

EN

SHIFT2RAIL JOINT UNDERTAKING

**ANNEXES TO THE
CALL FOR EXPRESSIONS OF INTEREST TO
BECOME ASSOCIATED MEMBER OF THE
SHIFT2RAIL JOINT UNDERTAKING**

Ref. S2R JU/AM/01/2014

6 October 2014

Annex I-1

Template – Cover letter

<Place, Date>

<First Name> <Last Name>
<Company [coordinator of the

consortium]>

<Address>
<Postal Code>
<Country>

Ref: <...>

Subject: Reply to the call for expressions of interest to become associated member of the Shift2Rail Joint Undertaking - Ref. [...]

<Paragraph 1: Identification of the entity/-ies applying. This should include a statement certifying that the candidate (or, in the case of consortia and groupings, any of their members) is not an affiliate to a founding member of the S2R JU.>

<Paragraph 2: A statement that the candidate (or, in the case of consortia and groupings, all of their members) is not involved in any other applications on the same Innovation Programme>

<Paragraph 3: Identification of the person/s and their contact details (telephone number and e-mail address) for the communications related to the present call.>

<Paragraph 4: Identification of the Innovation Programme(s) to which they wish to contribute and the indicative R&I contribution they wish to make.>

<Name and signature of the authorised representative of the entity (of the coordinator of the consortium, in case of a consortium applying)>

Appendices:

Appendix I: A Declaration on honour (in the template provided as Annex I-3 of the call) (the coordinator and each consortium member), duly signed and dated, stating that they are not in one of the situations referred to in Section 7.1.

Appendix II: A duly filled in and signed legal entities' form¹ (each consortium member in case of a consortium), accompanied by all the supporting documents requested at the bottom of this form (Section 7.1. of the call documentation).

Appendix III: The balance sheets or extracts from balance sheets for the last five financial years, and a statement of overall turnover and turnover relating to the relevant services for the last five financial years (both types of documentation for each consortium member in case of a consortium) (Section 7.4.2. of the call documentation).

Appendix IV: Evidence for the operational capacity (Section 7.4.3. of the call documentation), submitted using the template provided as Annex I-4 of the call documentation.

<Appendix V: Any other additional information/documentation, if applicable.>

¹ http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Annex I-2

STATEMENT OF ACCEPTANCE, CONFIRMING THE ACCEPTANCE OF THE PROVISIONS OF THE S2R STATUTES CONTAINED IN ANNEX I OF THE S2R REGULATION

(Complete or delete the parts in grey italics in parentheses)

Mr João AGUIAR MACHADO

Director General

European Commission – Directorate General for Mobility and Transport

1049 Bruxelles,

Belgique

[Place], [Date]

On behalf of *[Name of the candidate JU member]* and in accordance with Article 3(1)(b) of the Statutes of the Shift2Rail Joint Undertaking, set out in Annex I of Council Regulation (EU) No 642/2014 published in the Official Journal of the European Union L 177 of 17.6.2014, I hereby inform you of our decision to accept the Statutes of the Shift2Rail Joint Undertaking if selected to become one of its Members.

Yours sincerely,

[Name, Surname]

[Position]

Authorised representative of *[Name of the candidate JU member]*

Annex I-3

DECLARATION ON HONOUR WITH RESPECT TO THE EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

(Complete or delete the parts in grey italics in parentheses)

[Choose options for parts in grey between square brackets]

The undersigned (*insert name of the signatory of this form*):

- in [his][her] own name (*for a natural person*), or
- representing the following legal person:

full official name:

official legal form:

full official address:

VAT registration number:

- declares that [the above-mentioned legal person][he][she] is not in one of the following situations:
- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
 - c) has been guilty of grave professional misconduct proven by any means which the S2R JU can justify;
 - d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the S2R JU and those of the country where the activities are to be performed;
 - e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
 - f) is subject to an administrative penalty for being guilty of misrepresenting the information required by the S2R JU as a condition of participation in a grant award procedure or procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts or agreements covered by the Union's budget.

- *(Only for legal persons other than Member States and local authorities, otherwise delete)* declares that the natural persons with power of representation, decision-making or control² over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
- declares that [the above-mentioned legal person][he][she]:
 - g) has no conflict of interest in connection with the call for membership and the resulting agreements; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
 - h) will inform the S2R JU, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
 - i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of a contract;
 - j) provided accurate, sincere and complete information to the S2R JU within the context of this procedure

In case of award of membership, the following evidence should be provided upon request and within the time limit set by the S2R JU:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the candidate is a legal person and the national legislation of the country in which the candidate is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the candidate.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the country concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the candidate is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

If the candidate member is a legal person, information on the natural persons with power of representation, decision making or control over the legal person should be provided only upon request by the contracting authority.

