

Clarification Note #7

EUSPA internal reference: 303183

Procurement procedure: EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001)

Title: 'Provision of support services to the European Union Agency for the Space Programme and the European Commission'

Question #134: We would like to raise a clarification regarding the following item EUSPA-OP-37-23-SAL AD2_Tailored SCG, part of the Unclassified Proprietary Information listed in Section 7 of the Tender Specifications for the procurement procedure in subject. In the document, section 3, there is a list of Applicable documents marked as RUE and all as applicable. When will those documents be available being them integral part of the contract?

Answer #134:

Applicable Documents to the Tailored SCG will be made available to the successful tenderers following the contract signature.

Question #135: Financial tender: In the frame of a travel between location A and location B listed in Table 'Mission travel prices', can you confirm that we can invoice both travel cost (plane ticket, train ticket...) and daily allowance (travel at destination, hotel, daily subsistence) as requested in the Financial Table Annex I.F ? If yes, could you confirm that there is a discrepancy in Article I.4.1.5 from Draft contract mentioning 'without travel at the destination, hotel and daily subsistence allowance, included in the all-inclusive daily rate'? Otherwise, please clarify this sentence.

Answer #135:

For the missions, the travel prices to be defined in the financial table Annex I.F, which will be reiterated accordingly in Article I.4.1.5 of the FWC, shall be valid throughout the duration of the Framework Contract and not incorporate travel at the destination, hotel and daily subsistence allowance that are to be already included in the all-inclusive daily rate.

Indeed, it should be noted in this respect that as per Article I.4.1.7 of the FWC, all-inclusive daily rates shall comprise all costs incurred directly and indirectly by the Contractor in the performance of the tasks by the personnel's deployment to one of the destinations defined in Articles I.4.1.3 and I.4.1.4 and specifically defined in the Specific Contract, **including the daily subsistence allowance**.

Considering the above, the Financial Tables for all Lots have now been corrected accordingly (please consult Corrigendum #5) so as to omit references to the daily subsistence allowance in the sheet pertaining to Mission travel prices.

Question #136: In the Lot 3 SOW in the table on p.6-7, task 1 place of performance is: Prague, while in the task description on p. 10 the place of performance is: Prague OR Brussels or Contractor Premises. Kindly please confirm the place of performance for task 1.

Answer #136:

It is clarified that while the general possibility of requesting support also for locations other than EUSPA HQ is expressed in section 3.2, the simulation exercise states that for the first implementation of the support contract only EUSPA HQ is foreseen as the working location for Task 1.

Question #137: In the Lot 3 SOW in the table on p.6-7, task 2 place of performance is: Prague OR Brussels or Contractor Premises. In the Simulation Exercise, p.40 also Toulouse is mentioned for task 2. Kindly please confirm the place of performance for task 2.

Answer #137:

It is clarified that while the general possibility of requesting support also for locations other than EUSPA HQ and Toulouse is expressed in section 3.2, the simulation exercise states that for the first implementation of the support contract EUSPA HQ and EUSPA offices in Toulouse are foreseen as the working location for Task 2.

Question #138: In the Lot 3 SOW in the table on p.6-7, task 5.1 place of performance is: Prague, while in the task description on p. 18 the place of performance is: Prague OR Brussels or Contractor Premises. Kindly please confirm the place of performance for task 5.1.

Answer #138:

Kindly consult the answer to question #84 included in Clarification Note #5.

Question #139: In the Lot 3 SOW in the table on p.6-7, task 6 place of performance is: Prague OR Brussels or Contractor Premises. In the Simulation Exercise on p. 41 also Toulouse is mentioned. Kindly please confirm the place of performance for task 6.

Answer #139:

It is clarified that while the general possibility of requesting support also for locations other than EUSPA HQ and Toulouse is expressed in section 3.2, the simulation exercise states that for the first implementation of the support contract EUSPA HQ and EUSPA offices in Toulouse are foreseen as the working location for Task 6.

