



## Call for expressions of interest to become candidate member of the SESAR Joint Undertaking

### SESAR Research and Innovation Programme 2020 (SESAR 2020)

*Ref. SJU/LC/0110-CEI*

#### 1. The SESAR Joint Undertaking

The SESAR Joint Undertaking (SJU) was set up by Regulation (EC) No 219/2007 of 27 February 2007 (SJU Regulation) on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR), amended by Council Regulation (EC) No 1361/2008 of 31 December 2008 for the purpose of managing the activities of the development process of the SESAR Project under the Union's 2007-2013 financial perspectives. On 16 June 2014, the Council of Ministers of the European Union adopted Council Regulation (EU) 721/2014 which extends the legal duration of the SJU until 2024 and entrusts the SJU with EUR 585 million from the European Union Horizon 2020 Programme to pursue the Research and Innovation (R&I) in view of delivering the necessary technologies and operational procedures to ensure the execution and completion of the European ATM Master Plan.

The SJU has two Founding Members: the European Union, represented by the European Commission, and the European Organisation for the Safety of Air Navigation (EUROCONTROL), represented by its Agency. The main task of the SJU is the execution of the European ATM (Air Traffic Management) Master Plan (hereinafter referred to as "Master Plan"). The SJU is also responsible for carrying out the following tasks:

- organising and coordinating the activities of the development phase of the SESAR project, in accordance with the Master Plan, resulting from the definition phase of the project managed by EUROCONTROL, by combining and managing under a single structure public and private sector funding,
- ensuring the necessary funding for the activities of the development phase of the SESAR project in accordance with the Master Plan,
- ensuring the involvement of the stakeholders of the air traffic management sector in Europe, in particular: air navigation service providers, airspace users, professional staff associations, airports, and manufacturing industry; as well as the relevant scientific institutions or the relevant scientific community,
- organising the technical work of research and development, validation and study, to be carried out under its authority while avoiding fragmentation of such activities,
- ensuring the supervision of activities related to the development of common products duly identified in the Master Plan through grants to members and through most appropriate measures, such as procurement or the award of grants following calls for proposals to achieve the *Programme* objectives.

## 2. The SESAR Joint Undertaking as a PPP

The SJU fulfils the criteria for public-private partnerships (PPP) established under Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 (Horizon 2020 Regulation) and operates within the specific objectives of Decision (EU) No 2013/743/EU of the Council of 3 December 2013 establishing the Specific Programme implementing Horizon 2020 (2014-2020).

Horizon 2020 Regulation emphasises the achievement of a greater impact on research and innovation by combining Horizon 2020 Framework Programme and private-sector funds in public-private partnerships in key areas where research and innovation can contribute to the Union's wider competitiveness goals, leverage private investment, and help tackle societal challenges.

Accordingly, such partnerships should be based on a long-term commitment, including a balanced contribution from all partners, be accountable for the achievement of their objectives and be aligned with the Union's strategic goals relating to research, development and innovation. The governance and functioning of those partnerships should be open, transparent, effective and efficient and give the opportunity to a wide range of stakeholders active in their specific areas to participate.

The European Union involvement in these partnerships can take the form of financial contributions to joint undertakings established on the basis of Article 187 of the Treaty under Decision No 1982/2006/EC.

With particular regard to the participation of entities from non-EU countries, Horizon 2020 establishes that *"any legal entity, regardless of its place of establishment, or international organization may participate in an action provided that the conditions laid down in this Regulation (Regulation (EU) No 1290/2013) have been met, together with any conditions lay down in the relevant work programme or work plan"*. Nevertheless, it establishes also that *"the relevant work programme may restrict the participation in Horizon 2020 or parts thereof where the conditions for participations of legal entities <...> are considered to be prejudicial to the Union's interest"*.

