

To: market parties 2<sup>nd</sup> ERTMS market consultation

Your reference

Our reference

Contact  
[info@ertms-nl.nl](mailto:info@ertms-nl.nl)

Date  
August 18, 2016

Subject: Second ERTMS market consultation additional questions to market parties regarding STM ATB

Dear Sir,

An important component regarding On Board configuration concerns the STM ATB. During the second ERTMS market consultation, the integration of the STM ATB was discussed with several parties. Due to the findings of this consultation, the ERTMS programme wishes to further gain the opinion of consulted parties in regards to several questions.

The ERTMS programme stresses that your answers regard several *possible* scenarios. Definitive choices on a to be chosen scenario have not yet been made. Your answers will help in this decision-making.

The following scenarios have been identified:

1. The ERTMS programme initiates an ERTMS tender in which an ETCS OBU will be supplied by suppliers and the STM ATB will be supplied as a contract supply by the ERTMS programme. This STM ATB might be procured in a separate (previously held) tender. The programme intends to allocate the responsibility for the integrated functioning of the ERTMS OBU and STM ATB to the supplier. Both the ETCS specifications and the specifications of the contract supply STM ATB will be made available during the tender.
2. The ERTMS programme initiates an ERTMS tender in which ETCS OBU will be supplied by suppliers and the programme provides a certified design (blue print) of the STM ATB as a contract supply. Unlike scenario 1 the management supply does not entail the STM-ATB itself, but rather the design thereof. Likewise to scenario 1, the programme intends to allocate the responsibility for the integrated functioning of the ETCS OBU and STM ATB to the supplier. The ERTMS specification will be made available during the tender. In this scenario, the STM ATB contract supply consists of a complete design including all

relevant certifications and a provisional declaration of conformity. A list of requirements regarding the qualifications of the production facility and the purchasing criteria for the finished product will also be provided to enable the supplier to bring the STM ATB in production on its own or by outsourcing.

In light of the previous scenarios, the ERTMS programme raises the following questions.

- A. Please, per scenario, indicate if and how the scenario contributes to a level playing field (in terms of increasing your opportunities on the Dutch ERTMS market)?
- B. What is your opinion on the allocation of your responsibility for the integrated functioning of the ETCS OBU and STM ATB in the previously mentioned scenarios 1 and 2? Please indicate per scenario.
- C. Which risks do you envisage for the programme as a potential participant to the tender in the previously mentioned scenarios 1 and 2? Please indicate per scenario.
- D. As mentioned, the programme intends to allocate the system integration responsibility with the ETCS supplier in both scenarios 1 and 2. Under which prerequisites would you be willing to accept this responsibility?
- E. Do you identify certain advantages, in light of possible intellectual property rights of third parties, in the transfer of usage rights regarding these intellectual property rights?

The ERTMS programme will be pleased to gain your answers on the aforementioned questions including further substantiations which may be relevant for your undertaking. You may send your answers to [marktconsultaties@ertms.nl](mailto:marktconsultaties@ertms.nl). Please send your answers no later than September the 1<sup>st</sup>, 2016. If you have any queries please refer to the same e-mail address.

Thank you for your time and efforts.

Respectfully,

Wim Fabries,  
Programme Director ERTMS