

# MB meeting 60, 21-06-2022

## *SPD 2022 substantial amendments*

The SPD 2022 was adopted by the Management Board (MB) in November 2021 (MB Decision n° 272). Management Board decision n°289 on the delegation of decision-making by the Management Board envisages criteria for categorising the possible SPD amendments into substantial (subject to MB adoption) and non-substantial (which can be adopted by the Agency's Executive Director).

Several substantial amendments to SPD 2022 are being proposed for adoption by the Management Board and can be found in Annex I added to the draft decision n° 296.

Any non-substantial amendments to SPD 2022, subjected to ED decision, will be brought to the MB for information as part of the agenda point on the Report from the Executive Director.

The proposed **substantial** amendments for SPD 2022 are grouped as follows:

### **1. Proposed substantial amendments of the SPD 2022 multi-annual narrative and annexes**

### **2. Proposed substantial amendments of the SPD 2022 outputs, indicators and/or targets**

- To reflect the latest changes in terms of indicators and targets due to internal resource transfers to the authority tasks;
- To reflect the latest changes in terms of indicators and targets due to closure of certain projects and services;
- To reflect the reality of the continued virtual collaboration with external and internal stakeholders;
- To merge certain projects in the SPD into 1 bigger project;
- To clarify and specify certain indicators and targets based on lessons learnt during the CAAR 2021 preparation;
- To add indicators and targets to certain projects and services to better reflect the scope and extent of their activities;
- To amend deadlines based on the updated information available.

### **3. Proposed substantial amendments of the SPD 2022 FTE distribution across projects and services**

### **4. Proposed substantial amendments of the SPD 2022 procurement plan**

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## DECISION n° 296

### *of the Management Board of the European Union Agency for Railways amending the Single Programming Document 2022*

#### **THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,**

Having regard to the Regulation (EU) N° 2016/796 of the European Parliament and the Council of 11 May 2016 on the European Union Agency for Railways (hereinafter referred to as "the Agency") and repealing Regulation (EC) No 881/2004 (hereinafter called "the Regulation"), and in particular Article 51§1 (b) and 52§4 thereof,

Having regard to Decision n° 272 of the Management Board adopting the Single Programming Document 2022,

Having regard to Decision n°206 of the Management Board adopting the Financial Regulation of the Agency,

Having regard to decision n°289 of the Management Board on the Delegation of decision-making by the Management Board,

#### **HAS DECIDED AS FOLLOWS:**

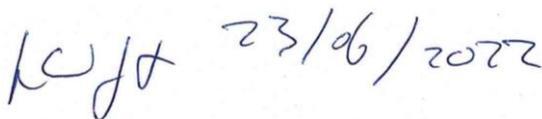
##### ***Article 1***

The Agency's Single Programming Document 2022 is amended with the substantial changes listed in Annex 1.

##### ***Article 2***

The present decision shall enter into force on the day following that of its adoption. It will be published on the Agency website.

