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| **European Commission** European Climate, Infrastructure and Environment Executive Agency (CINEA)  **Connecting Europe Facility** | **ASR-2024-2016-SK-TMC-0219-W-Upgrade of the Váh – Varín – Strečno railway section**  Reporting period: 1 January 2023 - 31 December 2023 | |
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| **1. INFORMATION ON THE ACTION** | | |
| Grant Agreement Nº | | INEA/CEF/TRAN/M2016/1356330 |
| Action number | | 2016-SK-TMC-0219-W |
| Action title | | Upgrade of the Váh – Varín – Strečno railway section |
| PCI (for energy and synergy only) | |  |

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| **2. INFORMATION ON THE PROGRESS OF THE ACTION (GA II.23.1.1.c or SESAR FPA II.23.1b.c)** |

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| **2.1. Overall progress of the Action until the end of the previous reporting period** |

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| **Planned dates (GA)** | | **Previous ASR dates** | | **Actual dates** | | **Overall technical progress achieved at the end of the previous reporting period (%)\*** |
| Start | End | Start | End | Start | End |
| 07/02/2017 | 30/06/2024 | 07/02/2017 | 30/06/2024 | 07/02/2017 | 31/12/2024 | 87.00 |
| **\*Please explain how the percentage of the progress achieved has been estimated/calculated** | | | | | | |
| The methodology for calculation of overall technical progress of 86,6% is based on the weighted percentage technical progress of each activity.  Within each activity a percentage number for technical progress is assigned to every milestone while a percentage number for technical progress is assigned to every activity within the Action. The percentage numbers for technical progress of the milestones and the activities are presented in Annex 1.  The methodology has been chosen and applied in all previously submitted ASRs, as for projects of this kind the financial progress never really corresponds to technical progress.  The Action´s cumulative technical progress including the planned technical progress is enclosed in Annex 4 and Annex 16. | | | | | | |

