

KAUNAS - RAMYGALA AGREEMENT AMENDMENT'S SUMMARY

Agreement

Design and design supervision services for the construction of the new line from Kaunas to Ramygala, No 8.1/2019-03, dated 3 April 2019 (Agreement).

Amendment's description

This Agreement amendment is related to a COVID-19 pandemic situation produced Variation. It has been initiated by the designer in order to update Agreement performance schedule due to COVID-19 produced *Force Majeure* event and its direct effect on the services performed at that time.

Amendments are made under the provisions of Clause 3 of Section 3 of Article 61 of Public Procurement Law of the Republic of Latvia, i.e. the amendments to the procurement contract are necessary due to such reasons which the contracting authority could not foresee in advance (COVID-19 amendment).

1. Regarding COVID-19 amendments

COVID-19 pandemic and globally implemented restrictive measures have negatively impacted the provision of the Services. Namely, This *Force Majeure* event had direct and detrimental affected the designer's timely performance activities due to limited travel, subsequently, limiting on-site access in the Republic of Lithuania, and limited mitigation measures available at that time. As a result, precisely quantified and justified extension of time in the amount of 3 months and 25 days (three months and twenty-five days) was established for two design priority sections where investigations were ongoing at the time of the outbreak.

COVID-19 pandemic related Agreement amendments are implemented in line with Clause 3 of Section 3 of Article 61 of the Public Procurement Law of the Republic of Latvia as it is evident that neither the Client nor the designer couldn't foresee necessity of such amendments before COVID-19 pandemic situation outbreak. Thus, amendments would occur regardless of the selected Tenderer, therefore subject of the amendments does not impact the context of the evaluation. As a result, implementation of COVID-19 pandemic situation related amendments will result in extension of Design Services completion overall deadline for 3 months and 25 days.