For the Management Board



The Vice-Chair  
Hinne GROOT

Annex 1: Proposed SPD 2022 substantial amendments

**Annex 1 to MB Decision n.**

**1. Proposed substantial amendments of the SPD 2022 multi-annual narrative and annexes**

Section number in adopted SPD 2022	Text in adopted SPD 2022	Proposal for text in amended SPD 2022 / change to be made	Justification for proposed text/change in amended SPD 2022
Multiannual section, II.1.2	"Key Performance Indicator" tables for each strategic statement	"Outcome Indicators"	The elements mentioned in these tables are outcome indicators, which are beyond the accountability ceiling of the Agency. We have proposed to add an overarching table below the annual executive summary (III.1) with the Key Performance Indicators, which will measure the performance of the Agency, and is therefore fully within its accountability ceiling. The categorisation between KPIs and Outcome indicators is clarified for all StSt.
Multiannual section, Strategic Statement 2 & 3	"Furthermore, the efforts made in TAP TSI covering the provision of information to passengers before, during their journey as well as the management of connections between trains and other modes of transport are important elements contributing to a smart and sustainable rail"	"Furthermore, the efforts made in TAP TSI covering the provision of information to passengers before, during their journey as well as the management of connections between trains and other modes of transport including interoperable ticketing are important elements contributing to a smart and sustainable rail"	Interoperable ticketing is addressed by several activities and technical specifications in the revision of the TAP TSI.
Multiannual section, strategic statement 4	"In 2022, the Agency will start a new cycle of NSA monitoring with a continuation of the targeted approach that has already shown benefits in the first cycle"	"In 2022, the Agency will start a new cycle of NSA monitoring with a scope wider than that of the first cycle, potentially encompassing all tasks assigned to NSAs by EU legislation"	The proposed text better reflects the Agency's capacity to cover the wider scope within the same resource envelope based on the learning curve.
Multiannual section, strategic statement 4 & list of negative priorities		Add "Review of NIB accident investigation reports" to the list of negative priorities	In the StSt4, the project 000MRA1097 "Review of NIB reports" won't be carried out, as already communicated to the EC.
Multiannual section, II.2.1, table 1	For the external staff financed from agreements, year 2022: "6";	For the external staff financed from agreements, year 22: "7"	The change reflects the System Pillar addendum, which foresees 3 FTEs instead of 2.
Multiannual section, II.2.1, table 5	For the external staff financed from agreements, year 2022: "6"; year 2023 "2"; year 2024 "1"	For the external staff financed from agreements, year 2022: "7"; year 2023 "3"; year 2024 "1.5"	Idem
Multiannual section, II.2.5 Negative priorities	NSA monitoring - With less staff available for this important task of performing audits of all NSAs within a three-year cycle, the Agency will have to continue to proceed with targeted audits. In addition, the audits will be performed only remotely and the number of auditors will be decreased to two. This will impact the scale of any follow-up activity	Bullet point and related text to be deleted	As described above, the Agency increased the scope of the NSA monitoring.
II.1. (Annual Work Programme)		Key performance indicators table added	As explained above, the KPI tables that were initially introduced in the SPD contain outcome indicators. They cannot assess the performance of the Agency as they are beyond its accountability ceiling. We have now introduced the KPI table below the executive summary of the Annual Work Programme.
Annex I		Updated organisational chart	A reorganisation took place in Q1 2022 and the organisational chart and table 6 have been therefore updated.
Annex II, table 8		Updated table	The annex has been updated to reflect the proposed changes to FTE allocation between P/S
Annex III, table 11		Delete the last column	The last column of this table should not have been included, as per the SPD guidelines.
Annex IV, table 18	CA, year 2022: "6"; year 2023 "2"; year 2024 "1"	CA, year 2022: "7"; year 2023 "3"; year 2024 "1.5"	The change reflects the changes brought by the System Pillar contribution agreement addendum.

Annex IV, table 22		CAs split between grades amended	The existing breakdown of Contract Agents per function group has been updated in order to reflect reality and now matches the BadgeBud submission.
Annex VIII	The written procedure of the Management Board from August 2018 concerning the approval of a headquarters agreement between the Agency and the host Member State, has been completed successfully. No objections or negative votes were expressed by the members of the Management Board. The Seat Agreement between the French Government and the Agency has been presented as draft legislation to the French National Assembly on 7 July 2021 . It is currently under its first review. The following table presents the envisaged privileges for the Agency's staff.	The Management Board approved the proposed Headquarters (or Seat) Agreement between the Agency and the host Member State without objections or negative votes in August 2018. The Seat Agreement between the French Government and the Agency has been presented as draft legislation to the French National Assembly on 7 July 2021 and has been adopted and promulgated on 31 January 2022. The final text of the Seat Agreement can be found here . The following table presents the privileges granted to the Agency's staff.	Following the adoption of the seat agreement, the SPD has been amended to reflect it. The footnotes have also been updated accordingly.
Annex XI. Plan for grant, contribution or service-level agreements	Number of CAs for System Pillar: 2022: 2; 2023:2; 2024: 1	Number of CAs for System Pillar: 2022: 3; 2023:3; 2024: 1.5	The change reflects the changes brought by the System Pillar contribution agreement addendum.