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| **Overview of progress since the start of the Action**  *The overview should include a description of the actual progress of the Action and per activity since the start of the Action until at the end of the previous reporting period, referring to the main issues, milestones and events that affected the progress.* |
| Activity 1 – Construction works and author supervision The delay in initiating the activity is due to a delay of Milestones 13 (Public procurement procedure for construction works published) and 17 (Contrract signed for construction works). Sub-activity 1.1: Construction works supervision  Milestone 1 – Start of Construction works supervision (15/12/2020, in GA 01/04/2019) Following the decision of contracting authority the performance of construction works supervision is being carried out by internal capacities (employees) of the Railways of the Slovak Republic (hereinafter referred to as “ŽSR”). The decision of the General Director of ŽSR in enclosed in Annex 13.2. The work of construction works supervision began on 15/12/2020 by the handover of construction site, followed by activities such as taking over design documentation, studying design documentation and checking the work schedule of the contractor for works. The minutes of the handover of construction site are enclosed in Annex 11. The appointment decree of the construction supervision team of ŽSR is enclosed in Annex 12.   Milestone 2 - Submission of first interim report on Construction works supervision (30/06/2021, in GA 31/12/2019) Interim report: It is the result of construction works supervision, the plan and reality according to the current schedule are stated here, financial development, interim payments, course of construction in individual months of 2021, course of exclusionary activity, photo documentation, records from control days. The interim report is prepared by the head of construction works supervision and it serves for comprehensive information about the activities of construction works supervision.  The Interim report is attached as Annex 15.1.   Milestone 3 – Submission of second interim report on Construction woks supervision (30/06/2022, in GA 31/12/20)  Secon Interim report: It is the result of construction works supervision, the plan and reality according to the current schedule are stated here, financial development, interim payments, course of construction in individual months of 2021 and 2022, photo documentation, records. In the monitored period, work was carried out on individual construction objects at UČS 54 and UČS 55. During the given period the following work was carried out: preparatory work (felling of trees, removal of structures, landscaping), railway security devices, signaling devices, bridges and artificial structures (railway and road, loading and unloading ramps, retaining walls), earthworks (buildings, platform shelters, paved area, fences, cable ducts, garden and park improvements, anti-noise devices), traction lines and energy, low-current distributions, engineering networks, roads and access roads, work on the railway substructure and railway superstructure, railway platforms. The interim report is prepared by the head of construction works supervision and it serves for comprehensive information about the activities of construction works supervision. The second Interim report is attached as Annex 15.2 and 15.3.  Milestone 4 – Submission of third interim report on Construction works supervision (30/06/2023, in GA 31/12/2021)  Third Interim report: It is the result of construction works supervision, the plan and reality according to the current schedule are stated here, financial development, interim payments, course of construction in individual months of 2022 and 2023, photo documentation, records. In the monitored period, work was carried out on individual construction objects at UČS 54 and UČS 55. During the given period the following work was carried out: work on the railway superstructure and substructure, noise barriers, catenary system, interlockig system and communication equipment, new road overpass to the integrated transport terminal, completion of subways for the traveling public, for pedestrians and cyclists, establishment of low-voltage electrical connections, construction of platforms, roofing of platforms, underpasses for pedestrians, cyclists and the traveling public. The construction works supervision is being carried out by internal capacities of ŽSR.The interim report is prepared by the head of construction works supervision and it serves for comprehensive information about the activities of construction works supervision. The third Interim report is attached as Annex 15.4, Annex 15.5 and Annex 15.6 concerning the period from July to December 23.   Milestone 6 – Start of preliminary construction works (13/11/2020, in GA 01/04/2019) The preliminary construction works started on 13/11/2020 after signature of the contract for construction works. The Contractor submitted to ŽSR the following main documents in accordance with the contract for works: - insurance contracts - list of experts for individual fields - list of subcontractors - list of working machines - detailed work schedule covering the implementation phase and the financial plan Subsequently, the necessary administrative actions were performed before the start of construction works.  Milestone 7 – Start of construction works (15/12/2020, in GA 01/05/2019) After signing the Contract for construction Works, the contractor started construction works in accordance with the Contract for construction Works and the Grant Agreement. The construction works started on 15/12/2020 by the handover and takeover of the construction site. The minutes of the handover of construction site are enclosed in Annex 11.   Milestone 8 – Completion of sub-section UČS 54 Váh – Varín (31/12/2024, in GA 31/03/2021)  Construction works completed in UČS 54 in 2021:  - road overpass to the Teplička Integrated Transport Terminal: Work in progress is about 20%, – modification of engineering networks (water supply and sewerage), – construction of new traction supports, – adjustment work on security equipment (signals, cable ducts, communication devices).  Construction works completed in UČS 54 in 2022: - the new road overpass together with the road to the integrated transport terminal was completed and put into use, then the railway crossing was closed, which was replaced by the road overpass. Public lighting reglet has been implemented within the overpass and communication facilities.  - all engineering network protections were implemented under the new overland road (sewers and water pipes) - the implementation of the underpass for pedestrians and cyclists is in the development stage - exclusion of the first track – implementation of the railway supestructure and substructure including the drainage systeme, new traction line. The track will be put into operation in the spring months of 2023. - work on security and notification equipment - building the technology of electronic interlocking - as part of the vegetation treatment bushes were planted.   Construction works completed in UČS 54 in 2023: UČS 54 - work on the railway superstructure and substructure – track No. 1 and 2 – finished and early use issued; - noise barriers – track No. 1 and 2 – 98 percent work completed; - catenary system – track No. 1 and 2 – finished and early use issued; - interlockig system and communication equipment – 90 percent work completed, dependent on UCS 53; - new road overpass to the integrated transport terminal – in early use, approval procedure is underway; - completion of underpass for the traveling public, for pedestrians and cyclists (Varín a Teplička) – 95 percent work completed; - establishment of low-voltage electrical connections – finished; - vegetation and landscaping - currently closed due to the winter season, it will continue in the spring months of 2024; - protection of utility networks (sewerage, water pipes and steam pipe) – finished.  Milestone 9 – Completion of sub-section UČS 55 Varín – Strečno (31/12/2024, in GA 31/12/2022) Construction works completed in UČS 55 in 2021:  - railway substructure and superstructure on track no. 2,  - bridge over Varínka river (work in progress at 50%),  - underpasses for the public and passengers (work in progress at 30%),  - implementation of basics of noise barriers, - platform at track number 2 in Varín, - modification on the waterworks of the Varín railway station, - new technological building in Varín railway station, - realization of traction masts at track no. 2, - cable ducts, - security device in terms of project documentation and construction procedures, - adjustment of low and high voltage distributions.   Construction works completed in UČS 55 in 2022: -track no. 2 was put into operation, an anti-noise wall was implemented at this track Subsequently, construction works began on track no. 1, such as:  - implementation of the railway superstructure, railway substructure, drainage system and reconstruction of culverts  - implementation of the foundations of anti-noise walls at track no.1 - construction of traction supports and traction line - the bridge over the Varínka River is 80 percent completed (only finishing works remain) - continuation of work on the underpasses for pedestrians and cyclists and at the Varín railway station - built platform at track no. 2 is in use, work continues on the platform at track no. 1 - work on the establishement of an electronic interlocking - a new building for the security device was completed, including water and sewage connections - established 22 kV connection for the transformer station.   Construction works completed in UČS 55 in 2023: UČS 55 - work on the railway superstructure and substructure - finished and early use issued; - noise barriers -95 percent work completed;  - Catenary system – finished and early use issued; - Interlocking system and communication equipment – 90 percent work completed, dependent on UCS 53; - construction of platforms, roofing of platforms (the platforms serve the traveling public) 5 percent remains for the completion of the roofing; - underpasses for pedestrians, cyclists and the traveling public - 95 percent completed. All that remains is the arrangement of the surrounding terrain and the communications of the underpasses. Only the underpass for the traveling public in Varín is in early use; -completed and handed over the 22/0,4 kW Transformer Station to the administrator in Varín;  -low voltage connections for the security equipment building and 22 kW for the transformer station completed and handed over to the administrator;  -6 kW network line relocation completed and handed over to the administrator.  Activity 3: Project management, public procurement and building permits procedures  Sub-activity 3.1: Project management  Milestone 10 – Kick-off meeting organized (11/12/2017, in GA 31/12/2017) The initial working meeting in the framework of the implementation of the project took place at the Slovak Railways on 11/12/2017. The subject of the meeting was the key aspects in relation to the implementation of the project (milestones and ways of their verification, project management, communication activities, etc.). The meeting minutes are enclosed in Annex 2.  Milestone 14 – Communication plan approved (28/06/2018, in GA 30/06/2018) The acceptance letter of beneficiary and the copy of Communication plan are attached in Annex 3.1 and Annex 3.2.  