Question #140: Annex I.F.x Financial Table Lotx - CE Demonstrator_LOTx_V1 Tab: Mission travel pricesTable asks for costs of travel for a mission to mentioned destinations. However

also cells are reserved for an item called: Daily Allowance. Can you please indicate where in the tender documents this item is defined and/or mentioned? Which costs are supposed to be covered by these Daily allowances? If it has to do with a mission, can we also expect to have the amount of items to be the number of mission days +1?

Answer #140:

Please refer to answer #135 of this Clarification Note #7 and also consult Corrigendum #5, as well as updated Financial Tables for all Lots.

Question #141: Due to national laws, we cannot provide in our proposal details on FSC and PSC held. We therefore need to send restricted documents via courier. Can you please indicate the mail address to which restricted documents should be sent?

Answer #141:

Please consult Corrigendum #5 and the resulting updated version of Annex I – Tender Specifications elaborating accordingly, in Section 4.5.3, on the submission of EU Classified Information (EUCI) as part of the tender.

Question #142: In L7 requirement is written "where their activities require a need to know and thus to gain access to PRS information for performance of their tasks under the FWC as provided in section 2.2.2.". Is this referred to all economic operators (i.e. prime, joint partner(s), subcontractor(s))? In other words, will prime, joint partners, and/ or subcontractors require to have a PRS authorizations irrespectively of their need to know or not or should they possess the related PRS authorization (none, SUP, SM, RCV) only in relation to the effective need in the proposal? Will this apply to the prime as well?

Answer #142:

All economic operators (prime, partners, subcontractors) shall have a SAB authorization matching the expected exchanges of PRS Information and need to know according to the proposed allocation of activities. See also answers to questions #109 and #117 in Clarification Note #6.

Question #143: As the employee PSC/SAB authorization is confidential information, it cannot be included in the CVs. Is it possible to send the employee PSC/SAB authorization directly to EUSPA Local Security Officer via email, even in case of subcontractors?

Answer #143:

Please consult Corrigendum #5 and the resulting updated version of Annex I – Tender Specifications elaborating accordingly, in Section 4.5.3, on the submission of EU Classified Information (EUCI) as part of the tender.

Question #144: There are some tasks that need "EU-S // PRS-SUP" authorization and Place of Performance is mentioned as "Contractor premises". Does it mean contractor premises should be EU-S? or is it only for the resource? If the contractor resource has EU-S clearance, but contractor premises where resource is based do not meet the EU-S criteria, is it possible to perform such activities from EUSPA premises?

Answer #144:

Kindly note that it is the Contracting Authority that decides where the place of performance of the particular services is to be. When the place of performance is "contractor premises", the tenderer shall accordingly demonstrate to have all the facilities and security clearances needed for the execution of the activity.

Question #145: In Table 5 - Simulation Exercise: Deliverable Mode at page 19 of the "Lot 2 Ground Segment and Space Segment Engineering Support - Statement of Work" document you list 11 different deliverables, while in Table 3 - Task deliverables at page 12, only 10 deliverables are presented. Furthermore, in table 5 you mention "TecSAR reports", but we were not able to find this term further described in the ITT documents. Could you please provide more information?

Answer #145:

It is confirmed that there are only 10 defined deliverables for task 2 and the expected deliverable D2.5 is expected to be composed of 9 instances. The deliverable D2.5 is further described in section 3.2.2.

Kindly consult the updated version of Lot 2 SoW resulting from Corrigendum #5.

Question #146: In Table 2 - Task Breakdown Table at page 4 of the "Lot 2 Ground Segment and Space Segment Engineering Support - Statement of Work" document you state for Task 2: "3 days per month to EUSPA HQ for consultants collocated in GSC, GRC, GSMC" for missions, and yet none of those locations (GSC, GRC, GSMC) are mentioned in the possible places of performance, which are limited to "Contractor's premises or Brussels". Furthermore it is our understanding that part of these activities are currently carried out as well from EUSPA HQ in Prague. Could you please confirm locations of performance and applicability of missions requirements for each of the foreseen places of performance (i.e. do the missions to Prague apply as well in case the place of performance is Contractor's premises, Brussels or other you might foresee)?