**2. Proposed substantial amendments of the SPD 2022 outputs, indicators and/or targets**

Project or Service Code	Project or Service Name	Output indicator in adopted SPD 2022	Output Target in adopted SPD 2022	Amendment type	Proposed indicator	Proposed target	Justification for proposed amendments
000MRA1138	NoBos monitoring	Revision of ERA technical document	Document delivered by Q2 2022	Amend existing indicator and/ or target	Same as in current version	Delivered by Q4 2022	Ongoing discussion with the relevant stakeholders on certain requirements might cause a delay in the delivery of the Assessment Scheme.
ERA1226	Registers Operation and Development	SRD-Development of the functionalities of SRD that will enable the notification of vehicle authorisation rules to SRD	Dec-22	Amend existing indicator and/ or target	SRD - Documented specifications of the functionalities of SRD needed to enable the notification of vehicle authorisation rules in order to follow the TSI structure and open points / specific cases	Same as in current version	The technical specifications for the SRD VA rules notification module will have to be redrafted due to the decision to follow TSI structure and open points/specific cases for notifying VA rules. For this reason, the indicator is changed from the actual functionalities developed to the specifications being documented.
ERA-REC-122	Manage the evolution of Telematics application for passengers (TAP TSI)	ERSAD database updated (including the requirements from the PRM TSI/TAP TSI revision WP)	Q2 2022	Amend existing indicator and/ or target	Same as in current version	Q4 2022	Due to problems in the implementation of the ERA "Registers to the cloud" strategy, the operational installation of the ERSAD database might be delayed.
ERA-REC-122	Manage the evolution of Telematics application for passengers (TAP TSI)	TAP TSI application guides revised	Q2 2022	Amend existing indicator and/ or target	Same as in current version	Q4 2022	Due to the ongoing revision of the TAP TSI technical documents, the updates of the application guides might be delayed.
000MRA1097	Review of NIB accident investigation reports	2022 Qualitative analysis of NIB accident investigation reports.	One draft summary analysis delivered	Close P/S			Service closed because of lack of resources.
000MRA1097	Review of NIB accident investigation reports	2021 Qualitative analysis of NIB accident investigation reports.	Publication of 2021 Qualitative analysis report	Close P/S			Service closed because of lack of resources.
001MRA1116	NSA Monitoring implementation	No. of follow-up audit reports	At least 1	Delete existing indicator and target			The audit of the 2nd cycle incorporates the follow-up of the audits of the 1st cycle. Thus, there will not be separate reports for the follow -up, the audit reports will contain the part related to the follow-up.
ERA1196	Data and information analysis	Internal and external survey requests delivered on time	Requests supported in line with the Agency Survey Framework.	Amend existing indicator and/ or target	All ERA staff survey requests are resolved	Same as in current version	Clearer and more accurate wording of the indicator. Requests are to be 'resolved', not 'delivered'. 'Internal and external' were replaced by ERA staff for the sake of clarity, as anyway the Agency Survey Framework only applies to ERA staff requests.
ERA1223	Women in transport	Implementation of action plan of the gender equality audit	70%	Delete existing indicator and target			The indicator is to be recorded under the Better together project (ERA1235).
ERA1200	Finance service	% of the annual appropriations committed	98%	Close P/S			Following the re-structuring of the finance related activities, these indicators and targets become part of ERA1156 Organisational strategic programming monitoring and reporting.
ERA1200	Finance service	% of carry-over of payment appropriations for T1	<10%	Close P/S			
ERA1200	Finance service	% of carry-over of payment appropriations for T2	<20%	Close P/S			
ERA1200	Finance service	% of carry-over of payment appropriations for T3	<30%	Close P/S			