Sub-activity 3.2: Public procurement Public procurement for temporary information billboards  02/11/2020 – 18/11/2020 – preparation of documents neccessary for the contract to be published 19/11/2020 – contract notice for temporary information billboards on the electronic marketplace 24/11/2020 – signing the contract in an automated way on the electronic marketplace  Milestone 13 – Public procurement procedure for construction works published (15/10/2019, in GA 31/05/2018)  Prior notification of the contract for selection of the contractor of “ŽSR, Completion of the Žilina-Teplička marshalling yard and connected infrastructure at the Žilina Node" construction was published in the Official Journal of the EU (hereinafter referred to as “OJ”) on 03/11/2017 and in the Public Procurement Journal (hereinafter referred to as “PPJ”) on 06/11/2017. A complete draft tender documents, proposal for a contract notice and calculation of the estimated value of the contract were prepared and, subsequently, on 30/11/2018 submitted electronically (on 07/12/2018 in paper form) to the Ministry of Transport and Construction of the Slovak Republic (hereinafter referred to as “MoTC SR”) for inspection of the public procurement (hereinafter referred to as "PP") prior to its declaration.  As no PP was announced by 31/12/2018, it was necessary to complete the draft tender documents taking into account the changes introduced by the amendment to the Public Procurement Act (hereinafter referred to as “PPA”) effective from 01/01/2019.  On 11/10/2019 the contract notice was sent for publication in OJ (https://ted.europa.eu/udl?uri=TED:NOTICE:482589-2019:TEXT:SK:HTML&src=0 ) The PP was published on 15/10/2019. (Please also see Annex 9).  Milestone 15 – Public procurement procedure for project management and audit support published (13/05/2022, in GA 30/06/2018)   At the end of 2020, the need for external consultants at the beginning of project implementation was reviewed by beneficiary. The services of external consultants are planned to be procured during project implementation when the actual need for these services arises. At the end of 2021, ŽSR evaluated that during 2022 will arise the need for public procurement for Audit Services to certify costs of 2021. The invitation to submit tenders will be processed by a working group composed of representatives of several professional units of ŽSR. Even during 2021, there was no need for external project management during the construction.  At the end of 2021, ŽSR evaluated that during 2022 only the need for public procurement for Audit Services to certify costs for 2021 will arise for this project. The invitation to submit tenders will be processed by a working group composed of representatives of several professional units of ŽSR. 09/03/2022 - the establishment of a working group for the contract for the provision of services on the subject "Auditor services for the certification of costs until August 31, 2022" which was divided into five (5) parts; this project was marked as "Part 4" with the title "Auditor services for certification of costs for the project "Modernization of the railway section Váh - Varín - Strečno" for the period from February 7, 2017 to December 31,2021". From 10/03/2022 to 09/05/2022 - processing of documents for public procurement (call for bids including a draft contract) 10/05/2022 – signing of documents by an authorized person for ŽSR 13/05/2022 - sending documents to 15 economic entities authorized to do business in the subject of activity for the provision of the given service (e.g. performance of the auditor's activity); sending was a functionality of the electronic platform through the Electronic Public Procurement Information System; in this case, this action is considered to be an announcement of the PP (it is a low-value contract, which, due to the financial limit, was not even published in the national PP journal). Attached is Annex 6.   Milestone 16 – Contract signed for Construction works supervision (19/10/2020, in GA 31/03/2019)  The following steps (activities) were carried out in the PP process for construction works supervision in 2020: 25/02/2020 – 06/03/2020 – preparation of draft contract 09/03/2020 – 13/03/2020 – processing the call for re-submission of the tender and finalization of other annexes 16/03/2020 – sending a call for re-submission of the tender, including its annexes, to all 9 participants in the Framework Agreement no. 2016/SD (result of an open tender for the subject of the contract “Construction supervision of EU-financed constructions”)  09/04/2020 – deadline for submission of bids, opening of bids (8 bids) 14/04/2020 – 08/06/2020 – evaluation of bids, including preparation of the auction hall 09/06/2020 – conducting an electronic auction 09/06/2020 – 14/08/2020 - repeated assessment of an exceptionally low tender 07/09/2020 – ŽSR delivered to the MoTC SR a request for a statement on the intention to supervise the implementation of project activities by internal capacities  23/09/2020 – MoTC SR delivered a consent to the performance of internal construction supervision to ŽSR  19/10/2020 – General Director of ŽSR granted consent to the performance of internal construction supervision 30/10/2020 – ŽSR canceled the PP and notified this fact to the tenderers who submitted the tender The relevant correspondence, the consent of the MoTC SR and the decision of the General Director of ŽSR are enclosed in Annex 13.1, Annex 13.2 and Annex 13.3.  Milestone 17 – Contract signed for construction works (12/11/2020, in GA 31/03/2019) Contract for construction works was signed on 12/11/2020. The effective date of the contract is 13/11/2020. The Award Notice was published on 01/12/2020 in OJ https://ted.europa.eu/udl?uri=TED:NOTICE:576837-2020:TEXT:SK:HTML ) and on 02/12/2020 in PPJ ( https://www.uvo.gov.sk/vestnik/oznamenie/detail/474089 ). Contract for construction works was signed for construction called „ŽSR, Dostavba zriaďovacej stanice Žilina-Teplička a nadväzujúcej železničnej infraštruktúry v uzle Žilina“. The subject of the contract is divided into two sections due to financing and the associated time aspect of construction. The section 1 (Action No. 2016-SK-TMC-0219-W, Upgrade of the Váh – Varín – Strečno railway section) is the subject of funding from CEF funds under grant agreement no. INEA/CEF/TRAN/M2016/1356330.   The following actions were performed before the contract was signed: 01/01/2020 – 13/02/2020 – explaining the information needed to prepare the tender and to demonstrate that the qualifications have been met 13/01/2020, 05/02/2020, 10/02/2020 – extended deadline for submission of tenders due to modifications of tender documents (especially corrections in the bill of quantities) 17/02/2020 – opening tenders (2 tenders), evaluating tenders on the basis of the tender evaluation criteria and determining the order of tenders; In order to evaluate the tenders, the Commission examined only the tender of the first-ranked tenderer. 21/02/2020 – received request for redress against the conditions specified in other documents necessary for the preparation of the tender (in the explanation of the tender documents and in the bill of quantities provided to the interested parties) 28/02/2020 – ŽSR rejected the request for redress 09/03/2020 – Objections received against the conditions specified in other documents necessary for the preparation of the offer - Initiation of the procedure for the examination of hatcheries controlled on the basis of objections (objection procedure) – initiation of proceedings on objections 10/03/2020 – the commission evaluated the tender of the tenderer placed in the first place in terms of meeting the requirements for the subject of the contract set out in the contract notice and in the tender documents 16/03/2020 – delivery of a written statement and complete PP ocumentation to the Public Procurement Office (hereinafter referred to as “PPO”)  19/03/2020 – delivered preliminary measure by which PPO stopped proceedings of ŽSR until the decision of PPO on objections enters into force  08/04/2020 – PPO suspended the proceedings on objections in order to obtain an expert opinion 05/05/2020 – PPO issued a decision terminating the proceedings on objections on the ground that the appellant had withdrawn the opposition (the decision entered into force on 06/05/2020) 20/05/2020 – the tender evaluation committee continued its activities and assessed the fulfillment of the conditions for participation with the tenderer placed first, the tenderer fulfilled the conditions for participation 22/05/2020 – sending information on the result of the evaluation of tenders to all tenderers who have submitted tenders and have not been excluded 02/06/2020 – ŽSR invited the first-ranked tenderer to provide co-operation before signing the contract; the tenderer submitted the documents on 11/06/2020, the submitted documents were in order, therefore, it was possible to invite the successful tenderer to submit a draft contract 26/06/2020 – submission of a draft contract 26/06/2020 – delivered complete mandatory PP documentation at MoTC SR for inspection 14/07/2020 – submission of complete PP documentation to PPO, initiation of proceedings for review of acts checked before the conclusion of the contract 28/07/2020 – PPO issued a preliminary measure suspending the proceedings of the inspected entity (ŽSR) until the entry into force of the decision of PPO in the proceedings on the review of acts inspected before the conclusion of the contract 24/08/2020 – delivery of the decision of the PPO on the suspension of the proceedings by which the PPO ordered ŽSR to deliver the statement and information necessary for the performance of supervision – fulfilled on 08/09/2020 10/09/2020 – delivery of the decision of the PPO on the suspension of the proceedings in order to obtain an expert opinion 15/10/2020 – an issued decision of the PPO, by which the PPO stopped the procedure for review of acts inspected before concluding the contract, stating that no breach of the PPA was found which had or could have affected the result of the PP; this decision entered into force on 16/10/2020 19/10/2020 – valid decision of PPO sent to MoTC SR 20/10/2020 – completion of the inspection of MoTC SR 12/11/2020 – signature of the contract (https://www.crz.gov.sk/zmluva/5076706/)  Milestone 18 -Contract sighned for project management and audit support (07/07/2022, in GA 31/03/2019) 25/05/2022 - opening of bids (3 bids for Part 4), evaluation of bids based on bid evaluation criteria and determining the order of bids. The bid evaluation committee examined only the bid of the applicant placed first in the order. From 25/05/2022 to 07/06/2022 - the bid evaluation process was underway 07/06/2022 - sending an appeal to provide the proper cooperation necessary for concluding the contract to the successful applicant (deadline as soon as possible) 15/06/2022 - delivery of documents and signed draft contract 07/07/2022 – conclusion of the contract (https://www.crz.gov.sk/zmluva/6664434/)  The milestone was reached.  Sub-activity 3.3: Building permits procedures  Milestone 11 – First building permit issued (10/07/2017, in GA 28/02/2018) The first building permit was issued on 10/07/2017. Following the change in the technical solution in the project (construction of a new road overpass and related facilities) on the basis of the request of Žilina City, the amendment to the Protocol on State Expertise was signed on 21/03/2018. The first building permit came into force on 26/03/2018.  Milestone 12 – Last building permit issued (10/07/2020, in GA 30/04/2018) The last building permit was issued on 10/07/2020 and became valid from 21/08/2020 (Annex 14). |