Answer #146:

It is clarified that the envisaged missions to EUSPA HQ are not limited to consultants collocated in GSC, GRC, GSMC, but rather apply to all consultants working on this task. It is, furthermore, confirmed that the place of performance for this task is currently foreseen as "Contractor's premises".

Please take note also of Corrigendum #5 in this regard.

Question #147: May a Subcontractor, who is not part of the Core Team, and thus not part of the Tendering Group, also bid for additional work allocated by its prime contractor for competitive tendering?

Answer #147:

Section 2.2.12 of Annex I – Tender Specifications contains a definition of “Group” for the purpose of compliance with the competitive tendering-related requirement. No definition of “Tendering Group” is contained in the Tender Specifications. Subcontractors not part of the Group can be allocated tasks relevant for competitive tendering outside the Group.

Question #148: EUSPA-SOW-0230 Management Requirement states, that the Contractor shall be able to transmit EUCI up to R-UE/EU-R by electronic means protected by cryptographic product using Spider Network according related CONOPS and SECOPS ref. documentation. Is this requirement applicable to the FWC as a whole (therefore to the Delivery Mode and Service Mode), or only to specific parts of the delivery? Do all economic operators in the Tendering Team have to have the SPIDER Network (to fulfil the ‘need-to-know’ principle of information sharing) or is it sufficient to transmit EUCI through any of the CoreTeam members or Subcontractors?

Answer #148:

Transmission of EUCI up to R-UE/EU-R between the contracting authority and the contractor shall be protected using Spider Network, whatever the mode a task is implemented. Transmission of EUCI up to R-UE/EU-R between economic operators shall be protected using Spider Network or any other accredited Communications and Information Systems.

Question #149: Is PRS accreditation mandatory if Lot 3, Task 4 activities are to be performed in EUSPA premises?

Answer #149:

Yes, all economic operators (prime, partners, subcontractors) shall have a SAB authorization matching the expected exchanges of PRS Information and need to know according to the proposed allocation of activities, regardless of where the activity is performed.

Question #150: For Lot 3, Task 4: if PRS activities are to be performed by a subcontractor only, does the prime tenderer need to have the PRS accreditation too?

Answer #150:

You are kindly referred to the answer provided in question #109 forming part of the Clarification Note #6.

Question #151: We would appreciate your willingness to consider another deadline extension in view of the tender complexity and the large number of request for clarifications raised by tenderers.

Answer #151:

Considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;
- (iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;
- (iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #152: Please may we respectfully request an 6-8 Week extension for the subject proposal submission. The reason for the extensive request is due to various factors influencing our submission. These include:

- **The scope and complexity of this opportunity,**
- **External dependency on the National Authority to provide proof of the Facility Clearance and PRS Requirements,**
- **Numerous clarifications being asked potentially impacting our solution and offering,**
- **Time necessary to conclude the final consortium structure required for the opportunity, given the required FTE's,**
- **The core bid team offered for this opportunity have been working in parallel on another tender submission under a different EUSPA procedure and subsequent clarifications during the month of March and April,**
- **The numerous upcoming public holidays in May, limiting the availability of key staff.**

Answer #152:

Considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type

and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;

(iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;

(iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #153: In order to submit a qualitative proposal we request a deadline extension of 6 weeks.

Answer #153:

Considering:

(i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;

(ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;

(iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;

(iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #154: What would happen if the same expert is proposed for different task in two different bids in the same lot? Example: the expert is proposed for T1 in Lot2 in Consortium A, the same expert is proposed for T2 in Lot2 in Consortium B.

Answer #154:

Should a situation of overlap of the engagements assigned to one consultant be identified in the tender, it shall be assessed by the tender evaluation committee at the stage of the award criteria evaluation (i.a., criterion pertaining to quality and suitability of the proposed team).