ERA1200	Finance service	% of execution of C8 payment appropriations	95%	Close P/S			
ERA1200	Finance service	% payments made by contractual deadline	>95%	Close P/S			
ERA-REC-129	Manage Radio Communication evolution	CCS TSI - final recommendation delivered with FRMCS specifications for Annex A	recommendation by end June 2022	Amend existing indicator and/ or target	CCS TSI - final recommendation delivered	Same as in current version	Optimised project planning using all available time for handling the maximum of change requests. Dedicated indicators have been added to cover Appendix A (see below).
ERA-REC-129	Manage Radio Communication evolution			Add new indicator and target	TSI CCS - Appendix A documents delivered for vote	by end October 2022	Optimised project planning using all available time for handling the maximum of change requests.
ERA-PRG-006	National Technical Rules management	VA NRs for CZ and NL	Cleaned by June 2022	Amend existing indicator and/ or target	Same as in current version	Cleaned by 15 October 2022	The target date was re-assessed taking into consideration the availability from the involved MS. The new deadlines have been agreed with DG MOVE during the meeting 17/05/2022.
ERA1156	Organisational strategic programming monitoring and reporting	No. of strategies implemented according to the action plan	3	Amend existing indicator and/ or target	Strategies identified, steered and monitored	Same as in current version	The indicator is rephrased in order to better reflect the different steps in the strategy lifecycle and the accountability ceiling.
ERA1156	Organisational strategic programming monitoring and reporting	Internal audits	Implemented according to plan	Amend existing indicator and/ or target	Draft oversight approach for internal monitoring based on prioritisation criteria, including internal audits	Developed	The internal audits will be run based on clear prioritisation criteria as opposed to a pure listing of all processes. This will be an important enabler for compliance, assurance and performance purposes and is in line with the approach set in the Strengthening Plan.
ERA1156	Organisational strategic programming monitoring and reporting	Strategy for Achieving Efficiency Gains	Implemented in line with the action plan	Amend existing indicator and/ or target	Strengthening plan	Same as in current version	Starting 2022 the Agency implements the Strengthening Plan adopted by the MB in March 2022, which includes a component on efficiency gains as well as the identification of priority areas to be resourced.
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	Budget 2023 request encoded in BadgBudg	<p>The indicators and the targets for this service have been further developed in order to:</p> <ul style="list-style-type: none"> <li>- Take over the ones from the Finance service, following the re-structuring of the finance related activities</li> <li>- Highlight the Agency's focus on the budget preparation and budget execution matters</li> <li>- Highlight the Agency's focus on budget monitoring</li> <li>- Highlight the Agency's focus on financial verification, as well as the Agency's preparatory work for the ECA and IAS audit missions, given the importance and complexity of this work.</li> </ul> <p>All these aspects are in support of the Agency's focus on compliance and performance.</p>
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	100% of budget transfers approved in line with ERA financial regulation provisions	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≥98% of appropriations committed	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≤10% of carry-over of payment appropriations for T1	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≤20% of carry-over of payment appropriations for T2	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≤30% of carry-over of payment appropriations for T3	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≥95% of execution of C8 payment appropriations	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	≥95% of payments made by contractual deadline	

ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Effective budget planning, monitoring and reporting	At least 4 budget reviews	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	Financial verification_% of transactions subjected to central financial verification in line with workflows defined	100%	
ERA1156	Organisational strategic programming monitoring and reporting			Add new indicator and target	External audits (ECA) and IAS audits	Coordination of internal inputs ensured	
ERA1218	Manage ERTMS long term evolution			Add new indicator and target	TSI CCS - Appendix A documents delivered for vote	by end October 2022	Optimised project planning using all available time for handling the maximum of change requests.
ERA1235	Better together at ERA			Add new indicator and target	Performing Participatory Gender Audit and preparing action plan	100%	Indicator and target amended and moved from 'Women in transport' to 'Better together at ERA' The audit has been postponed from the spring to the fall in order to allow for it to be potentially carried on premises.
ERA1248	Follow-up audit - report on the state of implementation and application of EU legislation on railway safety and interoperability in ES	No indicator in adopted SPD 2022	No indicator in adopted SPD 2022	Add new indicator and target	Review of documentation	Dec-22	Newly added service to respond to emerging needs.

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### 3. Proposed substantial amendments of the SPD 2022 FTE distribution across projects and services

Project or Service Code	Project or Service Name	FTE in adopted SPD 2022	Amendment round 1_Proposal for FTE amendments in 2022	Justification on changes in FTE assignment
ERA1217	Business helpdesk VA, SSC and ERTMS Trackside approval	1.2	1.7	Due to unforeseen increasing no. of requests, the FTE allocation had to be revised.
000MRA1097	Review of NIB accident investigation reports	0.6	0	The project has been closed.
ERA1156	Organisational strategic programming monitoring and reporting	7	9.92	The additional number is related to the number of FTEs which were transferred from the Finance service in relation to the budget tasks and the financial verification tasks. There is as such no net increase of FTEs for the activities covered.
ERA1200	Finance service	6.6	0	The finance service has been closed. Part of the FTEs are now encoded under ERA 1156 (see above) and part are decentralised at the level of the units, also linked to the merge of the operational initiation with the financial initiation.
ERA1248	Follow-up audit - report on the state of implementation and application of EU legislation on railway safety and interoperability in Spain	0	0.3	New project starting in 2022 as a response to an emerging request.

