



SLOVENSKI STANDARD

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Železniške naprave – Zgornji ustroj – Kvalifikacijski sistem za izbor izvajalca del na zgornjem ustroju

Railway applications - Track - Qualification system for railway trackwork contractors

Bahnanwendungen - Oberbau - Qualifizierungssystem für Gleisbauunternehmen

Applications ferroviaires - Voie - Systeme de qualification des entreprises de travaux de voie ferrée

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EUROPEAN STANDARD

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Railway applications - Track - Qualification system for railway trackwork contractors

Applications ferroviaires - Voie - Système de qualification
des entreprises de travaux de voie ferrée

Bahnwendungen - Oberbau - Qualifizierungssystem für
Gleisbauunternehmen

This European Standard was approved by CEN on 21 July 2006.

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EUROPEAN COMMITTEE FOR STANDARDIZATION
COMITÉ EUROPÉEN DE NORMALISATION
EUROPÄISCHES KOMITEE FÜR NORMUNG

Management Centre: rue de Stassart, 36 B-1050 Brussels

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Foreword

This document (EN 14969:2006) has been prepared by Technical Committee CEN/TC 256 "Railway applications", the secretariat of which is held by DIN.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by February 2007, and conflicting national standards shall be withdrawn at the latest by February 2007.

According to the CEN/CENELEC Internal Regulations, the national standards organizations of the following countries are bound to implement this European Standard: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.

1 Scope

This European Standard specifies the definitions, procedures, criteria and their assessment as well as the respective documentation related to a qualification system of trackwork contractors, which relates to the Directive 2004/17/EC¹⁾. This qualification system identifies trackwork contractors that can be invited for tendering trackwork contracts.

Evaluation of the contractors applying for parts of the contract, which are not trackwork, is not covered by this standard.

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This European Standard may also be used for a qualification system of trackwork contractors applying for contracts with a value below the minimum limit as defined in the Directive 2004/17/EC.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

EN 13231 (series), *Railway applications – Track – Acceptance of works*

prEN 13803 (series), *Railway applications – Track alignment design parameters – Track gauges 1435 mm and wider*

EN 13848-1, *Railway applications – Track – Track geometry quality – Part 1: Characterization of track geometry*

EN 13848-2, *Railway applications – Track – Track geometry quality – Part 2: Measuring devices – Track recording vehicles*

EN 13848-5, *Railway applications – Track – Track geometry quality – Part 5: Geometric quality assessment*

1) DIRECTIVE 2004/17/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors

prEN 14587 (series), *Railway applications – Track – Flash butt welding of rails*

EN 14730 (series), *Railway applications – Track – Aluminothermic welding of rails*

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply:

3.1

qualification system

system having rules of procedure and management for evaluating applicants according to the criteria set out in this European Standard

3.2

railway infrastructure

all installations required for the running of railway vehicles (e.g. tracks, crossings, catenaries, signals etc.).

3.3

infrastructure manager

any public body or undertaking responsible in particular for establishing and maintaining railway infrastructure, as well as for operating the control and safety systems

NOTE An incomplete list of Infrastructure Managers is given in Annex A for information.

3.4

railway trackwork contractor

any company or association of companies, legally recognized as a company which has a determined activity as defined in this European Standard

NOTE Establishments of the Infrastructure Manager owner are not trackwork contractors within the meaning of this standard.

3.5

maintenance

includes: - plain line tamping
- switch and crossing tamping
- ballast cleaning

3.6

track laying/renewal

includes: - laying or renewal of ballasted track
- laying or renewal of ballasted switch and crossing
- plain track tamping
- switch and crossing tamping
- ballast cleaning

3.7

rail welding

in-track flash butt welding or aluminothermic welding

3.8

rail grinding and milling

rail grinding and milling on plain line and/or switches and crossings is understood as:
– continuous rail planing

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– continuous rail reprofiling

3.9**high speed lines**

lines which fall under the Technical Specifications for Interoperability (T.S.I.) relating to the Infrastructure Subsystem of the Trans-European High-Speed Rail System

3.10**conventional lines**

all lines other than high speed lines

3.11**applicant**

contractor capable of executing trackwork contracts by whatever means, seeking to obtain/retain a qualification document from a Qualification Body

3.12**validity period of qualification document**

period within which the qualification document is valid

3.13**total assets**

total of the balance sheet

3.14**net capital**

sum of paid capital, retained earnings and net income of the year

3.15**gross performance**

results of activities of an organization or investment over a given period of time (before anything is deducted)

3.16**tangible fixed assets**

a long-term, tangible asset held for business use and not expected to be converted to cash in the current or next fiscal year, such as real estate or plant