## 3. Current Membership of the SESAR Joint Undertaking

On 26 March 2009, as a result of the first membership process and in accordance with the provisions of the SJU Regulation and in compliance with the most stringent rules on the management of conflict of interest, the SJU Administrative Board decided to award the membership to the following 15 entities, which represent more than 30 companies:

- AENA (Aeropuertos Españoles y Navegación Aérea)
- AIRBUS S.A.S.
- ALENIA Aeronautica S.p.A.
- DFS (Deutsche Flugsicherung GmbH)
- DSNA (Direction des Services de la Navigation Aérienne)
- ENAV S.p.A.
- FREQUENTIS AG
- HONEYWELL INTERNATIONAL INC.
- INDRA Sistemas S.A.
- NATMIG (North European ATM Industry Group)
- NATS (EN ROUTE) Ltd
- NORACON (Northern European and Austro Control Consortium)
- SEAC (SESAR European Airports Consortium)
- SELEX S.I. (Selex Sistemi Integrati S.p.A.)
- THALES Group

Accession to membership of such entities was formalised through the signature of individual membership agreements (hereinafter referred to as the "Membership Agreement(s)" or as the "MA/s") and a multilateral framework agreement (hereinafter referred to as the "Multilateral Framework Agreement" or as the "MFA").

#### **4. SESAR and SESAR 2020**

The Single European Sky Air Traffic Management Research and Development ("SESAR") project aims to modernise the air traffic management (ATM) in Europe and represents the technological pillar of the Single European Sky (SES). It aims to provide the Union with a high performance air traffic control infrastructure which will enable the safe and environmentally friendly development of air transport.

The SESAR project comprises three interrelated, continuous and evolving collaborative processes: the definition of the content and priorities, the development of new technological systems, components and operational procedures of the SESAR concept and the deployment plans of the next generation of ATM systems contributing to the achievement of the SES performance targets.

The first phase of the definition process ran from 2004 to 2008 and delivered the SESAR ATM Master Plan (D5) which was the base for the first edition of the Master plan endorsed by the Council on the 30 of March 2009. The Master Plan is the agreed roadmap to bring ATM research and development to the deployment phase through a continuous evolution of the SESAR development process moving from Time Based Operations to Trajectory Based Operations and finally to Performance Based Operations.

The SJU's work programme covered by the Union's 2007 – 2013 financial perspective addresses all the Master Plan elements of Time Based Operations and large part of the Trajectory Based Operations. The related activities should be completed by 2016. The remaining activities of Trajectory Based Operations and those related to Performance Based Operations should be addressed in SESAR 2020 under the Union's 2014 – 2020 financial framework.

In preparation to its legal extension and the launch of this call, with the support and expertise of its current members and stakeholders, the SJU drafted a *SESAR 2020* that was submitted to the SJU Administrative Board on 26 June 2014. The document "Second Draft of the SESAR 2020 R&I Programme" is attached as Annex III of this call. It provides to entities interested to become candidate members of the SJU a view on the type of activities expected to be performed by the SESAR partnership under the Union's 2014-2020 Horizon 2020 financial framework.

In order to ensure a smooth, effective, efficient and economy transition of the activities between the two Programmes, the SJU will put in place the necessary measures to phase out the Projects that will reach their closure date between 2014 and 2016 while ensuring the initiation phase of the SESAR 2020. The detailed phase out - phase in will be further examined and detailed with the candidate members to the SJU in the phases following the call for expression of interest.

#### **5. Scope**

In accordance to the SJU Regulation, a call to the current SJU members and any new entity that fulfills the criteria established in the SJU Regulation and Horizon 2020 shall be organised for the activities to be carried out under the Union's 2014-2020 financial framework. The membership of the current SJU members who will not contribute to the activities financed under the Union's 2014-2020 financial framework should be terminated by 31 December 2016.

In order to carry out the tasks defined in Article 1(5) of the SJU Regulation, the SJU may conclude specific agreements with and award grants to its members, in accordance with the applicable financial regulations.

The SJU should continue to be open to and encourage the widest possible participation and representation of stakeholders from all Member States, including small and medium enterprises, through the accession of new members or other forms of participation. Furthermore, participation should ensure a proper balance between airspace users, air navigation service providers, airports, military, professional staff and manufacturers, and offer opportunities to SMEs, academia and research organizations.

