

## QUESTIONS AND ANSWERS

### VDL Mode 2 Measurement, analysis and simulation campaign – Call for tender ref. SJU/LC/0109-CFT

N°	Subject	Reference in call documentation	Questions	Answers
1	<b>Technical content</b> 27/08/2014	Tender Specifications, Section 2.3.2 Work Area 1 - VDL performance analysis	<p>1.1 We would appreciate it if you could provide us with additional information about the “Work Area 1: VDL performance analysis”. Especially we would like to know what kind of data shall be collected and analysed besides VDL/2.</p> <p>1.2 Are there any further requirements regarding the flight trials?</p>	<p><u>Answer to question 1.1</u></p> <p>The data collected should include RF-level and ‘application’ level data on VDL/2 occupancy and messages including both CPDLC and AOC applications.</p> <p><u>Answer to question 1.2</u></p> <p>The RF-level data collection should allow analysis of the RF channel occupancy and the occurrence of overlapping transmissions which may contribute to lost messages and ATN disconnects.</p>
2	<b>Participation and place of performance</b> 01/10/2014	Tender Specification, Section 2.5 Place of performance and Section 2.10 participation	<p>2.1 We were wondering whether Israel is eligible to submit a tender.</p> <p>2.2 From the following citation we understand that the work must be done in an EU country. "The activities will be performed at the contractor's premises or elsewhere. Due to the nature of the activities and depending on the approach to be proposed by in its tender, the future contractor shall be ready to perform activities in the territory of EU and/or ECAC Member States". (page 9 Tender Specifications annexed to Invitation to Tender )</p> <p>Can the company be Israeli and does the work in Europe or must the company be executing the work be European as well?</p>	<p><u>Answer to question 2.1</u></p> <p>Due to the international dimension of the subject of the activities of this call for tender, participation is open also to entities based in non-EU member states.</p> <p><u>Answer to question 2.2</u></p> <p>Yes, the tenderer/member of the consortium can be based in Israel. If so, the consortium shall be ready to perform activities in the territory of EU and/or ECAC Member States.</p>
3	<b>Consortia</b>	Tender Specifications, Section 3.3.3 Technical		<u>Answer to question 3.1</u>

	<b>composition</b> 07/10/2014	and professional capacity, and Annexe 2	<p>3.1. Which configurations of consortia will be considered as eligible since the tender must be a consortium?</p> <p>3.2. Does the SJU require consortium members to sign a consortium agreement?</p>	<p>Definition and requirements of Consortia are set forth in point 18. bis of the Letter of Invitation to Tender (subcontractors are not considered members in a consortium). The characteristics of consortia, considered suitable for the performance of any future contract, are clearly defined in section 3.3.3.1 of the tender specifications. The consortium shall be composed of at least two members; and the consortium as a whole (including members and subcontractors) shall have proven experience/expertise in the domains listed.</p> <p><u>Answer to question 3.2</u></p> <p>No, the SJU does not require the signature of consortium agreements. However, evidence on the actual set up of the consortium shall be provided in the tender. For this purpose, a possible template of “Mandate consortium coordinator” is provided in Annexe 2 of the tender specifications. Alternatively to the Mandate, a Letter of Intent could be accepted at the stage of submitting a tender. The tender shall include this type of evidence signed by every member of the consortium.</p>
<b>4</b>	<b>Subcontracting</b> 07/10/2014	Invitation to tender, point 18	<p>4.1. Should the sub-contractors be named in the offer? If the sub-contractor is not known at the time of submission, what should be mentioned in the offer (in particular regarding the selection process)?</p> <p>4.2. How should the sub-contractors be selected?</p>	<p>In general about subcontracting, definition and requirements for are set forth in point 18 of the Letter of Invitation to Tender.</p> <p><u>Answer to question 4.1</u></p> <p>Yes, as much information as possible about subcontractors, shall be communicated at the time of submission and/or at any time it is known.</p> <p><u>Answer to question 4.2</u></p> <p>There are no requirements for the selection of subcontractors by the consortium. Since the only counterpart of the SJU for procedural/contractual aspects</p>