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| **2.2. Progress per activity** |

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| **Activity 1** | **Title** | **Planned Start/End date (GA)** | | **Previous ASR Start/end dates** | | **Actual Start/End date** | | | **Overall technical progress achieved until the end of the previous reporting period (%)\*** |
|  | Construction works and author supervision | 15/12/2020 | 30/06/2024 | 15/12/2020 | 30/06/2024 | 15/12/2020 | | 31/12/2024 | 72.00 |
| **\*Please explain how the percentage of the progress achieved has been estimated/calculated** | | | | | | | | | |
| The methodology for calculating this value is based on the weighted percentage technical progress (Annex 1).  Total technical progress has the following weighted technical progress, expressed as a percentage: M1 - 1% (total value of the Milestone in Activity is 1%), M2- 14% (total value of the Milestone in Activity is 14%), M3 – 28% (total value of the Milestone in the Activity is 28%), M4 – 29 % (total value of the Milestone in the Activity is 29%) and M5 – 0% (total value of the Milestone in Activity is 28%). | | | | | | | | | |
| **Milestone no** | **Title1** | **Planned completion date (GA)** | | **Previous ASR date** | | | **Actual completion date** | | **Reached (Y/N)** |
| 1 | Activity 1 - Start of Construction works supervision | 15/12/2020 | | 15/12/2020 | | | 15/12/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 17.  The work of construction works supervision began on 15/12/2020 by the handover of the construction site and is performed by internal services of ŽSR, following the decision of General Director of ŽSR (Annex 13.2). | | | | | | | | | |
| 2 | Activity 1 - Submission of first interim report on Construction works supervision | 30/06/2021 | | 30/06/2021 | | | 30/06/2021 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The milestone has been achieved. The deadline was met. | | | | | | | | | |
| 3 | Activity 1 - Submission of second interim report on Construction works supervision | 30/06/2022 | | 30/06/2022 | | | 30/06/2022 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
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| 4 | Activity 1 - Submission of third interim report on Construction works supervision | 30/06/2023 | | 30/06/2023 | | | 30/06/2023 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
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| 5 | Activity 1 - Completion of Construction works supervision | 30/06/2024 | | 30/06/2024 | | | 31/12/2024 | | No |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 17.  After completion of construction works by the contractor (31/05/2024), the works of construction supervision will continue with the performance of the activities listed below. In the period 01/01/2024 – 30/06/2024, the construction works supervision will be expected to: - ensure and submit all necessary documents related to interoperability (TSI) according to the Railways Act and in terms of negotiations with the Transport Authority; - provide applications for approval and the necessary documents with other building authorities for those construction parts that have not been approved; - participate in negotiations with representatives of the ŽSR Geodesy Centre in relation to elaboration of post-implementation geometric plans as one of the necessary documents for approval, and to solve, in cooperation with the Contracting Authority, possible tasks for the division of administration; - participate in negotiations with the representative of the general designer, who ensures the deposit of easements and to solve, in cooperation with the Contracting Authority, possible tasks to secure the deposit of easements, as one of the documents for approval; - monitor and control the elimination of minor defects and shortcomings, which has to be implemented by the contractor, take over the removed defects and shortcomings with the participation of the future administrator and make records of the elimination of defects and shortcomings; - monitor and control the elimination of deficiencies given in the environmental report of construction supervision; - after securing the documents from the Contracting Authority (geometric plans, registration of easements) to apply to the special building office of the Ministry of Transport of the Slovak Republic for approval; - in co-operation with the Contracting Authority to participate in negotiations with representatives of other foreign (non-railway) administrators (municipalities, cities, higher territorial units) to ensure the division of the construction objects into administration; - complete the entrustment of construction objects after the last interim invoicing; - prepare a final report, a final environmental report and a final report on safety and health at work before the end of the construction supervision activity; - in co-operation with the Contracting Authority, to process documents for the distribution of the price of construction objects by a foreign administrator where possible; - check and approve the final settlement of the construction and the final invoice and issue the final payment declaration; - complete the archiving of all construction documents; - prepare and submit documents for statistical records to Contracting Authority following the last invoicing.  The shift of the term results also from a shift in the term for Milestones 8 and 9. | | | | | | | | | |

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| **Activity 2** | **Title** | **Planned Start/End date (GA)** | | **Previous ASR Start/end dates** | | **Actual Start/End date** | | | **Overall technical progress achieved until the end of the previous reporting period (%)\*** |
|  | Construction works | 13/11/2020 | 31/12/2023 | 13/11/2020 | 31/05/2024 | 13/11/2020 | | 31/12/2024 | 88.00 |
| **\*Please explain how the percentage of the progress achieved has been estimated/calculated** | | | | | | | | | |
| The methodology for calculating this value is based on the weighted percentage technical progress (Annex 1).  Total technical progress has the following weighted technical progress, expressed as a percentage: M6 - 5% (total value of the Milestone in Activity is 5%), M7- 5% (total value of the Milestone in Activity is 5%), M8 – 32 % (total value of the Milestone in the Activity is 40%) and M9 - 46% (total value of the Milestone in the Activity is 50%). | | | | | | | | | |
| **Milestone no** | **Title1** | **Planned completion date (GA)** | | **Previous ASR date** | | | **Actual completion date** | | **Reached (Y/N)** |
| 6 | Activity 2 - Start of preliminary construction works | 13/11/2020 | | 13/11/2020 | | | 13/11/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| TThe shift of the term results from a shift in the term for Milestone 17.  The preliminary construction works started on 13/11/2020 after the signature of the contract for construction works. | | | | | | | | | |
| 7 | Activity 2 - Start of construction works | 15/12/2020 | | 15/12/2020 | | | 15/12/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 17.  The construction works started on 15/12/2020 by the handover and takeover of the construction site (Annex 11). | | | | | | | | | |
| 8 | Activity 2 - Completion of sub-section UČS 54 Váh – Varín | 30/11/2023 | | 31/05/2024 | | | 31/12/2024 | | No |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 17 and following the estimate date for completion of works by the contractor. After December 2023 the modernized track is operational and the train transport started, but not in the full mode of the interlocking device. This means, that both tracks, including the traction line, are in premature use.  UČS 54 operational files cannot be fully handed over for use, or their construction is not finished due to the fact that they are linked to the operational files of UČS 53. These operational files are in the stage of implementation according to approved construction procedures. The entire construction "ŽSR, Completion of the Žilina - Teplička establishment station and the connected railway infrastructure in the Žilina junction" is being solved as a single whole, mainly as regards the operating sets of the "electrical interlocking plant" at the Váh overtaking station and at the Varín stop, which will be connected to the central electrical interlocking plant at the UČS 53. | | | | | | | | | |
| 9 | Activity 2 - Completion of sub-section UČS 55 Varín – Strečno | 31/12/2023 | | 31/05/2024 | | | 31/12/2024 | | No |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 17 and following the estimate date for completion of works by the contractor. After December 2023 the modernized track is operational and the train trasport started, but not in the full mode of the interlocking device. This means, that both tracks, including the traction line, are in premature use.  UČS 55 operational files cannot be fully handed over for use, or their construction is not finished due to the fact that they are linked to the operational files of UČS 53. These operational files are in the stage of implementation according to approved construction procedures. The entire construction "ŽSR, Completion of the Žilina - Teplička establishment station and the connected railway infrastructure in the Žilina junction" is being solved as a single whole, mainly as regards the operating sets of the "electrical interlocking plant" at the Váh overtaking station and at the Varín stop, which will be connected to the central electrical interlocking plant at the UČS 53. | | | | | | | | | |