The present call for expression of interest to become candidate member of the SJU is the first step of a more extensive procedure of a call for new membership, constructed of the following *indicative* stages and timeline:

Launch of the call for expression of interest to become candidate member of the SJU	9 July 2014
Closing date for the reception of applications	30 September 2014
Notification to the applicant candidate members, who have passed the eligibility, exclusion and selection criteria and invitation to negotiations	End of October 2014
Negotiations with the selected candidate members on SESAR 2020 content	Early November – December 2014
Closure of the negotiations and launch of the invitation to submit final proposals	January – February 2015
Deadline for reception of final proposals	End of April 2015
Decision of the Administrative Board of the SJU on the award of membership and acceptance of final proposals	June 2015
Start date of the SESAR 2020	15 July 2015

This call is addressed to the current members, who intend to confirm their interest in SESAR 2020, and to any new entity who intends to become a member of the SJU. Accordingly, the scope of this call is to establish a list of candidate members, fulfilling the criteria defined in points 9.1 to 9.3 below, with which the SJU would initiate negotiations for the final definition of SESAR 2020 Programme content for the definite accession to the SJU membership.

Although there are no formal limitations on the maximum number of candidate members and, subsequently, on the members to be selected, the SJU reserves the right to limit the number of candidate members in view of ensuring the efficient operations of the SJU governance that would result from a significant expansion of the SJU membership. For this reason, the SJU encourages the participation of groupings or consortia.

The estimated maximum amount of co-financing made available by the SJU for the selected members is of EUR 400 million.

## 6. Membership principles

The entities which are interested to participate in the present call are invited to read the principles, governing the SJU membership annexed to this document as Annex IV.

## 7. Financial contributions of the members

The cost of the *SESAR 2020* activities is estimated at EUR 1.585 million, including EUR 85 million for exploratory research, EUR 1.200 million for applied research and pre-industrial development and EUR 300 million for very large scale demonstrations.

The Union contribution under the Multiannual Financial Framework 2014-2020, including EFTA<sup>1</sup> contributions, paid from the budget appropriations allocated to the Horizon 2020 - Framework Programme for Research and Innovation (2014-2020) amounts to EUR 585 million. Exploratory Research will be entirely supported from the Union's contribution. The Union contribution for the execution of the remaining activities should be supplemented by contributions of industry and EUROCONTROL, following the same approach taken during the Union's 2007-2013 financial perspectives.

The scope of the present call includes industrial research and validation activities (including applied research, pre-industrial development as well as activities aiming at transitioning input from the Exploratory Research phase) and a large part of the very large scale demonstration activities. The detailed amounts allocated to the specific activities will be the result of the negotiation phase and final decision of the SJU Administrative Board.

Exploratory Research activities as such are not within the scope of the present procedure and they will be awarded through open calls for proposals expected to be launched by the end of 2014.

The selected members of the SJU will be required to undertake to pay a minimum initial contribution of EUR 10 million within a period of one year from when their accession to the SJU is accepted. This amount will be reduced to EUR 5 million for members that subscribe to the SJU within 24 months after the call for new membership.

In the case of undertakings, subscribing individually or collectively, which may be regarded as small or medium-sized enterprises within the meaning of the Commission recommendation 2003/361/EC of 6 May 2003 concerning the definition of small and medium-sized enterprises, this amount shall be reduced to EUR 250.000 regardless of when they become members. New members may be offered the option of paying the initial contribution in several instalments, over a period to be agreed and established in their MAs.

The selected members shall contribute to the activities to be performed in *SESAR 2020*. A part of these contributions may be provided "in-kind". In this case they will be subject to an evaluation of their value and their utility for carrying out the tasks of the SJU and shall be specified in the MA. The eligibility of in-kind contributions shall be in compliance with the rules of Horizon 2020, i.e. Regulation (EU) No 1290/2013. . The selected members will nevertheless be required to contribute to the operational expenditure of the SJU with a cash contribution of at least 5% of their gross in kind contribution less the co-financing received from the SJU<sup>2</sup>.

The selected members may be receiving co-funding on their gross in-kind contributions in accordance with the provisions of Regulation (EU) No 1290/2013, with particular regard to those on eligibility of costs. In this respect, the Programme 2020 activities, with the exclusion of exploratory research, shall be considered "innovation actions".

A more detailed overview of the principles governing the membership is provided in Annex IV.

## **8. Description of activities**

As already mentioned, a description of the activities as expected to be performed in *SESAR 2020* is provided in Annex III "Second draft of the *SESAR 2020 R&I Programme*".