Please also refer in this respect to the answer given in question #36 of the Industry Day Clarification Note and question #27 in the Clarification Note #2.

Question #155: According to a document “COMMISSION DECISION (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information” EU-SECRET equivalent in U.K. (United Kingdom) is UK Secret. For this tender of LOT-3, are U.K citizens complying UK Secret clearance allowed to participate in LOT-3?

Answer #155:

No, as the United Kingdom is not a part of the EU anymore, UK Personnel Security Clearance cannot be accepted. Concretely, in line with Section 2.2.7.6 of Annex I – Tender Specifications, a British national or a national from another non-EU country may be proposed as consultant planned to access classified information under the respective contract by an economic operator, **provided that his/her valid Personal Security Clearance (PSC) at SECRET UE/EU SECRET has been issued by the national security authority of an EU Member State**, (i.e., accordingly PSC issued by the UK NSA cannot be accepted as meeting the requirement).

Kindly also consult Q&A #114 included in Clarification Note #6.

Question #156: We are participating in two bidding teams for two lots and we would like to request an extension. In both cases these weeks are required to formalize bidding teams, contributions and, in general, to finalize and good proposal up to your expectations.

Answer #156:

Considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;
- (iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;
- (iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #157: Since no further answers to questions about the tender have been published since 12 April, and given the upcoming public holidays in many European countries, we would like to ask whether the authority is considering the extension of the submission deadline?

Answer #157:

On one hand, kindly note that two Clarifications Notes, i.e., Clarification Note #5 and Clarification Note #6, covering Q&As #80-#104 and #105-#133 respectively were published in the dedicated Funding & Tenders Portal webpage on 29 April and 3 May accordingly. To be also flagged in this respect that, as per Annex I – Tender Specifications’ provisions which are in accordance with the applicable EU public procurement framework, EUSPA may issue clarifications until 10 May 2024.

On the other hand, considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;
- (iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;
- (iv) the criticality to ensure business continuity and due coverage of the Contracting Authority’s needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #158: With reference to the answers to questions no 38, 39 and 79, we would like to ask for further clarification - if one of the subcontractors does not have an FSC and only intends to carry out the work onsite from EUSPA premises, and other work will be delivered from the contractor/subcontractor premises (which are FSC), will this be considered relevant by EUSPA and not lead to exclusion from participation in the tender?

Answer #158:

If a subcontractor does not handle EUCl on its own premises and performs all work either on EUSPA premises or on the premises of the Contractor which are FSC, a FSC would not be required for the given subcontractor. This envisaged arrangement should be explicitly specified in the tenderer’s bid.

Question #159: Is it possible to suggest some revision of the Draft Contract?

Answer #159:

Considering the nature of the procurement procedure in question, as duly stated also in Section 1.2 of Annex – Tender Specifications, i.e., open procedure in accordance with Article 164 1. (a) of

the Financial Regulation, no negotiations are allowed. Possible deviations from the Draft Contract are to be assessed against their impact on the relevant award criteria.

Question #160: Dear EUSPA team, we kindly ask once again for an extension of the deadline as our main concern is to build a relevant proposal with eligible partners (specifically for Lot 5, which is the widest and composed of tasks of different nature, complexity and geographies). Besides, bank holidays next two weeks will have a critical impact on productivity. We hope EUSPA could answer positively to two weeks more extension.

Answer #160:

Considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;
- (iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;
- (iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #161: In a consortium/grouping where subcontractors or co-contractors are involved on tasks where the PRS SM authorization is required, does the Prime contractor require the same level of PRS authorization (SM) even if not directly involved on such tasks?

Answer #161:

You are kindly referred to the answer provided in question #109 forming part of the Clarification Note #6.