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| **Activity 3** | **Title** | **Planned Start/End date (GA)** | | **Previous ASR Start/end dates** | | **Actual Start/End date** | | | **Overall technical progress achieved until the end of the previous reporting period (%)\*** |
|  | Project management, public procurement and building permits procedures | 07/02/2017 | 30/06/2024 | 07/02/2017 | 30/06/2024 | 07/02/2017 | | 31/12/2024 | 97.00 |
| **\*Please explain how the percentage of the progress achieved has been estimated/calculated** | | | | | | | | | |
| The methodology for calculating this value is based on the weighted percentage technical progress (Annex 1).  Total technical progress has the following weighted technical progress, expressed as a percentage: M10 - 3% (total value of the Milestone in Activity is 3%), M11- 5% (total value of the Milestone in Activity is 5%), M12 – 15% (total value of the Milestone in the Activity is 15%), M13 -20% (total value of the Milestone in the Activity is 20%), M14 – 4% (total value of the Milestone in Activity is 4%), M15 – 10% (total value of the Milestone in the Activity is 10%), M16 – 10% (total value of the Milestone in the Activity is 10%), M17 – 20% (total value of the Milestone in the Activity is 20%), M18 – 10% (total value of the Milestone in the Activity is 10%) and M19 – 0% (total value of the Milestone in the Activity is 3%). | | | | | | | | | |
| **Milestone no** | **Title1** | **Planned completion date (GA)** | | **Previous ASR date** | | | **Actual completion date** | | **Reached (Y/N)** |
| 10 | Activity 3 - Kick-off meeting organised | 11/12/2017 | | 11/12/2017 | | | 11/12/2017 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| Kick-off meeting was organized afore the planned date of completion. | | | | | | | | | |
| 11 | Activity 3 - First building permit issued | 10/07/2017 | | 10/07/2017 | | | 10/07/2017 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The first building permit was issued on 10/07/2017 (afore the planned date of completion) and came into force on 26/03/2018.  The shift of the date of entry into force of the first building permit was due to the state expertise (signing of the amendment to the Protocol on State Expertise) carried out by the MoTC SR as a result of a change in the technical solution in the project - the construction of a new road overpass and related facilities on the basis of the request of the City of Žilina. The amendment to the Protocol on State Expertise was signed on 21/03/2018. | | | | | | | | | |
| 12 | Activity 3 - Last building permit issued | 10/07/2020 | | 10/07/2020 | | | 10/07/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| All building permits have been already issued. The delay in issuing the last building permit was due to the longer proccess for securing the relations to land for the purpose of issuing building permits.   The last building permit in attached in Annex 14. | | | | | | | | | |
| 13 | Activity 3 - Public procurement procedure for construction works published | 15/10/2019 | | 15/10/2019 | | | 15/10/2019 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The reasons for delay are as follows:  - corrections of tender documentation (bill of quantities) made by designer (As the working group for processing of tender documents composed of professional units of ŽSR had identified errors in the bill of quantities in tender documentation, it was necessary to correct these deficiencies.)  - adjustments to draft tender documents such as:  ● revision of business conditions in draft contract (The realization of the subject of the contract will be governed by a contract based on international conditions FIDIC red book. At the time of commenting on the draft tender documents (July 2018), the Department of Legal Relations made extensive comments on the business contract conditions, which had to be evaluated. In order to complete the business contract conditions, there were several meetings of the relevant departments of ŽSR - the last meeting was on 19/11/2018 and on 29/11/2018 the final draft of contract was completed.)  ● completion of the relevant provisions on information concerning electronic communication and information exchange due to compulsory electronization from 19/10/2018  (In September 2018, it was necessary to wait for the ŽSR's management decision to set up a system for the realization of electronization in PP processes, as there are several such systems on the market. After selecting the system, the staff training was necessary.)  ● updating draft tender documents due to amendment to the PP Act, effective from 01/01/2019  (Addressing the issue of whether this Action has to be reviewed by the Ministry of Finance of the Slovak Republic (in order to assess the economic benefits of the planned public investment within the Value for money project, pursuant to Government Resolution no. 461/2016, or for consideration by the Office of the Deputy Prime Minister for Investments in terms of the “Framework for Evaluation of Public Investment Projects in the SR”) as well as the need for a meeting with JASPERS representatives before the public tender is announced.)  - modification of draft tender documents / contract notice due to comments of external consultant, comments and recommendations of MoTC SR and processing of statements / justifications of conditions and requirements stated in the submitted documentation - one of the recommendations of MoTC SR was to use ex ante assessment option carried out by the PPO prior to the PP declaration  - ex-ante assessment of the PP documentation by PPO (3 times in the period June-September 2019): as the non-compliance of the submitted documentation with the PPA was found 2 times, it was necessary to complete the draft tender documents   - update of the estimated contract value (adjustment of the construction budget to the price level at the time of dispatch of the contract notice to the OJ for publication) | | | | | | | | | |
| 14 | Activity 3 - Communication plan approved | 28/06/2018 | | 28/06/2018 | | | 28/06/2018 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The Communication plan was approved afore the planned completion date. | | | | | | | | | |
| 15 | Activity 3 - Public procurement procedure for project management and audit support published | 13/05/2022 | | 13/05/2022 | | | 13/05/2022 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| During 2021, there was no need for external project management during the construction. At the end of 2021, ŽSR evaluated that during 2022, only the need for public procurement for Audit Services (to certify costs for 2021) would arise for this project. | | | | | | | | | |
| 16 | Activity 3 - Contract signed for Construction works supervision | 19/10/2020 | | 19/10/2020 | | | 19/10/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 13 and Milestone 17.  The public procurement for provision of the Construction works supervision has been cancelled pursuant to Act no. 343/2015 Coll. on Public Procurement and on Amendments to Certain Acts, as amended. The reason is that ŽSR has decided that the performance of construction supervision will be carried out by internal capacities (employees) of ŽSR. Therefore, no contract was signed for Construction works supervision.   The date of 19/10/2020 applies to the approval of the General Director of ŽSR for the performance of construction supervision activities by internal capacities of ŽSR. | | | | | | | | | |
| 17 | Activity 3 - Contract signed for construction works | 12/11/2020 | | 12/11/2020 | | | 12/11/2020 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestone 13 and the longer PP process than originally expected. | | | | | | | | | |
| 18 | Activity 3 - Contract signed for project management and audit support | 07/07/2020 | | 07/07/2022 | | | 07/07/2022 | | Yes |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| Due to the delay of milestone 15. Comparing the milestone 15, shift of the milestone is only 2 months because it is only a small contract to audit the costs. It does not really refer to project management, but only to audit to certify the costs of low value contract. | | | | | | | | | |
| 19 | Activity 3 - Final event organised | 30/06/2024 | | 30/06/2024 | | | 31/12/2024 | | No |
| **Explanation for any deviation from planned completion date** | | | | | | | | | |
| The shift of the term results from a shift in the term for Milestones 8 and 9. | | | | | | | | | |

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| **2.3 If total actual costs/units deviates >5% compared to latest Grant Agreement in force, please explain why** |
| Activity 2 Construction works  Activity 2 Construction works The amount of actual costs in activity 2 are in accordance with the submitted financial plan of the Construction Contractor and are backed by the data on signed construction works contract (https://www.crz.gov.sk/zmluva/5076706/).  Activity 3 Project management, public procurement and building permits procedures  Due to the transfer of funds from activity 3 to activity 2. |