## **9. Selection process**

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<sup>1</sup> European Free Trade Association

<sup>2</sup> The gross in kind contribution shall be understood as the actual in kind contribution of a selected member to the SJU, taking into consideration its actual direct costs and indirect costs as well as overhead.

Applications will be evaluated by an evaluation committee appointed by the SJU's Executive Director on the basis of the eligibility, exclusion and selection criteria defined in the subsequent sections of this document. Only the applicants who satisfy the eligibility criteria will be examined on the basis of the exclusion criteria and the applicants who satisfy the exclusion criteria will be further examined on the basis of the selection criteria.

In accordance to the provisions of the SJU Statutes, the SJU's Administrative Board will decide, on the basis of the results of the evaluation committee, on the final acceptance of the applications and may authorise the Executive Director to start negotiations with the candidate members. The negotiations shall focus on the definition of the final SESAR 2020 content, the results of which will be incorporated in the MFA, to be signed between and by all the SJU selected members, and the individual MAs, to be signed between the SJU and each selected member bilaterally. The SJU will provide the draft MFA and the draft MA at the stage of the invitation of the candidate members to participate in negotiations, their content will not be subject to negotiations, but rather to the necessary adaptations resulting from the refinement of the content of the SESAR 2020 .

Considering that the current operational framework of the SJU is sufficiently flexible and adapted to the needs of the SJU, the draft MFA and the draft MA will be largely based on the existing agreements and adapted to Horizon 2020 rules allowing the SJU to comply with its obligations set forth in the SJU Regulation and the applicable Horizon 2020 regulations<sup>3</sup>.

The following sections define the minimum criteria and the documentary evidence required by the SJU to assess the applications. The SJU, however, reserves the right to request any additional evidence in relation to the applications submitted for evaluation or verification purposes.

Applications from the interested entities shall contain all the information required in the following sections and shall follow the structure and include all the elements detailed in Annex II-1 and II-2.

The SJU may waive the obligation to submit the documentary evidence requested under sections 9.2. and 9.3. below for the current SJU members, including their affiliates, and/or if such evidence has already been submitted for another SJU grant/procurement procedure and provided the documents were issued not more than one year earlier and are still valid. In such cases, the applicant must declare on its honour that the documentary evidence has already been provided in a previous procedure with the SJU, clearly identify that procedure and confirm that there has been no change in the situation.

## **9.1. Eligibility criteria**

The eligibility criteria defined in Annex IV shall apply to the applicants.

In addition, applicants must declare that in case they are selected they will accept the provisions of SJU Regulation, including all its amendments in force at the launch of the present call, and the principles set forth in Annex IV of the present document.

To this respect applicants are required to present the following documentation:

- A cover letter, signed by the authorised representative of the entity (of the coordinator of the consortium, in case of a consortium applying), identifying the entity/-ies applying. In case of entity/-ies applying from non-EU countries, also the full information allowing the SJU to assess whether the requirements of Section 4 of Annex IV are complied with.

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<sup>3</sup> Regulation (EU) No 1291/2013 and Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013

- A statement of acceptance, confirming the acceptance of the applicant of the provisions of SJU Regulation, including all its amendments in force at the launch of the present call, and the principles set forth in Annex IV of the present document.

## 9.2. Exclusion criteria

The applicant (the coordinator, and each consortium member in case of a consortium) shall provide evidence of not being in any of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has not suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has been guilty of grave professional misconduct, which may be proven by any sufficient means, including by decisions adopted by the European Investment Bank or by international organisations;
- d) has not fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the activities will be carried out;
- e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the SJU/Union's financial interests;
- f) is subject of the administrative penalty for being guilty of misrepresentation the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply information, or being declared to be in serious breach of his obligation under contract covered by the EU budget.

Accordingly, the applicant (the coordinator and each consortium member) must provide a Declaration on honour (see Annex I), duly signed and dated, stating that they are not in one of the situations referred to above.

The applicant (the coordinator and each consortium member) to which the membership will be awarded will be required to provide before the signature of the MFA and MA the original Declaration on honour (if provided in copy) and the originals of the relevant documentary evidence.

The SJU, however, reserves the right to request the documentary evidence from the applicant in case of doubt at the stage of the present procedure.

Exclusion of one or/and several of the consortium members on these grounds might result in the exclusion of the whole consortium.