Question #162: Financial tender - In the SE for Service Mode you ask for a simulation over 12 months and also clearly indicate the locations of work. Can you please provide a scenario in which it would be meaningful to provide a certain amount of man days for a period lower than 6 months when you don't indicate more than one location per SE task?

Answer #162:

In the SoW for all five Lots the simulation exercise has a duration of 12 months; hence, even if the template has been built to accommodate all the possible scenarios, based on the SoW inputs, it is not foreseen a scenario with a fraction of FTE lower than 6 months.

Question #163: Financial tender - In the SE for Service Mode are you expecting us to factor in missions as well? E.g. if you ask for 1 FTE in Prague for a task that foresees 12 days of missions to another EUSPA site, are you expecting us to indicate 208 days in the column for rates > 6months and 12 days in the column for rates <6 months? If this is the case, please be aware that for all those tasks in which you indicate generic missions in Europe (and not to an EUSPA site) this can't be done in the price model you provided and we would need additional information/instructions.

Answer #163:

No factoring is requested and expected for missions. In the question's example, it shall have 220 days for rates "> 6 months" only.

Question #164: Financial model Lot 5 SE Task 11 - You ask for an estimate in the financial model, but there is no SE Task 11 in corrigendum 4 of SoW for Lot 5. Please advise.

Answer #164:

It is confirmed that there is no SE Task 11 and the related estimate in the financial model is not needed.

Kindly consult the updated Financial Table resulting from Corrigendum #5.

Question #165: Does the Annex I.J be provided in classified/restricted template? If yes, how the Agency want this document to be submitted and in which format?

Answer #165:

The PRS Information Management Plan based on the template in Annex I.J, once filled with the information related to the management of PRS information, is expected to be classified as R-UE/EU-R. As such, it has to be submitted according to the instructions included in Section 4.5.3 of the updated version of Annex I – Tender Specifications resulting from Corrigendum #5.

Question #166: Can the authority confirm whether extra-EU organizations can be named as subcontractor of a consortium?

Answer #166:

As reiterated in the response provided to question #26 of the Industry Day Clarification Note, as well as the answers given to questions #64 and #65 of Clarification Note #4, the tenderers shall comply with the participation conditions set out in Section 2.2.1 of the Tender Specifications, constituting Annex I to ITT, imposing requirements on the prime contractors, core team members

and **subcontractors, whereby for the latter the requirements defer depending on where they are part of the core team / whether they will be engaged in security sensitive activities.**

In this respect, as stated in the General Information part of Contract Notice 118779-2024 and also clarified in answer #64 (Clarification Note #4), the procurement procedure in question is covered by the Plurilateral Agreement on Government Procurement concluded within the World Trade Organisation (GPA) given the European Commission's involvement as co-contracting authority, as well as the value of the to-be-concluded Contract and the nature of the services procured. Therefore, entities from a non-EU but Party to the GPA country could be acting as **subcontractors not involved in security sensitive activities and not part of the Core Team** (see section 2.2.10 of the Tender Specifications), since the participation conditions would not apply to this context – please consult in this respect Section 2.2.1.4 of the Tender Specifications, as well as answer #26 of the Industry Day Clarification Note and answers #64 and #65 of Clarification Note #4.

Question #167: Can Section/page: 3.2 Selection criteria/39. Subject of ambiguity: “In accordance with point 18.6 of Annex I FR, the tenderer may, where appropriate, rely on the capacities of other entities. In such case, the tenderer must prove that it has at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to that effect in the form of a subcontractor letter of intent (template in Annex I.D) signed by every member of the candidate's Core Team, confirming their irrevocable undertaking to make such resources available to the candidate in case of being awarded the contract. The tenderer must comply with all the conditions laid down in point 18.6 of Annex I FR.” Comment: We are not able to find referred Annex I FR. This Annex is not included within the FWC data package. Can you provide document annex I. FR or provide with correction of Annex document title?

Answer #167:

Please refer to Regulation (EU, Euratom) 2018/1046 on the financial rules applicable to the general budget of the Union.