3.17**annual net income**

or net profit: gross sales minus taxes, interest, depreciation and other expenses

3.18**cash flow**

cash receipts minus cash payments over a given period of time, or equivalently, net profit plus amounts charged off for depreciation, depletion and amortization

3.19**legal representative**

person nominated by the contractor to act officially on his behalf

3.20**qualification**

procedure based on a set of rules leading to the formal assessment of an applicant by a Qualification Body against set obligations, including administrative, legal, financial, safety, quality, environmental and technical aspects

3.21**Qualification Body**

private or public body being part of either an Infrastructure Manager's organization or an independent organization recognized by the Infrastructure Managers, an association of Infrastructure Managers or national railway authority in the same or different countries, structured in accordance with the Directive 2004/17/EC

3.22**railway authority**

either the railway regulator or the owner of a railway infrastructure or the custodian with delegated responsibility for railway infrastructure

3.23**application documents**

necessary documents completed by the applicant that give all the necessary evidence for the qualification process

3.24**qualification document**

document provided by the Qualification Body once the qualification is completed (see Annex B)

3.25**qualification committee**

committee within the Qualification Body which is responsible for establishing qualification

3.26**qualification process period**

period within which the Qualification Body examines and decides upon an application for qualification and notifies the applicant of the result

3.27**qualification register**

register in which the Qualification Body records applications for qualification and qualification documents issued

3.28**qualified contractor**

contractor qualified according to this European Standard

4 Nomenclature of railway trackwork activities

An applicant shall submit his qualification request for one or more of the trackwork activities listed in Table 1.

NOTE This qualification by activities allows, if needed, different criteria at national level to make the difference between trackwork contractors for work on conventional and high-speed lines.

Table 1 — Nomenclature of railway trackwork activities

Railway trackwork activities	Trackwork on conventional lines	Trackwork on high-speed lines
Maintenance	1.1	1.2
Track laying or renewal	2.1	2.2
In-track welding	3.1	3.2
Continuous rail planing (grinding and miling)	4.1	4.2
Continuous rail reprofiling (grinding and miling)	5.1	5.2

5 Qualification bodies

5.1 General

The Qualification Body shall satisfy the requirements of a qualification system related to Directive 2004/17/EC in order to be recognized as competent and reliable in the operation of a qualification system for trackwork contractors.

5.2 General requirements

Every Qualification Body shall grant equal access to all suitable applicants. The procedures under which the Qualification Body operates shall be administered in a transparent and non-discriminatory manner.

5.3 Documentation and records

The Qualification Body shall maintain a system for the control of all documentation relating to the qualification.

All records shall be safely stored for a minimum of one year after the qualification expires, held secure and in confidence to the applicant, unless otherwise required by national legislation.

5.4 Access to documentation and records

The Qualification Body shall, upon request, grant every applicant or qualified contractor access to all the documentation and records pertaining to his application and qualification.

5.5 Confidentiality

The Qualification Body shall make adequate arrangements to ensure confidentiality of the information obtained in the course of its qualification activities at all levels of its organization, unless otherwise required by national legislation. Commercial use by the Qualification Body of documents or related information provided by applicants or qualified contractors is strictly forbidden.

Where there is a requirement for information to be disclosed to a third party, the applicant or the qualified contractor shall agree to this disclosure as permitted by local legislation. Failure to do so may result in loss of qualification.

5.6 Appeals

Appropriate procedures for appeals against decisions of the Qualification Body (including inactivity or refusal to start or to continue the qualification) shall be established according to Annexes C and D.

6 Application, assessment and review procedures

6.1 General

Clause 6 specifies the application, assessment and review procedures that it is necessary to follow for the qualification of trackwork contractors. These procedures shall be operated by each Qualification Body.

6.2 Application procedure

6.2.1 Language of application

The application shall be made in the language of the country of the Qualification Body.

6.2.2 Request for application documents

The applicant shall ask the Qualification Body in writing (including fax, mail or e-mail), and request the documents which are necessary to apply for qualification.

6.2.3 Supply of application documents

Upon request, the Qualification Body shall send the application form to the applicant within 10 working days (see Annex E) together with the guidance notes which apply to the qualification procedure.

6.2.4 Formal application for qualification

The application (see Annex E) shall be signed by a person duly authorized to commit the applicant.

6.2.5 Registration of application

Upon receipt of the application, the Qualification Body shall immediately record the application in the qualification register.

6.2.6 Completeness of application

Upon receipt of the application, the Qualification Body shall check its completeness. If the application is incomplete, the Qualification Body shall, within 30 working days from receipt of the application, ask for the missing information/documentation required for qualification.