			<p>4.3. Is there a limit to the amount subcontracted per subcontractor per work package and at the total budget level?</p>	<p>will be the consortium, this is the one to be responsible/liable for any matter/action of any subcontractor; therefore it is up to the consortium to identify the measures needed to select its own subcontractors.</p> <p><u>Answer to question 4.3</u></p> <p>The SJU does not apply any limitation to subcontracting in terms of the percentage of the work to be performed.</p> <p>If subcontractors are identified to be performing a share of 10% of the contract or more, evidence of not falling under the exclusion criteria (section 3.2 of the tender specifications shall be provided).</p>
5	<p><b>Content of the tender</b></p> <p>07/10/2014</p>	<p>Invitation to tender, points 7, 18 and 18.bis</p>	<p>5.1. For both sub-contractor and consortium members, what are the deadlines for submitting the requested administrative documents?</p> <p>5.2. What are the documents that a sub-contractor is exempted to submit to the SJU (compared to a consortium member)? Are there any additional documents that a sub-contractor should submit besides those requested from the consortium's members?</p> <p>5.3. What are the criteria to judge if a task is critical or not? <i>The SJU reserves the right to request evidence on selection criteria from subcontractors identified for the performance of critical tasks.</i></p>	<p><u>Answer to question 5.1</u></p> <p>All requested documents should be submitted together with the tender, cf. point 7 of letter of Invitation to tender.</p> <p><u>Answer to question 5.2</u></p> <p>However, supporting evidence of not falling under the exclusion criteria (listed in page 10 of the tender specifications) will be analysed only upon award. Subcontractors are not required to provide this evidence, cf. <i>nota bene</i> paragraph in page 9.</p> <p>In addition, regarding subcontractors, SJU reserves the right to request evidence on selection criteria as listed in section 4.3.3 of the Tender specifications</p> <p><u>Answer to question 5.3</u></p> <p>The identification of a task as critical is made on a case by case; in relation to, inter alia, the scope, description of services, timeline and entity to which that task might be allocated in the tender; whether in that given situation, the SJU considers necessary to require evidence the</p>

				technical capacity to perform that particular task.
6	<b>Payments and audits</b> 13/10/2014	Tender specifications, Annex II Mandate Consortium Composition, and Draft Service Contract, articles I.4, II.5, II.18	<p>6.1 As a possible consortium coordinator, we are asked by one of our possible partners/members as to the invoicing process. The draft contract states the schedule of payments in Article 1.4, however do all consortium members submit their invoice to the coordinator, and the coordinator then submit a consolidated invoice to the SJU? Or do all parties invoice separately to the SJU?</p> <p>6.2 Also, since this is a Service Contract, we assume the audit certification requirements previously adhered to in Co-Financing projects does not apply here.</p>	<p><u>Answer to question 6.1</u></p> <p>Management of payment aspects are further defined in “mandate of consortium coordinator”.</p> <p><u>Answer to question 6.2</u></p> <p>Yes, the present procedure is a procurement procedure. Differently to co-financing and/or grant procedures, audit certificates in procurement procedures are not requested by default.</p>
7	<b>Contacts between the SJU and tenderers</b> 20/10/2014	Letter of Invitation to tender, point 11	Is there someone we can speak with at this stage of the procedure?	<p>Contacts must be made only in writing and sent to the following e-mail address <a href="mailto:procurement@sesarju.eu">procurement@sesarju.eu</a>.</p> <p>Please refer to point 11 of the letter of invitation to tender in full for contacts between the SJU and tenderers.</p>
8	<b>Deadline</b> 07/10/2014	Letter of invitation to tender, point 2	Request for an extension of the deadline.	<p>Deadline for reception of tenders is extended to Friday 14/11/2014 at 11:30 am.</p> <p>A first corrigendum is published in <a href="http://www.sesarju.eu/procurement">http://www.sesarju.eu/procurement</a></p>
		Letter of invitation to tender, points 12 and 14  and	With respect to the above tender on VDL Mode 2 Measurement, analysis and simulation campaign, we are very interested in leading or participating in a consortium on this subject but have some questions	<p><u>Answer to question 9.1</u></p> <p>The contract to be awarded is a single services contract, therefore, to only one successful tenderer (bidder).</p> <p>Tenders (bidders) participating in this procedure should be set up as consortium c.f.: sections 2.10 and 3.3.3.1 of the</p>

9	<p><b>NEW!!!</b></p> <p><b>Contract to be awarded and participation</b></p> <p>28/10/2014</p>	<p>Tender specifications, section 2.2 Objective and scope, section 2.10 Participation, and section 3.3.3.1 The tenderer</p>	<p>on this subject:</p> <ol style="list-style-type: none"> <li>1. Can you confirm if the tender will be awarded to a single bid or a number of bids?</li> <li>2. If only one bid is awarded the contract, how to you ensure that this is a meaningful representation of the actual equipped configuration in operation (there are multiple airborne equipment providers; 2 network service providers and also a number of ground equipment providers - all operating to the same specification but different implementations).</li> <li>3. If multiple contracts are to be/maybe awarded, is there a limit to the maximum value any individual group may tender (I assume this will be €3m)?</li> </ol>	<p>tender specifications.</p> <p><u>Answer to question 9.2</u></p> <p>The SJU encourages the community to prepare a tender that includes a wide range of equipped configurations, both ground and air, as it is this that determines the overall performance characteristics of the datalink service to all users, c.f.: 3.3.3.1 of the tender specifications</p> <p>Nevertheless, as a general rules in any procurement procedure, the SJU reserves the right to either abandon the procedure or cancel the award procedure. One of the reasons for this could be the insufficient committed participation that consequently would impede the achievement of the objectives of the call for tender.</p> <p><u>Answer to question 9.3</u></p> <p>Please refer to answer to question 9.1 above.</p>
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