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| **2.4. Description of the Action's and activities' progress planned in the on-going reporting period and until the end of implementation of the Action**  *a) Provide a description of the planned progress of the activities in the on-going reporting period and, where applicable, beyond the on-going reporting period up until the end of the implementation of the Action (if the on-going reporting period is not the last one).*  *b) Highlight and explain any deviation (e.g. on objectives of the Action, the completion of the planned activities, the cost-breakdown, Action's end date, etc.) in comparison to the latest grant agreement in force and, where applicable, latest ASR.*  *c) Identify any expected/foreseen risk(s) that may challenge the actual end date of the Action and the associated mitigation plan(s).* |
| a) Description of the planned progress of the activities  Activity 1 – Construction works and author supervision   Sub-activity 1.1: Construction works supervision The construction works supervision is performed by internal capacities (employees) of ŽSR. The decision of the General Director of ŽSR in enclosed in Annex 13.2. During the implementation of the Action, the construction works supervision performs these activities: - Check of existing project documentation - Checking the management and registration of construction logs - Taking over work before covering - Participation in field control measurements - Quality control of performed works, documentation of construction quality - Checking and ensuring compliance with the conditions of building permits, construction schedules, valid standards - Control of quantities, type and quality of work performed, their compliance with design documentation - Checking the factual accuracy of the inventories of work performed by the contractor, compliance with the valued bill of quantity, control of the contractor's invoicing - Cooperation with author's supervision, control and completion of design documentation - Preparation of documents for change proceedings and change sheets - Checking the correctness of the valuation and the justification for performing additional work - Operational inspections of the construction - Monitoring of agreed deadlines - Ensuring the reporting of archaeological finds - Processing of required reports - Performing the activities of the health and safety coordinator - Inspection and registration of documents that the contractor hands over to the customer during construction - independent and fair decision-making - providing technical inspections, acceptance procedures, early use and construction approval  - preparation of documents for registration of changes in the real estate cadastre   Milestone 5 – Completion of Construction works supervision (31/12/2024, in GA 30/06/2024)  After completion of construction works by the contractor, the works of construction supervision continue with the performance of the activities listed below.  The construction works supervision will be expected to: - ensure and submit all necessary documents related to interoperability (TSI) according to the Railways Act and in terms of negotiations with the Transport Authority; - provide applications for approval and the necessary documents with other building authorities for those construction parts that have not been approved; - participate in negotiations with representatives of the ŽSR Geodesy Centre in relation to elaboration of post-implementation geometric plans as one of the necessary documents for approval, and to solve, in cooperation with the Contracting Authority, possible tasks for the division of administration; - participate in negotiations with the representative of the general designer, who ensures the deposit of easements and to solve, in cooperation with the Contracting Authority, possible tasks to secure the deposit of easements, as one of the documents for approval; - monitor and control the elimination of minor defects and shortcomings, which has to be implemented by the contractor, take over the removed defects and shortcomings with the participation of the future administrator and make records of the elimination of defects and shortcomings; - monitor and control the elimination of deficiencies given in the environmental report of construction supervision; - after securing the documents from the Contracting Authority (geometric plans, registration of easements) to apply to the special building office of the Ministry of Transport of the Slovak Republic for approval; - in co-operation with the Contracting Authority to participate in negotiations with representatives of other foreign (non-railway) administrators (municipalities, cities, higher territorial units) to ensure the division of the construction objects into administration; - complete the entrustment of construction objects after the last interim invoicing; - prepare a final report, a final environmental report and a final report on safety and health at work before the end of the construction supervision activity; - in co-operation with the Contracting Authority, to process documents for the distribution of the price of construction objects by a foreign administrator where possible; - check and approve the final settlement of the construction and the final invoice and issue the final payment declaration; - complete the archiving of all construction documents; - prepare and submit documents for statistical records to Contracting Authority following the last invoicing.  Sub-activity 1.2: Author supervision   This sub-activity covers the supervision of the construction works to ensure compliance with the detailed design and the building permits and, if necessary, authorise any changes. It is carried out by the already procured detailed design contractor (outside the scope of this Action) and no costs will be claimed from the Action as they will be covered by other sources of ŽSR.  Activity 2 – Construction works   Milestone 8 – Completion of sub-section UČS 54 Váh – Varín (31/12/2024, in GA 31/03/2021)   Works planned to be carried out during the year 2024 in UČS 54:  Completion work will be carried out. The missing panels will be added to the anti-noise walls (completion in May, 2024). The underpasses for cyclists and pedestrians in Varín will be finished and ready for use by the public.  Information and radio equipment will be put into operation on the platforms in Varín. In the spring months of 2024, planting and vegetation landscaping will be implemented.  All operating files that do not depend on UCS 53 and conversion (change of electric traction from direct current to alternating current) will be handed over for use.  Milestone 9 – Completion of sub-section UČS 55 Varín – Strečno (31/12/2024, in GA 31/12/2022)  Works planned to be carried out during the year 2024 in UČS 55:  Completion work will be carried out.  The missing panels will be added to the anti-noise walls (completion in May, 2024). The underpasses for cyclists and pedestrians in Teplička will be finished and ready for use by the public.  In the spring months of 2024, planting and vegetation landscaping will be implemented. All operating files that do not depend on UCS 53 and conversion (change of electric traction from direct current to alternating current) will be handed over for use.  Milestone 19 – Final event organized (31/12/2024, in GA 31/12/2022)  b) Deviations in comparison to the latest grant agreement in force (latest ASR)   Due to the delay of Milestone 17, the planned end date of construction works was postponed to 31/05/2024, which meant 17 months delay compared to the GA, while the estimated end date of construction works supervision was 30/06/2024. The planned end date of the Action was postponed thus to 30/06/2024, which meant 18 months compared to the GA.   Currently, UCS 54 and 55 are 80 percent finished in construction. This means that both tracks, including the traction line, are in premature use.  However, the operating files of both UCS 54 and 55 cannot be fully handed over for use due to the fact that they are linked to the operating files of UCS 53.  The entire construction "ŽSR, Completion of the Žilina - Teplička establishment station and the connected railway infrastructure in the Žilina node" is divided into two sections. Section No. 1 financed from CEF resources, which includes UCS 54 and 55 and section No. 2 financed from OPII resources, which includes UCS 53. However, the entire construction is being solved as a single whole, especially with regard to the selected operating files.  The following operating files and building objects of UCS 54 and UCS 55 cannot be completed at the moment due to their direct connection to section No. 2, since their completion and connection is dependent on completion of UCS 53 and the completion of the Traffic Management Center at the Žilina stop belonging to section No. 2:  54-22-02 Track section Váh-junction and Varín stop, optical cable; 54-22-03 Track section Váh-junction and Varín stop, metallic cabling; 54-25-01 Track section Váh-junction and Varín stop, radiofication; 54-27-01 Track section Váh-junction and Varín stop, intrusion alarm system and camera system; 55-25-01 Track section junction and Varín stop (including) - Strečno, radiofication; 55-36-01 Track section juncion and Varín stop (including) – Strečno, cable relocation DK, TK, KK – ŽSR.  Based on the above facts, the Railways of the Slovak Republic will request CINEA to extend the validity of the grant agreement until 31/12/2024.  The PP has been going on in accordance with the PPA and there was no possibility for Beneficiary to have any impact on the PP procedure.   The objectives of the Action remain unchanged. The updated cost breakdown is given in the financial plan. The cost breakdown was updated based on the actual milestone completion dates and the actual end date of the Action.  The amount of actual costs for Activity 2 (Construction works) are based on the contract price that is higher than the originally estimated costs presented in Grant Agreement ( https://www.crz.gov.sk/zmluva/5076706/).  c) Expected/foreseen risk(s)  Activity 2 – Construction works  In relation to the potential risks, which could affect the construction period, the prediction of their occurrence is relatively demanding and basically it can be based only on the experience of other (completed or currently ongoing) railway infrastructure projects. From practical experience, there are cases where there was a time disproportion compared to the approved schedule of construction works due to “force majeure”, e.g. flood, when the already built part of the work was devalued. The risks are also represented by engineering networks of foreign administrators (waterworks, telecommunications, gas pipelines, sewerage, etc.), where it is not possible to exclude their deviation position from the documents they provided to the designer at the time of preparation of the project documentation and thus the need for its revision was created. Of course, this is related to new administrative procedures that are time consuming to administer. It is also not possible to exclude a change in the founding of artificial structures in the event of the detection of unsuitable physical-mechanical properties of the rock in which the structure is to be based. Last but not least, any archaeological findings, where extraordinary measures are required in accordance with the Slovak legislation in force, also constitute a certain level of risk.  Other risks are those that could arise depending on other related operational sets, namely:  sub-section UČS 54 Váh – Varín:  - a risk connected with the engagement of some operational sets (elektronic interlocking and track safety appliance) due to their dependance on the completion of related operational sets and construction objects at UČS 53  sub-section UČS 55 Varín – Strečno: - a risk connected with the engagement of some operational sets (elektronic interlocking and track safety appliance) due to their dependance on the implementation of UČS 99.  The Risk Assessment Grid is attached in Annex 10. |