Question #168: It is requested Cost Sheet A1 to provide the basic rates, labour overheads, general overheads, profit and all the cost categories which are applied for composing the framework unit prices. As FWC unit prices are requested for different seniority and location, does EUSPA expect a single A1 with several cost categories per Seniority and location (i.e. Prague F1, GSMC F1 in the same A1?) ?

Answer #168:

A single A1 is not expected or demanded, having more A1 (for example based on the Country's service premises) it is allowed, especially if it will introduce clarity.

Question #169: It is not clear to which aim is used the Mission Travel Price sheet of the Financial form. In particular, we understand that the price for one mission is the price for

the return trip as mentioned in article I.4.1.5 of the contract, and also requested in the Table 10 of Envelope 3 (Annex I_EUSPA-OP-37-23_TS_Corrigendum 3_V1), while it is not clear why the daily allowance is also to be quoted, considering that for the same destinations the Financial Template already asks a daily FWC unit price (<6 months and > 6 months). One other possibility seems to use A1 only for contractor's premises rate, and Mission Travel Price to build the daily rates in various location, but in this case the allowance is not split between <6 months and >6 months assignment. Could you please clarify? Note that in Table 10-Envelope 3 content a note is put on the Travel cost request but not concluded.

Answer #169:

Please refer to answer #135 of this Clarification Note #7 and also consult Corrigendum #5, as well as the updated Financial Tables for all Lots in which the daily allowance reference has now been removed. To be also noted in this respect that there is no need to use the A1 for the mission travel prices.

Question #170: Concerning the EUSPA request Entities belonging to the same Group intending to submit a tender for different lots shall have to provide evidence of the autonomous/non-collusive character of the tender. If a group has an entity Prime A of Lot A and Entity B Prime in lot B, it is expected a declaration on Lot A by company B or a declaration on lot A from company A saying that the tender is autonomous from the one of company B?

Answer #170:

Please be advised that a mere declaration would not suffice for that purpose. Indeed, in line with the provisions of Section 1.5.3 of Annex I – Tender Specifications, **evidence** has to be provided as regards the autonomous/non-collusive character of the tender.

In this respect, evidence should be understood as **concrete measures undertaken** and should pertain to **all companies concerned** (i.e., both company A and company B in your example).

In the example provided in your question the latter would be the case. Indeed, in Lot A company A shall provide accordingly evidence of the autonomous/non-collusive character of its tender and accordingly company B should do the same for Lot B.

Question #171: As none of previously submitted clarification questions has been replied and the answers are very critical for ITT understanding and therefore, for preparation of competitive proposal, we request for a submission deadline extension of 3 weeks.

Answer #171:

On one hand, kindly note that: your first question was addressed as question #71 in Clarification Note #4, your second and fourth questions, constituting in essence requests for extension, were tackled accordingly in Clarification Note #5, your third question was addressed as question #113 in Clarification Note #6, while the remaining questions you have raised are duly answered in this Clarification Note #7. To be flagged in this respect that, as per Annex I – Tender Specifications' provisions which are in accordance with the applicable EU public procurement framework, EUSPA may issue clarifications until 10 May 2024.

On the other hand, considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;
- (iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;
- (iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #172: Could you please let us know if you will disclose or provide us access to military, nuclear or dual-use items (including technical data, technology, software or information) which are subject to Export Control laws, regulations or restrictions, when carrying out this project? Specify the Export Control Classification of such items (on the applicable military or dual use list) and, confirm which export laws apply, in particular, whether the items are controlled under either the EAR or the ITAR and, confirm that you are authorized by the relevant Export Control authorities, if necessary, to disclose/provide such items to the prime and its subcontractors. Please provide details about export licenses you may have already obtained.

Answer #172:

Your question is relevant to Contract execution and will be properly dealt with in that context.

Question #173: We request an extension of the deadline for submission as many bidders have already requested. Indeed having a few extra weeks will allow you to get better quality offers and will certainly mean less work for you to evaluate. And the many public holidays don't make the period any easier. Thank you in advance for your feedback.