#### 4. Proposed substantial amendments of the SPD 2022 procurement plan

##### 4.1. Technical assistance to ERTMS trackside approval

Local identifier	Description	Amount to be committed in 2022
<b>ERA 2022 XX NP</b>	Technical assistance to ERTMS trackside approval	0€

The requested amendment aims at modifying the procurement plan 2022 by adding the call for tenders "Technical assistance to ERTMS trackside approval". This call for tenders was initially scheduled for 2023. This involves relaunching a call for tenders with a view to sign new framework contracts (the current ones expire in April 2023). To minimize the risk inherent in the delays relating to the procurement procedure, we believe that it is preferable to launch the call for tenders before the end of 2022. The evaluation and signing of the contract(s) could take place early in 2023, to have the contract in force in April 2023. No amount will therefore be committed in 2022.

##### 4.2. Multimodal Freight Conference Le Havre (FR), 22 June 2022

Local identifier	Description	Amount to be committed in 2022
<b>Procurement request 517</b>	Multimodal Freight Conference Le Havre	32.000

The requested amendment aims at modifying the procurement plan by adding the event "Multimodal Freight Conference Le Havre". In accordance with strategic statement 2 of the multi-annual programme 2022-2024 ("Rail will become the backbone that supports an environmentally sustainable multimodal transport system and will be favoured as a transport mode by the new generation"), in order to highlight the outcome of the multimodal freight study conducted in the framework of the Green Agency project ERA1234, and in the context of the French EU Presidency, the Agency, together with Haropa Port as partner, is planning to organise a conference on multimodal freight on 22 June 2022 in Le Havre, France. While this event was presented through the ERA Communication and Dissemination Plan for 2022, which was adopted through MB decision 278, it was initially not included in the procurement annex of the SPD. With this amendment, we would like to capture this procurement also in the SPD.

**Proposal of updated and consolidated procurement plan for 2022 (following the 2 changes described above)**

Title	Description	Date	Market ceiling	Type of Contract
<b>ISO 9001 certification</b>	Framework contract for the 2nd ISO 9001 re-certification and the ISO certificate's maintenance audits for 4 years: 2023-2026. Year 2022 is the last year covered by the FWC 2016. Thus, in 2022 a new procurement has to be launched to have the FWC in place for 2023-2026. A budget related to the new FWC will have to be planned for 2023 onwards.	Q2	40,000.00 EUR	Framework Contract
<b>Development of training products for the EU Agency for Railways Knowledge HUB</b>	The European Union Agency for Railways intends to provide trainings and training materials via its 'Knowledge Hub' (HUB hereafter). The HUB is part of the ERA Academy. For the HUB we intend to create and maintain a catalogue of training programmes, addressed to a large stakeholder audience, including ERA staff. This call for tenders has the purpose to identify a service partner able to support the Agency in the activities for the HUB.	Q1	350,000.00 EUR	Framework Contract
<b>EXO INNOTRANS STAND BUILDER</b>	The Agency will be present at Innotrans 2022 with a 70sqm. The agency will need a stand designer/builder in order to welcome visitors during this event.	Q1	110,000.00 EUR	Framework Contract
<b>Technical assistance to ERTMS trackside approval</b>	The Agency shall check that the envisaged technical solutions for trackside equipment containing European Rail Traffic Management System (ERTMS) are fully compliant with the relevant Technical Specifications for Interoperability (TSI) and are therefore fully interoperable. The objective of this Call for Tenders is to assure assistance in the form of framework contracts from multiple suppliers, for the activities related to the assessor role. The framework contracts should allow the Agency access to ERTMS experts that are able to assess the technical documents.	Q4	139,000.00 EUR	Framework Contract
<b>Multimodal Freight Conference</b>	As stated in the ERA Communication and Dissemination Plan 2022 (decision 278 adopted by the ERA Management Board in November 2021) and in accordance with strategic statement 2 of the multi-annual programme 2022-2024 the Agency, together with Haropa Port as partner, is planning to organise a conference on multimodal freight on 22 June 2022 in Le Havre, France. The event is scheduled during the French EU Presidency and is planned to involve delegates from the French EU Presidency, Members of the European Parliament, the European Commission, focusing on the link between ports and rail to connect the European hinterland.	Q2	32,000.00 EUR	Single contract