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| **3. VISIBILITY OF UNION FUNDING (GA II.23.1.1.i or SESAR FPA II.23.1b.i)** |

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| **What measures have been taken within the previous reporting period to publicise the Action, including EU funding (GA II.7.1)?** |
| The information on Action is published on the official website of the Slovak Railways, in the section: Public and media / Modernization of lines / Projects co-founded by EU / Construction in implementation / Modernization of the railway section Váh - Varín - Strečno ( https://www.zsr.sk/5774 ) ensuring appropriate / high visibility to the EU co-financing.  The information on Action is updated regularly four times a year at the end of March, June, September and December (see Annex 5 Publicity ŽSR Váh - Varín - Strečno). |

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| **4. OTHER SOURCES OF EUROPEAN UNION FUNDS (CEF-E and Synergy only, GA II.23.1.1.m )** |

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| **If applicable, provide information about other sources of EU funds (CEF, ERDF, Cohesion Fund, H2020, TEN, EEPR, EIPA, etc.) used for the project of common interest (e.g. previous or subsequent phases not covered by the Grant Agreement).** |
| Not applicable |

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| **5. COMPLIANCE WITH EU LEGISLATION (GA.II.23.1.1g and h, or SESAR FPA II.23.1b.g and h)** |

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| **5.1. Overview of environmental aspects, compliance with EU and national legislation, issues during the implementation of the Action and measures taken.** |
| Changes to the proposed activities are in the 1st stage of nature and landscape conservation under the Nature and Landscape Protection Act. The territory affected by the changes does not interfere with any protected area. Natura 2000 The territory concerned is not included in the national list of proposed bird areas nor does it affect small-scale protected areas. Part of the track partially enters the protective zone of Veľká Fatra and in the Varínka territory of European significance. The project affects a Natura 2000 sites only with one of the existing pillars of the original bridge, located in the middle of the protected stream. Within the scope of the proposed activities, only the replacement of the bridge structure is addressed, the lower structure will not be affected. According to the conclusions of the appropriate assessment (Art. 6.3 and 6.4 of Council Directive 92/43 / EEC on the conservation of natural habitats and of wild fauna and flora in relation to the application of Article 28 of the Nature and Landscape Protection Act), the bridge reconstruction will not have a significant adverse impact on the integrity of the site of European significance in terms of its protection objectives, either alone or in combination with other projects and plans in the area concerned. Impact on water A positive impact on water protection is considered to be the modernization of the railway infrastructure, which involves a more environmentally friendly approach during its operation. In the implementation of the assessed activities, the use of harmful oils in the lubrication of switches (with adverse effects on groundwater) is replaced by more appropriate methods. Impacts on biota A negative impact on the biota of the treated area will have an impact on the current vegetation cover and associated necessary cut-out of the wood. By cutting the woods and removing the current vegetation cover there will be a decrease in habitats and shelters suitable for small animals. Compensation for the cut-out will be a substitute planting of the woods, or financial compensation at the level of the social value of the cut wood. For positive may be referred to the removal of invasive trees from affected plots. Impacts on the landscape Changes following the modernization of the railway line will contribute to changing the nature of the landscape by adding new structural elements to the landscape. However, it will have little impact since the new elements of the technical and transport infrastructure will be located in highly urbanized areas. Soundproof walls and tertiary noise measures will have a significant positive impact on the local landscape image. Impacts on air and climatic conditions The modernization will require dismantling, demolition, excavation and construction work, which will contribute to local and temporary air pollution by emissions. The source of emissions will be heavy-duty construction and building mechanisms for demolition and excavation work.  Impacts on soil The modernization will require permanent and temporary shots of farmland. Upon completion, access to all cultivated farmland is ensured. A positive change is the reduction of land slopes outside the land plots, by replacing the rail embankment with supporting walls. Compensation measurements As part of the compensatory measures in relation to land cover, resulting from Act 220/2004 Col. on the protection and utilization of agricultural land there will be interference with the private property of the physical (legal) person, who will be paid financial compensation determined by expert opinions. Compensatory measures concerning the cutting of trees are dealt with in accordance with the Act of the National Council of the Slovak Republic no. 543/2002 Col. on Nature and Landscape Protection. |

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| **5.2. Where relevant, information on the compliance with EU legislation** **notably on procurement:**  **- information on the contracts awarded or planned for the implementation of the Action and on compliance with the requirements set out in GA II.9 and II.10**  **- regarding other matters, notably public procurement, competition, regulatory matters, (CEF-E only) the update of the CBCA decision, etc.** |
| Activity 3 – Project management, public procurement and building permits procedures Milestone 11 – First building permit issued Milestone 12 – Last building permit issued The tender for the selection of the contractor of the PD, including engineering and author’s supervision for “ŽSR, Completion of the Žilina-Teplička marshalling yard and connected infrastructure at the Žilina Node” construction was implemented through the “tender procedure” pursuant to Act No. 25/2006 Coll. on PP and on Amendments to Certain Laws as amended.  The tender was announced on 29/11/2011 in OJ and PPJ.  The result of the tender was the conclusion of the Framework Agreement no. 17/12/1205 on 21/06/2012.  During the duration of the framework agreement, four partial contracts were concluded by the "direct negotiation procedure" pursuant to Act No. 25/2006 Coll. on PP and on Amendments to Certain Laws as amended.   Milestones – 13, 15, 16, 17 and 18 The public procurement was carried out in accordance with the Act no. 343/2015 Coll. on PP and on amendments to certain laws as amended following the European Parliament and Council Directives 2014/23/EU, 2014/24/EU and 2014/25/EU.   Milestone 13 – Public procurement procedure for construction works published  On 11/10/2019 the contract notice was sent for publication in OJ (https://ted.europa.eu/udl?uri=TED:NOTICE:482589-2019:TEXT:SK:HTML&src=0 ) The PP was published on 15/10/2019.  Milestone 15 – Public procurement procedure for project management and audit support published (13/05/2022, in GA 30/06/2018)  More information in part 2.1 and in Annex 6.   Milestone 16 – Contract signed for Construction works supervision Following the decision of the General Director of ŽSR on 19/10/2020 to perform the construction works supervision by internal capacities (Annex 13.2), the PP for provision of Construction works supervision was cancelled pursuant to Act no. 343/2015 Coll. on Public Procurement and on Amendments to Certain Acts, as amended.  Thus, no contract for construction works supervision was signed.   Milestone 17 – Contract signed for construction works The conclusion of the contract is the result of the PP - open competition. The work contract no. 2020/OA/01/001 (signed on 12/11/2020, entered into force on 13/11/2020). Contractor: „Združenie pod Dubňom“, Leading member: STRABAG s.r.o.; members: EUROVIA CS, a.s., S u b t e r r a a.s., AŽD Praha s.r.o. The value of the contract: 323,373,002.46 EUR (excl. VAT), of which Section 1 (the Action financed from CEF): 68,864,444.75 EUR (excl. VAT)  Type of tendering procedure: Open procedure On 26/11/2020 the announcement of the result of the PP was sent for publication in the OJ (https://ted.europa.eu/udl?uri=TED:NOTICE:576837-2020:TEXT:SK:HTML&src=0 ) and it was published on 01/12/2020.  Milestone 18 – Contract signed for project management and audit support The conclusion of the contract is the result of the PP - open competition. The contract was signed on 07/07/2022. (https://www.crz.gov.sk/zmluva/6664434/ ) |

