject to the action.

Verification by competent environmental authority - A competent environmental authority will verify whether there have been any changes to the action which may have a significant effect on the environment since the screening conclusion, determining whether an environmental impact assessment is needed or not. The conclusions of the above verification shall be reflected within the final decision/permit.

Tender documentation and procurement procedure for the main works contract - This task covers elaboration of tender documentation based on the outcomes of the building permit procedure. The documentation will be prepared by the contractor/consultant responsible for elaboration of the documentation for the building permit. The main works contract will be procured in compliance with the applicable public procurement law in force.

The deliverables of the activity are:

- Documentation for acquisition of the building permit
- Verification by competent environmental authority
- Building permit
- Tender documentation for the main works contract
- Signed main works contract

Activity 2: Land acquisition

In order to be able to upgrade the railway line, it is necessary to acquire new land in several areas of the future railway line alignment. The land acquisition will be implemented through permanent measures (i.e. purchase of land). The eligibility of costs related to land acquisition is limited to 10% of total eligible costs of the action.

The deliverables of the activity are:

- Land acquisition completed - Contracts

Activity 3: Construction works – 1st phase

Construction works to be implemented under the Action are divided into two phases in order to respect the technical aspects and planning of the works, as well as requirements regarding the permanent operation of the railway line. Activity 3 concerns construction works on the entire track no. 2 and related structures in section from km 16.034 to km 24.046, including the station Lhotka nad Bečvou (even track numbers). The activity will be performed by an external contractor selected through a public procurement procedure. The scope of construction works consists of the following main parts:

Preparatory works – The main components cover: relocation and protection of public utilities; demolition of three structures in Lhotka nad Bečvou station (platform roof, entrance to the underpass and warehouse); preparation of construction equipment; and construction of temporary access roads.

Substructure and superstructure – The main components cover: reconstruction of railway substructure and superstructure using rails of type 60E2 and 49E1 and concrete sleepers of type B91 and B03 from km 16.040 to km 24.046 (track no. 2) and 6 tracks in railway station Lhotka nad Bečvou (tracks no. 2, 4, 6, 8, 10 and partly no. 1) including drainage; concrete noise protection barriers in 5 sections (approximate total length of 651 m).

Signalling and interlocking - The main components cover: implementation of new signalling system and interlocking equipment of class 3; new switches of type UIC 60 (11 pieces) and of type S 49 (8 pieces) with electric heating system.

Platform – The main components cover: island platform reconstruction including platform edges in length of 140 m; including a new passenger shed; installation of lighting and a new information system.

Level crossings - The main components cover the reconstruction of two level crossings at km 18.889 and at km at 21.815, related to track no. 2 (same applies for the remaining structures under 1st phase as described below).

Grade-separated crossing (Road overpass) – The main component is the reconstruction of grade-separated crossing (constructed from reinforced concrete with steel welded beams) at km 17.302 in total length 30.4 m.

Bridges – The main components cover: under track no. 2 reconstruction of bridge at km 16.313 in a length of 3.00 m (reinforced concrete); reconstruction of bridge at km 17.577 in a length of 6.50 m (reinforced concrete); reconstruction of bridge at km 21.847 in a length of 8.36 m (reinforced concrete); minor works on bridge at km 23.037.

Culverts – The main components cover: reconstruction of 10 culverts: at km 16.953, km 17.282, km 17.800, km 18.202, km 18.351, km 18.582, km 19.112, km 19.483, km 19.939 and at km 23.473; demolition of 8 culverts: at km 16.718, km 17.086, km 17.342, km 18.886, at km 22.010, km 23.106, km 23.228 and km 23.825.

Underpasses - The main components cover: reconstruction of an underpass in the railway station at km 20.815 in approximate length of 10.00 m (existing underpass will be disassembled and newly rebuilt from reinforced concrete); construction of a new underpass of a bicycle path at km 19.406 in approximate length of 14.00 m and width of 2.5 m.

Catenary - The main components cover: disassembly of the existing catenary; installation of new catenary of approximate length of 13.889 km (the project design already accommodates the transition from the existing 3 kV DC traction to the foreseen 25kV AC traction system, which is outside the scope of this action).

The deliverables of the activity are:

- Site preparation completed – Building log entry
- 1st phase of construction works completed – Handover protocol

Activity 4: Construction works – 2nd phase

The activity concerns construction works on entire track no. 1 and related structures on section from km 15.991 to km 24.043, including the station Lhotka nad Bečvou (odd track numbers). The activity will be performed by an external contractor selected through a public procurement procedure. The scope of the construction works consists of the following main parts:

Preparatory works – The main components cover: relocation and protection of public utilities; demolition of a small building at Valašské Meziříčí station access; preparation of construction equipment; and construction of temporary access roads.

