



Subject: Feasibility study for applying socio-economic criteria in case of capacity shortages

Dear Madam/Sir,

RailNetEurope (RNE), referred to below as the contracting party, is planning to award a contract for conducting a feasibility study on the above-mentioned issue. The procurement documents consist of this invitation letter, the general terms and conditions (A1), the evaluation criteria (A2), a paper with detailed description of the issue (A3), a paper with some own thoughts on possible criteria ("Allocation principles for capacity shortages", A3a), "Allocation guidelines for conflicting capacity announcements and requests" (A3b), the draft service contract (A4), the draft tenderer declaration (A5) and the confidentiality declaration (A6).

0. Introduction

Some time ago, RNE and Forum Train Europe joined forces to start an ambitious project – the Redesign of the International Timetabling Process: 'TTR for Smart Capacity Management'. TTR is the programme to simplify, unify, and solidify improvements to the European rail timetabling system to significantly increase the competitiveness of railways. A systematic redesign of timetabling processes is needed as they differ considerably across European countries, which makes international cooperation difficult. Cross-border traffic is as important as ever for the rail sector, but the current system is leading to unnecessary delays due to still little coordinated construction works and timetable inconsistencies. In addition, the capacity products currently provided by the Infrastructure Managers do not serve all market needs.

The present topic deals with situations in which the most diverse capacity needs (market and IM's own requirements) cannot be satisfied with the existing capacities. Capacity shortages can occur during the creation of the capacity model (about 2 years before a timetable change), during capacity planning (between 1.5 and 1 year before), during the processing of concrete path requests and during adjustments of already allocated paths in the current timetable due to construction works. To this end, the introduction of socio-economic criteria with the best benefit for society will be examined.

1. Submission of tenders

Tenders must be submitted by e-mail to the following e-mail address: daniel.haltner@rne.eu. The time-limit for receipt of tenders is 14th April 2023, 23:59 h (CET). A tender received after the

time-limit for receipt of tenders will be rejected. Tenderers must ensure that their submitted tenders contain all the information and documents required by the contracting party at the time of submission as set out in the procurement documents. After submitting a tender, but before the deadline for receipt of tenders, a tenderer may definitively withdraw its tender, or withdraw it and replace it with a new one.

All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.

2. Legal effects of the invitation to tender and submission of a tender

This invitation to tender is in no way binding on the contracting party. The contracting party's contractual obligation commences only when the contract with the successful tenderer is signed by both parties. Up to the signature of the contract, the contracting party may cancel the procurement procedure without tenderers being entitled to claim any compensation. Any such decision must be substantiated, and tenderers notified. The validity period of the tender, during which tenderers may not modify the terms of their tenders in any respect, is 60 days. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

3. Contacts during the procurement procedure

Contacts between the contracting party and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

3.1 Submission phase (before the time-limit for receipt of tenders)

Upon request, the contracting party may provide additional information solely for the purpose of clarifying the procurement documents. Any request for additional information on the tendering process and related to information on allocation principles have to be made by e-mail to daniel.haltner@rne.eu. The tenderer accepts that its questions (in anonymised form) and the corresponding response will be published by the contracting party on the RNE website relevant to the tender. The contracting party is not bound to reply to requests for additional information received less than six working days before the time-limit for receipt of tenders. The contracting party may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

3.2 Opening of tenders

Tenders shall be opened by the contracting party within five working days after the time-limit indicated in chapter 1. Once the contracting party has opened the tenders, they shall become its property and will be treated confidentially.

3.3 Evaluation phase (after the opening of tenders)

Except in duly justified cases, tenderers who have failed to submit evidence or to make statements as required in the procurement documents, shall be contacted by the contracting party to provide the missing information or clarify supporting documents. The contracting party may correct obvious clerical errors in the tender after confirmation of the correction by the tenderer. Such information, clarification or confirmation shall not substantially change the tender.

3.4 Award phase

Tenderers will be notified of the outcome of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided for the contact person. It is the tenderer's responsibility to provide a valid e-mail address and to check it regularly.

4. Budget

For the conducting of the study, the General Assembly of RNE has approved a budget of € 60,000.

5. Data protection

Any personal data will be processed solely for evaluation purposes under the call for tenders by the contracting party.

Yours faithfully

RNE

Annexes:

- A1 General terms and conditions
- A2 Evaluation criteria
- A3 Terms of reference (paper with detailed description of the issue)
- A3a Allocation principles for capacity shortages
- A3b Allocation guidelines for conflicting capacity announcements and requests
- A4 Draft service contract
- A5 Draft tenderer declaration
- A6 Confidentiality declaration