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| **6. IMPLEMENTATION SCHEDULE, GOVERNANCE AND MONITORING, OTHER RELEVANT ADMINISTRATIVE PROVISIONS (GA II.23.1.1.k and l, or SESAR FPA II.23.1b.k and l)** |

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| **6.1. In the first ASR, information on implementation schedule, such as critical path, key performance rates and risk analysis; in subsequent ASR, information on any modifications and, if applicable, on the progress of the implementation of the arrangements referred to in previous ASR. If there are changes in the Action timetable as compared to the latest planning (Grant Agreement or previous ASR), attach an updated Gantt chart.** |
| Action's planned implementation technical progress (cumulated %) is enclosed in the table in Annex 4.  The Gantt chart of the updated Action timetable is enclosed in Annex 7. |

**Action's implementation technical progress (cumulated %)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2017** | | **2018** | | **2019** | | **2020** | | **2021** | | **2022** | | **2023** | | **2024** | |
| Action level | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR |
|  | 2 | 2 | 7 | 7 | 10 | 10 | 28 | 28 | 51 | 51 | 69 | 69 | 92 | 87 | 100 | 100 |
| Activity | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR | Previous ASR | Current ASR |
| 1 | N/A | 0 | N/A | 0 | N/A | 0 | 7 | 7 | 30 | 30 | 57 | 57 | 86 | 72 | 100 | 100 |
| 2 | N/A | 0 | N/A | 0 | N/A | 0 | 19 | 19 | 50 | 50 | 64 | 64 | 95 | 88 | 100 | 100 |
| 3 | 10 | 10 | 35 | 35 | 50 | 50 | 77 | 77 | 77 | 77 | 97 | 97 | 97 | 97 | 100 | 100 |

**All the activities and the Action will achieve 100% of technical progress by their actual end dates**

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| **6.2. In the first ASR, information on governance and monitoring of the Action, such as organizational structure, internal coordination, communication and reporting, and decision making process; in subsequent ASR, information on any modifications and, if applicable, on the progress of the implementation of the arrangements referred to in previous ASR.** |
| Within our organization the Investment Department is liable for the implementation of the Action. The overall management and the decision making process is ensured by the director of the department at the department level and by the general director of ŽSR. Preparation and implementation of projects are carried out through the following sections performing their main activities as follows:  Section of procurement of investments and EU projects • organizing the entire public procurement process (from the establishment of a working group for the preparation of tender documents till the publication of documents after the conclusion of the contract) • cooperating in ASR preparation  Section of Proprietary Preparation of Investments • ensuring proprietary and legal settlement for the needs of investment construction, financed from internal resources, capital transfers and EU funds • representing ŽSR at expropriation proceedings as well as other proceedings related to proprietary and legal settlement of constructions  Section of EU Constructions and Projects Preparation • complete management of project preparation constructions financed from internal resources, capital transfer and EU funds in the extent of the methodological procedure for investor activities in ŽSR • processing the subjects of procurement procedures for design contractors at all design documentation stages, including requirements for an authorized construction geodesist  • preparing requests for conducting national expert inspection, intra-ministerial expert inspection, ministerial expert inspection • preparing notifications of construction start to relevant authorities • preparing requests for issuing approval protocols and expert assessments  Section of EU programs • managing of and responsibility for meeting CEF implementation conditions • managing technical assistance of the EU programs • organizing and managing the end process management of beneficiary • ensuring relation with state administration and the EC  • representing ŽSR at meetings with representatives of the EU, EC, MoTC SR and other organizations, responsibility for meeting conditions resulting from the Grant Agreement in the extent of activities of the Department, monitoring compliance with conditions, deadlines, deductions  Section of EU Constructions and Projects Implementation • ensuring the control of compliance of the construction implementation with the approved project documentation, contractual conditions and the other valid legislation and the valid regulations of ŽSR, the Slovak Republic and the EC in the area of his scope of operation, preparation of materials in accordance with requirements and internal manuals  • control of compliance of the performance of activity of construction supervision with the Contract on Provision of Services • participation in inspection days of the construction, technical inspections, hand-overs and take-overs, monitoring and assessing weekly, monthly and quarterly reports sent by the contractor or the building inspector, preparing documents for lockout activities and a train diagram board  Section of financial management of EU projects • verification of the contractor´s invoices • management of payments to the contractors • financial reporting (requests for payment, financial statements, supporting financial documents, etc.) • preparation of financial plans • monitoring of financial progress  • participation in meetings related to project implementation • cooperation on ASR preparation  The given sections are being involved in communication process on regular daily basis including weekly meetings of the director and the heads of the sections. |

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| **6.3. In the first ASR, information on other relevant administrative provisions, such as quality controls and audits; in subsequent ASR, information on any modifications and, if applicable, on the progress of the implementation of the arrangements referred to in previous ASR.** |
| The nature of construction works or a wide spectrum of expert activities with various focus (truck structure and railway bed, electrical power engineering, notifying and securing technology, telecommunication, etc.) requires cooperation of all interested parties of the relevant Departments of Directorate General of ŽSR.  Communication is carried out in the form of official correspondence, working meetings at the level of construction management (the Contractor, during the control days organized at three-week intervals), as well as at the level of Directorate General of ŽSR during operative working meetings. Except for the control days, the production meetings with the Contractor are held weekly.  The construction works progress is recorded in weekly reports by the Contractor. The Contractor also submits the summary of data on the construction works progress in monthly reports. The reports evaluate the construction progress from the perspective of time and material fulfillment, current problems and possible risks that appeared during implementation. The construction supervision submits the Interim Supervision Report to ŽSR once per three months (on a quarterly basis). The report includes data on works progress, fulfillment of time schedule or time compliance/non-compliance, summary of invoicing data, SWOT analysis, etc. Upon completion of the construction works, the construction supervision issues Taking Over Certificates and submits a Supervision Final Report. |

ANNEX: Financial information (GA II.23.1.1.d to f or SESAR FPA II.23.1b.d to f)

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| **CERTIFICATION OF THE MEMBER STATE\***  (applicable only for ASR and for beneficiaries established in the European Union) | |
|
| Name |  |
| Position |  |
| Entity |  |
| Telephone Nº |  |
| E-mail |  |
| In compliance with Article II.23.1 (or SESAR FPA II.23.1b) of the GA, it is certified that the information provided by the following Beneficiary(ies) in the ASR is full, reliable and true.   * Železnice Slovenskej republiky | |
|  | |
|
| Date and signature |  |
|  |
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|  |
| Stamp (optional) |
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\* In line with the terms of Art. 22 of the CEF Regulation