## 9.3. Selection criteria

### 9.3.1. Legal capacity

The undertakings or bodies applying for membership must have the legal capacity to conclude agreements with the SJU and assure clear accountability for the related obligations.

To this respect the entity (each consortium member in case of a consortium), shall provide the dully filled in and signed "legal entities' form" that can be downloaded from the following website of the European Commission:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

It is imperative that the form is accompanied by all the supporting documents requested at the bottom of this form.

### **9.3.2. Financial and economic capacity**

The applicants shall be able to prove their financial solidity and soundness and their long-term capacity to co-finance the activities they propose as their contribution to the SJU.

To this respect the applicant(each consortium member in case of a consortium) shall prove its financial and economic capacity by means of the following documents: the balance sheets or extracts from balance sheets for the last three financial years, and a statement of overall turnover and turnover relating to the relevant services for the last three financial years.

### **9.3.3. Operational capacity**

The operational capacity of the applicants will be evaluated on the basis of:

- the documented knowledge and experience with air traffic management and/or with the manufacture of equipment and/or services for use in air traffic management;
- the contribution that the applicant can be expected to make to the execution of the Master Plan on the basis of the description of activities provided in Annex III of the present document;
- Their experience and potential added value of the contribution for the benefit of SESAR 2020;
- Their capacity to manage, coordinate and carry out large scale research, development and validation projects involving multiple participants;
- Their contribution to the rationalisation of research, development and validation activities, including the optimal use of existing developments and enhancing interoperability of the ATM system;
- The existence of potential conflicts of interest which may affect their quality as member of the SJU.

In addition, applicants are requested to provide indicative information on the linked third parties, subcontractors and/or any other entities with which they intend participating in SESAR2020.

To this respect the applicants shall provide the information required in Annex II-2 and any additional relevant document in order to allow the SJU to assess their operational capacity.

The evidence concerning operational capacity, provided by each member of consortium will be verified to ensure that the consortium as a whole fulfils the criteria.

## **10. Application procedure**

### **10.1. Deadline and format for the submission of applications**

Entities, interested in this call for expression of interest to become a candidate member of the SJU, shall submit their applications either by registered mail, private courier or in-hand delivery.

The applications including all its supporting documents detailed in the sections above and in Annex II-1 and Annex II-2 must be received at the SJU premises, not later than **30 September 2014 at 11.30 a.m. (Brussels time)**. Applicants are strongly advised to use the delivery service offering tracking option of the sent items. Any application received after the deadline will not be examined. The applications have to be submitted to the following address:

**SESAR Joint Undertaking  
Avenue de Cortenbergh, 100  
B-1000 Brussels  
BELGIUM**

Applications must be submitted in English and shall comply with the following requirements:

- 1) Applications shall be submitted in paper format in one (1) original and four (4) copies and in electronic copy (USB, CDROM or equivalent) strictly respecting the templates provided in the annexes of this call documentation.
- 2) The applications must be placed inside two sealed envelopes:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- the reference number of the call (Ref. SJU/LC/0110-CEI),
- the name of the candidate member,
- the indication "*Application - NOT to be opened by the internal mail service*".

The inner envelope must contain the paper copies and the electronic copy.

## **10.2. Contacts between the SJU and the applicants**

Contacts are allowed during this procedure under the following conditions only:

### **Before the deadline for reception of the applications:**

At the request of the applicant, the SJU may provide additional information solely for the purpose of clarifying the content of this call. Any requests for additional information must be made in writing only and sent to the following e-mail address: [SESAR2020membership@sesarju.eu](mailto:SESAR2020membership@sesarju.eu). Requests for additional information should indicate the reference number of the call and its title.

Requests for additional information received less than ten (15) calendar days before the final date for receipt of applications will not be processed.

Clarifications will be issued by the SJU no later than six (6) calendar days before the closing date for receipt of applications.

The SJU may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the present call.

Any additional information, including that referred to above, or/and corrigendum will be posted on the following website <http://www.sesarju.eu/about/procurement> as well as in the Official Journal of the European Union (OJEU). Accordingly, the applicants are invited to make regular visits to the SJU website to check for updates or potential questions and answers raised in the context of the present procedure.

### **After the opening of the applications:**

If clarification is required or if obvious clerical errors in the applications need to be corrected, SJU may contact the applicant and request clarifications.