The Qualification Body can specify an adequate time limit for completion of the application. The time limit shall be more than 30 working days starting from the applicant's receipt of the Qualification Body's request. An extension can be granted to the applicant upon request.

If the applicant does not fulfil the request to complete the application within due time, the application is no longer valid and shall be cancelled in the qualification register. A new application can be submitted.

6.2.7 Submission of inaccurate information

The applicant shall produce valid and accurate information.

6.2.8 Qualification process period

The qualification process period starts as soon as the Qualification Body has received a complete application. The qualification process period shall not exceed six months.

EN 14969:2006 (E)**6.3 Assessment procedure****6.3.1 Assessment of application and decision of the Qualification Body**

The Qualification Body shall examine the conformity of the application to the criteria set out in Clauses 7 to 9 of this European Standard. The examination shall result in a decision by the Qualification Body.

When the assessment of the individual qualification criteria described in Clause 9 results in a potentially different class of qualification, the qualification awarded shall be based on the lowest class on attainment of the individual criteria.

6.3.2 Notification of intended decision

On the basis of the decision indicated in 6.3.1, the qualification committee shall consider the application within 30 working days... The applicant shall be informed in advance about the decision the qualification committee intends to take (see Annex F). The applicant shall have the opportunity of giving his comments, within 10 working days of receipt of the notification, before the final decision is taken.

6.3.3 Award/rejection of qualification

If the application is approved, the Qualification Body shall record the qualification in the qualification register without delay.

If the application is rejected, the Qualification Body shall notify (see Annex G) the applicant in writing of the decision within 5 working days. The respective notification shall give the reasons for the decision and inform the applicant about the appeal procedure.

A new application can be submitted.

6.3.4 Qualification document validity period

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The qualification document is valid for five years.

6.4 Review procedure**6.4.1 General provisions**

The qualification document, once issued, shall be subject to an annual review of the updated documentation for administrative criteria and legal and financial obligations.

The technical competence can be reviewed at any time on the initiative of the Qualification Body who issued the qualification document or upon request of either the qualified contractor or an Infrastructure Manager. A report from this Infrastructure Manager will be needed to support the request to the Qualification Body. Quality index records (see Annex H) can be used as a way of evaluating the performance of the contractors or any other supplier assessment procedure may be used.

The qualification shall be reviewed before expiry of the qualification document validity upon request of the contractor.

In accordance with qualification application and assessment procedures, the Qualification Body shall review the qualification document and shall decide either:

- a) to maintain the qualification document;
- b) to upgrade the class of qualification;
- c) to downgrade the class of qualification;

d) to cancel the qualification document.

6.4.2 Change of relevant circumstances

Within the validity period of the qualification document, the qualified contractor shall notify (see Annex I) the Qualification Body without delay, if:

- a) changes have occurred to his professional/trade registration, or to his legal representative(s);
- b) he gives up trackwork activities for which qualification has been granted;
- c) he is bankrupt or in a similar situation, arising from national insolvency proceedings.

Upon notification of a), the Qualification Body shall review the qualification document; upon notification of b) or c), the qualification document shall be cancelled.

6.4.3 Infringements relating to qualification

An application shall be rejected or a qualification document cancelled if it can be proved that an applicant/qualified contractor is guilty of one of the following infringements:

- a) fraudulent behaviour during the qualification;
- b) false information or documentation concerning fulfilment of the qualification criteria;
- c) falsification of the qualification document.

A new application can be made by the contractor after one year.

6.4.4 Annual review

After review, the qualification document can be maintained or cancelled if financial criteria, administrative and legal obligations are not met.

6.4.5 Technical review

For the purposes of the technical review, the qualified contractor shall provide recent reference forms according to Annex E.6 for the works completed, as well as the corresponding letters of acceptance or declarations of completion, or attestations of satisfactory execution.

When this review is requested by an Infrastructure Manager, the reference forms shall relate to projects or parts of projects different from the ones used for qualification.

After this review, the qualification document can be maintained or upgraded if activities of the applicant have increased according to Table 1 and/or Table 3, or downgraded, if the activities of the applicant have decreased or been cancelled.

In the case of cancellation, it is permanently pronounced. After a minimum of 6 months, the contractor shall be allowed to apply for a new qualification.

6.4.6 Review decision

On the basis of the decision referred to in 6.4.1, the qualification committee shall investigate the conclusions of the review procedure within 30 working days. The contractor shall be informed in advance about the decision the qualification committee intends to take (see Annex F). The contractor shall have the opportunity of giving his comments before the decision is taken, within 10 working days, upon receipt of the notification.