

AMENDMENT NO. 1

TO 22.02.2018

"AGREEMENT ON OPERATION PLAN CONCEPT FOR RAIL BALTICA RAILWAY"

Riga 16.10. 2018

Contract registration number

8.1/2018-4

RB Rail AS, a joint stock company registered in the Latvian Commercial Register registration No 40103845025, having its registered address at K. Valdemāra iela 8-7, Riga, LV 1010, Latvia ("Principal"), represented by Chairman of the Management Board Ignas Degutis and Management Board Member Kaspars Rokens acting on the basis of the Regulations on Representation Rights dated 25 May 2018, on the one side,

and

ETC Transport Consultants GmbH, a company organized and existing under German law, with registration number HRB 8866, having its registered address at Martin-Hoffmann-Str. 18, Berlin, Germany ("Contractor"), represented by Senior Vice President of International Projects Hinrich Bruemmer acting on the basis of authorization, on the other side.

The Principal and the Contractor are jointly referred to as "Parties", and each separately – "Party",

WHEREAS

- (A) According to Section 1 and Section 3 (Point 3) of Article 61 of the Public Procurement Law of the Republic of Latvia amendments to a procurement agreement are permissible, if they do not change the general nature of the procurement (general contract) and amendments to the procurement contract are necessary for reasons that the contracting authority could not foresee previously;
- (B) Implementation of Agreement on Operation Plan Concept for Rail Baltica Railway between the Principal and the Contractor dated 22.02.2018. ("Agreement") has taken longer than initially planned for several reasons - Principal faced difficulties to obtain necessary information from PKP PLK; Principal has requested the Contractor to participate to specific additional meetings for resolution of the Kaunas and Riga node issues, as well as Task Force meeting with DG MOVE; there was a delay in review of documents from Technical Working Group established by the Principal;
- (C) Due to the above mentioned the Contractor is entitled to an extension of the deadlines for performing the Services and submitting the Deliverables;
- (D) Based on Clause 7.2 and 16.7 of the Agreement the Parties need to reflect the above-mentioned changes in the Agreement to extend the reports and deliverables submission and approval schedule.

NOW, THEREFORE, the Parties hereby without any delusion or fraud enter in to these Amendments No 1 ("Amendments No 1") to the Agreement on the following terms and conditions:

1. The Parties agree to amend Clause 3.6 "Submission and approval of reports and deliverables" of Annex B "Technical Specification" to the Agreement and express new time schedule table of Deliverables submission and approval as follows:

Deliverables/Reports	No of copies	Submission schedule	Approval by RB Rail AS
Preliminary Study Report	1 hard copies, 1 soft copy	04.10.2018	25.10.2018

Final Report	4 hard copies, 1 soft copy	15.11.2018	29.11.2018
Final Completion Report	1 hard copies, 1 soft copy	22.11.2018	29.11.2018

2. The Parties agree that entire study shall be completed on 30 November 2018.
3. All other terms of the Agreement remain unchanged.
4. The Parties confirm that they do not have any claims against each other arising from extension of Deliverables submission and approval schedule and these Amendments No 1.
5. The Amendments No1 shall enter into force upon its signing by the Parties.
6. The Amendments No1 are concluded in two (2) equal copies on two (2) pages. After the signing the Principal and the Contractor shall each retain one copy.

Principal

RB Rail AS

Contractor

ETC Transport Consultants GmbH