² This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

Full name

Date

Signature

Annex I-4

Template – Operational and Financial Capacity

The minimum font size allowed is 11 points (font 'Times New Roman'). The page size is A4, and all margins (top, bottom, left, right) should be at least 15 mm (not including any footers or headers).

Chapter 1: General presentation of the candidate member [Maximum score of 5 for this sub-criterion of the Operational capacity criterion]

Part 1: Please provide a complete and duly supported description of the entity, of its core activities and of its organisational structure **[Max. 2 pages]**.

- In the case of groupings or consortia: Please provide this description for each constituent entity of the grouping or consortium **[Max. 1 page per constituent entity]**. Please also indicate how the different partners intend to collaborate and work effectively together **[Max. 1 page]**.
- In the case of applicants from other countries: If one or more of the participants requesting EU funding is based in a country that is not automatically eligible for such funding (entities from Member States of the EU, from Associated Countries and from one of the countries in the exhaustive list included in General Annex A of the work programme are automatically eligible for EU funding), explain why the participation of the entity in question is essential to carrying out the project.

If the participant or, in the case of consortia or groupings, the constituent entity, (a) plans to subcontract certain tasks or (b) envisages that part of its work will be performed by linked third parties or (c) envisages the use of contributions in kind provided by third parties, please identify the potential partners and provide a description of the type of entities that it would wish to collaborate with.

[...]

Part 2: Please describe your interest and knowledge of the rail sector and/or of the manufacture and supply of equipment and/or services of relevance to the European rail sector and the added value of your participation to the S2R initiative; the role you wish to fulfil and your expectations from the S2R Joint Undertaking **[Max. 2 pages]**.

- Please provide a short description of the candidate's expected contribution to the attractiveness and competitiveness of the European rail sector.
- Please provide an explanation of how the entity's profile matches the general and specific objectives set out in the draft S2R Master Plan. In the case of groupings or

consortia, please indicate how the members complement one another (and cover the value chain, where appropriate). In what way would each of them contribute to the draft S2R Master Plan?

- Please provide a list of areas and topics, in relation to the initial description of activities contained in the draft S2R Master Plan, on which candidate members have a proven experience and which constitute an added value for the Shift2Rail JU.
- Please describe, if relevant, any potential conflicts of interest which may affect your quality as member of the S2R JU and contribution to the objectives of the Shift2Rail initiative, which are: the promotion of the Single European Railway Area, the attractiveness and competitiveness of the European railway system, and the competitiveness of the European rail industry.

[...]

***Chapter 2: Proof of research and innovation capability and technical excellence
[Maximum score of 5 for this sub-criterion of the Operational capacity criterion]***

Please provide, for each constituent entity where relevant, the following (if available) ***[Max. 3 pages]***:

- a short description of the profile of the persons who will be primarily responsible for carrying out the proposed research and/or innovation activities;
- a list of up to 5 relevant previous R&D projects or activities, connected to the objectives of Shift2Rail (in particular any projects funded at EU level);
- a list of up to 5 relevant publications, and/or products, technology references or services (including widely-used datasets or software), relevant to the draft S2R Master Plan objectives;
- a list of up to 5 relevant examples of R&D activities that have been implemented or taken up by the market, or of contributions to the rationalisation of research, development and validation activities (including the optimal use of existing developments and enhancing interoperability of the rail system), or other achievements relating to the draft S2R Master Plan objectives;
- a description of any significant infrastructure and/or any major items of technical equipment, relevant to the proposed work (such as research labs, test vehicles, test tracks or other);

[...]

Chapter 3: Proof of management capability [Maximum score of 5 for this sub-criterion of the Operational capacity criterion]

Please provide, for each constituent entity, the following (if available) ***[Max. 2 pages]***:

- a list of up to 5 references demonstrating the entity's (and, where applicable, consortium/grouping's leader's) capacity to manage, coordinate and carry out large-scale research, development and validation projects involving multiple participants, as well as its competence in change management, in particular during the integration of new technical systems.
- a demonstration of the entity's (and, where applicable, consortium/grouping's leader's) experience and capacity to collaborate with different types of organisations and stakeholders (e.g. private or public companies active in the rail sector or other relevant sectors, SMEs, research organisations, universities).