**Annex I**  
**DECLARATION ON HONOUR**  
**WITH RESPECT TO THE EXCLUSION CRITERIA AND ABSENCE OF**  
**CONFLICT OF INTEREST**

*(Complete or delete the parts in grey italics in parentheses)*

[Choose options for parts in grey between square brackets]

The undersigned *(insert name of the signatory of this form)*:

- in [his][her] own name *(for a natural person)*, or
- representing the following legal person: *(only if the economic operator is a legal person)*

full official name:

official legal form:

full official address:

VAT registration number:

- declares that [the above-mentioned legal person][he][she] is not in one of the following situations:
  - a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
  - b) has been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
  - c) has been guilty of grave professional misconduct which may be proven by any sufficient means, including by decisions adopted by the European Investment Bank or by international organisations;
  - d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the activities will be carried out;
  - e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the SJU/Union's financial interests;
  - f) is subject to an administrative penalty for being guilty of misrepresenting the information required by the contracting authority as a condition of participation in a grant award procedure or another procurement procedure or failing to supply information, or being declared to be in serious breach of its obligations under contracts or grants covered by the Union's budget.
- *(Only for legal persons other than Member States and local authorities, otherwise delete)* declares that the natural persons with power of representation, decision-making or control<sup>4</sup> over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
- declares that [the above-mentioned legal person][he][she]:

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<sup>4</sup> This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

- g) has no conflict of interest in connection with the call for membership and the resulting agreements; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
  - h) will inform the SJU, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
  - i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;
  - j) provided accurate, sincere and complete information to the SJU within the context of this procedure
- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties<sup>5</sup> if any of the declarations or information provided prove to be false.
  - In case of award of membership, the following evidence shall be provided upon request and within the time limit set by the SJU:
    - For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the tenderer is a legal person and the national legislation of the country in which the tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the tenderer.
    - For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.
    - For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.
  - If the candidate member is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name

Date

Signature

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<sup>5</sup> As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

## Annex II-1

### Template – Cover letter

<Place, Date>

<First Name> <Last Name>

<Company [coordinator of the consortium]>

<Address>

<Postal Code>

<Country>

Ref: <...>

Subject: Call for expressions of interest to become candidate member of the SESAR Joint Undertaking - SESAR Research and Innovation 2020 - Ref. SJU/LC/0110-CEI

<Paragraph 1: Identification of the entity/-ies applying. In case of entity/-ies applying from non-EU countries, also the full information allowing the SJU to assess whether the requirements of Section 4 of Annex IV are complied with.>

<Paragraph 2: Identification of the person/s and their contact details (telephone number and e-mail address) for the communications related to the present call.>

<Paragraph 3: A statement of acceptance, confirming the acceptance of the applicant of the provisions of the SJU Regulation, including all its amendments in force at the launch of the present call, and the principles set forth in Annex IV of the call documentation.>

<Name and signature of the authorised representative of the entity (of the coordinator of the consortium, in case of a consortium applying)>

Appendices:

Appendix I: A Declaration on honour (in the template provided as Annex I of the call) (the coordinator and each consortium member), duly signed and dated, stating that they are not in one of the situations referred to in Section 9.2.

Appendix II: A dully filled in and signed legal entities' form (each consortium member in case of a consortium), accompanied by all the supporting documents requested at the bottom of this form (Section 9.3.1. of the call documentation).

Appendix III: The balance sheets or extracts from balance sheets for the last three financial years, and a statement of overall turnover and turnover relating to the relevant services for the last three financial years (both types of documentation for each consortium member in case of a consortium) (Section 9.3.2. of the call documentation).

Appendix IV: Evidence for the operational capacity (Section 9.3.3. above), submitted using the template provided as Annex II-2 of the call documentation.

<Appendix V: Any other additional information/documentation, if applicable.>

## **Annex II-2**

### **Template – Operational capacity**

*(Annexed as a separate document)*

## **Annex III**

### **Second draft of the SESAR 2020 R&I Programme**

*(Annexed as a separate document)*

## **Annex IV**

### **Principles governing the accession and participation of the members of the SESAR Joint Undertaking SESAR Research and Innovation 2020**

*(Annexed as a separate document)*