Answer #173:

Considering:

- (i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;
- (ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type

and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;

(iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;

(iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #174: Could you please share the contact details of EUSPA Local Security Officer (LSO) who is authorized to receive confidential information such as security clearance?

Answer #174:

Please consult Corrigendum #5 and the resulting updated version of Annex I – Tender Specifications elaborating accordingly, in Section 4.5.3, on the submission of EU Classified Information (EUCI) as part of the tender.

Question #175: On 23/04/24 we asked the following question via the EU Funding & Tender Portal: "Due to national laws we cannot provide in our proposal details on FSC and PSC held. We therefore need to send restricted documents via courier. Can you please indicate the mail address to which restricted documents should be sent?" As of today no answer was provided. Can you please inform us on the above so that we are able to provide required EUCI tender documents to the right counterpart in the right way without any potential violation of sensitive information?

Answer #175:

Please consult Corrigendum #5 and the resulting updated version of Annex I – Tender Specifications elaborating accordingly, in Section 4.5.3, on the submission of EU Classified Information (EUCI) as part of the tender.

Question #176: Despite what stated in your answers #98 to #104, the total amount of holidays in the tendering period amount to 8 working days in some European countries. Would EUSPA reconsider providing more than the bare 7 working days extension provided so far for a tender of this level of complexity?

Answer #176:

For all the reasons stated in the answers mentioned to your question (not limiting to the three weeks extension already granted by EUSPA but also to other relevant factors), the Contracting Authority has decided not to extend further the deadline for receipt of offers under open

procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.

Question #177: In the tender specifications section 4.7 it is stated that if the tender is submitted only on electronic media, it shall contain 3 CD-ROM, DVD or USB sticks with the full set of documents. Could you please confirm which of the following options is correct?

a. The outer envelope shall contain 3 CD-ROM, DVD or USB sticks. Each electronic item shall contain the full proposal organised in three folders: administrative proposal, technical proposal and financial proposal. 3 electronic items in total.

b. The outer envelope shall contain 3 inner envelopes (one for the administrative proposal, one for the technical proposal and one for the financial proposal). Each of the inner envelopes shall contain 3 CD-ROM, DVD or USB sticks including each a copy of the corresponding part of the proposal (administrative, technical or financial). 9 electronic items in total.

If none of the above options is correct, could you please clarify how the proposal shall be submitted only on electronic media?

Answer #177:

The option a. stated in your question is the correct one. Nevertheless, you should also duly take into consideration the instructions included in the updated version of Annex I - Tender Specifications resulting from Corrigendum #5 as regards submission of EU Classified Information (EUCI) as part of the bids.

Question #178: With regard to the tender EUSPA/OP/37/23 "Provision of support services to the European Union Agency for the Space Programme and the European Commission", we kindly ask you for a deadline extension of 3 additional weeks. The rationale behind this request is the fact that we are currently intensively supporting EUSPA under different contracts. We kindly ask you to extend the submission deadline in order to submit a qualitative proposal on time for multiple Lots.

Answer #178:

Considering:

(i) that an extension of the initial time limit for submission of offers by 3 weeks has already been granted resulting in a total bid preparation of 2,5 months;

(ii) that an Industry Day was conducted on 15 March 2024 to present interested economic operators with the details of the procurement procedure in question, including inter alia its type and characteristics, specificities of each Lot, envisaged contractual modalities and modes of implementation;

(iii) that no substantial changes to the tender documentation have been introduced as of the launch of the procurement procedure;

(iv) the criticality to ensure business continuity and due coverage of the Contracting Authority's needs;

it has been decided not to extend further the deadline for receipt of offers under open procedure ref. EUSPA/OP/37/23 (EUSPA/PRG/2024/OP/0001). Therefore, the time limit for submission of tenders is to remain unchanged, i.e., on 16/05/2024 at 23:59 Prague local time.