[...]

Chapter 4: Planned contribution to S2R

Part 1: Please provide a description of the candidate member's proposed contribution to the execution of the S2R Master Plan. ***[Maximum score of 5 for this sub-criterion of the Operational capacity criterion]***

The candidate associated member should indicate clearly the Innovation Programme(s) and individual research areas, as well as any cross-cutting activities³, which they wish to contribute to, based on the indicative list contained in the draft S2R Master Plan ***[Max 4 pages per Innovation Programme]***

- Candidates should describe how their planned contribution addresses the challenges set out in the draft S2R Master Plan and describe the overall approach as well as the main concepts involved and the core deliverables that are expected;
- Candidates should describe how their contribution will contribute to the general and specific objectives set out in the draft S2R Master Plan and any other important impacts;
- Candidates should indicate the split between dedicated applied research and pre-industrial development and very large scale demonstrations, referring to Technology Readiness Levels where relevant;
- Candidates applying to more than one Innovation Programme (or wishing to carry out a limited number of complementary activities within another Innovation Programme even if they do not meet the minimum contribution for that Innovation Programme) should indicate, where applicable, any links between the topics within these Innovation Programmes, demonstrating and highlighting any additional value that a common approach could bring, both for their proposal and for the Innovation Programmes concerned or the Shift2Rail initiative as a whole.

Given that the outcome of the call H2020-MG-2014-TwoStages will not yet be known at the time of launching the present call for expression of interest to become associated member to the S2R JU, candidate members are asked to include, for the purpose of valuing their planned

³ Please be aware that contributions to the cross-cutting activities are not counted towards the minimum contribution required for associated membership as described in section 7.2

contribution to S2R, any proposals for activities already submitted under the Rail challenge (topics M.G. 2.1, M.G. 2.2 and M.G. 2.3) of the call H2020-MG-2014-TwoStages.

Part 2: Please provide an estimation of the value candidate member's proposed own contribution to the execution of the draft S2R Master Plan. *[Maximum score of 5 for this sub-criterion of the Financial and Economic capacity criterion]*

- The estimated own contribution should be provided in Euros, using the following template table and excluding any co-financing from the S2R JU, bearing in mind that the figures provided represent an indicative commitment and that the detailed definition of contributions to indirect actions carried out by the S2R JU (and the exact contributions of the different members to those indirect actions) will be done once all JU members are selected and the S2R JU work plan is adopted.

(in Euros)	Indicative own contribution to Indirect Actions				Indicative own contribution to the JU administrative costs*	Indicative own contribution to Additional activities**
	Applied research	Pre-industrial development	Very large-scale demonstration activities	Total own contribution to Indirect Actions		
Innovation Programme [...]	[...]	[...]	[...]	[...]	[...]	[...]
Innovation Programme [...]	[...]	[...]	[...]	[...]		
TOTAL	[...]	[...]	[...]	[...]	[...]	[...]
Applicant's total own contribution to the Shift2Rail initiative:						

* Calculated as 4.5% of the candidate's planned contribution to the indirect actions. With the exception of research centres and universities who are not required to provide a financial contribution to the administrative costs of the S2R JU.

** Calculated as one third of the candidate's planned contribution to the indirect actions

- The estimated contribution should provide an indicative split between the candidate's contribution and those of the affiliated entities. In the case of groupings or consortia, the description should indicate the split between the contributions of the individual members of the consortium or grouping, taking into account that each member of the consortium should make a significant contribution to the overall activities proposed by the consortium. For railway undertakings or consortia composed of railway undertakings and/or infrastructure managers, candidates shall indicate how they meet

the thresholds of respectively EUR 12 million and EUR 15 million across the different Innovation Programmes and identify the indicative R&I technical contribution per Innovation Programme.

- The candidates should provide evidence of the sufficient availability of R&I capacities in the EU or in countries associated to Horizon 2020 to carry out their planned activities.

[...]

Chapter 5: Dissemination and exploitation [Max 1 page] [Maximum score of 5 for this sub-criterion of the Operational capacity criterion]

Please provide:

- An indicative plan for the dissemination and exploitation of the results brought by your participation in Shift2Rail,
- A brief description of the issues relating to intellectual property rights which should be considered in relation to the candidate member's contributions and participation in the S2R JU (background, access rights).

[...]