Substructure and superstructure – The main components cover: reconstruction of railway substructure and superstructure on track no. 1 using rails of type 60E2 and concrete sleepers of type B91, on track no. 3 rails 40E1 and sleepers B91, and on renovated parts of other tracks rails 49E1 and sleepers B03, from km 16.000 to km 24.043 (track no. 1) and 4 tracks in railway station Lhotka nad Bečvou (tracks no. 3, 5, 7 and partly no. 1) including drainage; concrete noise protection barriers in 3 sections (approximate total length of 556 m).

Signalling and interlocking - The main components cover: implementation of new signalling system and interlocking equipment of class 3; new switches of type UIC 60 (2 pieces) and of type S 49 (2 pieces) with electric heating system.

Level crossings - The main components cover the reconstruction of two level crossings at km 18.889 and km at 21.815, related to track no. 1 (same applies for the remaining structures under 2nd phase as described below).

Grade-separated crossing (Road overpass) – The main component is the reconstruction of grade-separated crossing (constructed from reinforced concrete with steel welded beams) at km 17.302 in total length 30.4 m.

Bridges – The main components cover: under track no. 1 reconstruction of bridge at km 16.313 in a length of 3.00 m (reinforced concrete); reconstruction of bridge at km 17.577 in a length of 6.50 m (reinforced concrete); reconstruction of bridge at km 21.847 in a length of 8.36 m (reinforced concrete); minor works on bridge at km 23.037.

Culverts – The main components cover: reconstruction of 10 culverts: at km 16.953, km 17.282, km 17.800, km 18.202, km 18.351, km 18.582, km 19.112, km 19.483, km 19.939 and at km 23.473; demolition of 8 culverts: at km 16.718, km 17.086, km 17.342, km 18.886, at km 22.010, km 23.106, km 23.228 and km 23.825.

Underpasses - The main components cover: reconstruction of an underpass in the railway station at km 20.815 in approximate length of 10.00 m (existing underpass will be disassembled and newly rebuilt from reinforced concrete); construction of a new underpass of a bicycle path at km 19.406 in approximate length of 14.00 m and width of 2.5 m.

Catenary - The main components cover: disassembly of the existing catenary; installation of new catenary of approximate length of 8.808 km (the project design already accommodates the transition from the existing 3 kV DC traction to the foreseen 25kV AC traction system, which is outside the scope of this action).

The deliverables of the activity are:

- Site preparation completed – Building log entry
- 2nd phase of construction works completed – Handover protocol

Activity 5: Supervision

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

Design supervision – The contractor/consultant, originally responsible for elaboration of the documentation for the building permit, will perform the supervision tasks in order to ensure the compliance of construction works with the project design. He will be consulted if required and will approve 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 testing of soil samples, 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.

Final project 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 the 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
- Final project documentation completed – Handover protocol

ARTICLE 1.5 – MILESTONES AND MEANS OF VERIFICATION

Milestone number	Milestone description	Indicative completion date	Means of verification
1	Signature of contract for elaboration of documentation for building permit and tender documentation	14/12/2017	Contract signed
2	Verification by competent environmental authority completed	22/08/2019	Verification by competent environmental authority
3	Building permit issued	24/04/2019	Building permit
4	Main works contract signed	24/05/2019	Main works contract
5	Land acquisition completed	31/10/2021	Contracts
6	Commencement of construction works – 1st phase	01/06/2019	Building log entry
7	Site preparation completed	23/08/2019	Building log entry
8	Completion of construction works – 1st phase	31/03/2021	Handover protocol
9	Commencement of construction works 2nd phase	15/06/2019	Building log entry
10	Site preparation completed	01/03/2020	Building log entry
11	Completion of construction works 2nd phase	31/03/2021	Handover protocol
12	Supervision launched	01/06/2019	Contracts signed
13	Supervision completed	31/03/2021	Final reports
14	Final project documentation completed	31/12/2021	Handover protocol

"

(5) 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	2017	2018	2019	2020	2021	Total
ELIGIBLE DIRECT COSTS						
Activity 1	0	1,641,370	0	0	0	1,641,370
Activity 2	9,938	0	670	0	43,869	54,477
Activity 3	0	0	13,685,776	14,860,321	0	28,546,097
Activity 4	0	0	4,643,670	19,825,873	0	24,469,543
Activity 5	0	0	66,436	202,405	92,117	360,958
TOTAL ELIGIBLE DIRECT COSTS	9,938	1,641,370	18,396,552	34,888,599	135,986	55,072,445
Annual instalments of maximum CEF contribution	1,388,419.77	0	15,467,820.92	29,334,334.04	114,337.03	46,304,911.76

"

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 31/12/2020.

SIGNATURES

For the beneficiary Správa železnic, státní
organizace
Mojmir Nejezchleb

For the Agency

Done at Prague, on

30.11 2020

Done at Brussels, on

16 DEC. 2020

In duplicate in English.

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

Doložka číslo: 1287376

Původní datový formát: application/pdf

UUID původní komponenty: ac65dcab-1cea-41e0-b577-f08c028c1e62

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: 29.12.2020 12:52:01



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