

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
1. Q&A common for all LOTS: 1, 2 and 3				
1.1	Documents related to this call for tenders; Additional information; Registration	n/a	Summary of the several questions received: potential tenderers require to be registered for the participation in this call for tender, ask for the tender specifications or relevant documentation, for the details of this procurement procedure and the SJU's expectations.	<p>The documents related to this call for tender, including Invitation to tender, Tender specifications, Draft contract and the related Annexes, describing amongst others, the tendering procedure, requirements for submitting tenders and technical specifications are published on the following website of the SESAR Joint Undertaking: http://www.sesarju.eu/about/procurement.</p> <p>Tenderers may only request additional documentation from the SJU in case such a possibility is expressly mentioned in the Tender specifications.</p> <p>No prior-registration is necessary in order to be able to participate in this procedure.</p>
1.2	Deadline for the receipt of the tenders at the SJU's premises	Section 2 of the Invitation letter; Section 1.5 of the Tender specifications; Point IV.3.4) of the Contract notice in the OJEU	On page 3, section 1.5, of the specifications (and on page 1 of the letter of invitation to tender) it is noted that the tender submission deadline is 24 March 2014. However, in the official contract notice published in the Official Journal of the European Union, the stated submission deadline is 27 March 2013 at 11.00. Could you please clarify the correct date and time?	<p>The correct date and time for the receipt of tenders at the premises of the SJU shall be as published in the Contract notice of the OJEU, i.e. 27th March 2014, 11:30. The SJU has published updated documentation to this respect on the following website: http://www.sesarju.eu/about/procurement.</p>

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1.3	Correction of typographical errors	Tender specifications: dates, page and section numbering	<i>On the SJU's own initiative.</i>	Please, refer to the new version of the Tender specifications with the corrected page and section numbering, published on the following website: http://www.sesarju.eu/about/procurement .
1.4	Interpretation of the elements of the financial tender – weighting factors	Template financial tender	With regard to the financial offer itself; this requests specific fee rates for each defined expert category and then a % time allowance to be applied in working out an indicative weighted average daily fee rate to be used for evaluation purposes. We presume that if we were awarded a contract and were then asked to undertake a specific assignment; the stated % time weightings would not be "fixed" based on those used in the tender evaluation. Rather, the final budget and time needs by expert category would be by open discussion and agreement on a case by case basis in line with the procedures set out in section 3 of the specifications on page 11. Could you please confirm our understanding here is correct?	As explained in the instructions for the use of the template financial tender, the indicated weighting factors (in %) reflect a <u>fictional use</u> of the Contract. Therefore, the SJU confirms that the weighting factors are meant only for the financial evaluation of the offers and do not imply any commitment on the part of the SJU as regards the actual volume of work to be contracted under the Contract i.e. that may vary depending on the type of the actual assignment launched by the way of a specific contract.

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1.5	Time given for the submission of tenders	n/a	<p>The contract notice shows publication date of 29th January 2014, and deadline date of 27th March – which provides 58 days to prepare the tender. However, the publication date of the notice on the Official Journal of the European Union was 8th February – and the deadline date has been given as 24th March – which provides 46 days to prepare the tender. This is almost 2 weeks less than the original given dates between publication and submission deadline. Given the time that is required to prepare a detailed proposal to respond effectively to this tender, as well as the time that is required to liaise and collate information from firms within the international network, would SESAR consider extending the submission deadline to incorporate these 2 weeks that appear to have been 'lost' during the transition period between when the date the notice was dispatched to OJEU for publication, and the physical publication of the notice and public access on OJEU?</p>	<p>In accordance with Article 152 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, the minimum time limits for submission of tenders in the open procedures shall be 52 calendar days calculated <u>from the date of dispatch of the contract notice to the Publication Office</u>.</p> <p>The time given to the economic operators interested in this call for tenders for submission of their tenders is therefore in line with the relevant legal provisions.</p> <p>Nevertheless, after due consideration of the concerns raised, the SJU agrees to the extension of deadline until <u>11th April 2014, 11:30 (Brussels time)</u> that will be formalized through the corrigendum in the OJEU.</p>

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1.6	Eligibility requirements	n/a	<p>However since our company <...> is currently an affiliated partner of [the SJU Member] within the SESAR programme, we would appreciate if you could confirm that there are no eligibility criteria preventing us to eventually being contracted for the provision of services.</p>	<p>No general eligibility criteria preventing a current Affiliate of an SJU Member are set forth for this procurement procedure.</p> <p>Nevertheless, the tenderers shall consider the specific provisions of section 2.1.3.2 (Lot 1) according to which "the SJU requires the auditor to be independent from the SJU Members (i.e. beneficiaries of SJU co-financing)".</p> <p>The auditors shall therefore be also independent from affiliate, associate and subsidiary companies of the SJU Members. To this respect, please, refer further to Q&A 2.13.</p>
1.7	Submission of tenders	Section 1.4 of the Tender specifications	<p>According to the tender specifications, "the same tenderer may submit a tender for one, two or all three lots." Could you please confirm me that:</p> <ul style="list-style-type: none"> all documents providing evidence on Legal / Economic / Financial capacity shall be provided once regardless the number of lots; each lot will be evaluated separately, so that a tenderer might be awarded for one/two and not selected for the other/others? 	<p>The SJU also confirms that each lot will be evaluated independently from one another.</p> <p>However, the required documentation proving the legal, economic and financial capacity of the tenderers may be submitted only once for all submitted tenders. When applicable, the cover letter shall indicate under which other tender the documents providing evidence of legal/economic and financial capacity are provided.</p>

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1.8	Submission of tenders	Section 2 of the Invitation letter	In terms of formal submission of the tenders, can you clarify if my firm can dispatch our tender to the JU by a recognised courier service and that as long as the date of collection by the courier service is clearly on or before 24 March 2014; this would be acceptable? Thus, though the actual tender document might reach your offices a day or two later; as long as there is clear evidence of collection on 24/03/14 or earlier by that courier, the bid would still be considered valid and accepted for evaluation at that level. This is the approach commonly adopted by other EU services; though the current wording in the invitation to tender letter appears to preclude this approach and so I wondered if a similar process was still acceptable here?	The SJU is well aware that the practice of certain EU Institutions/bodies, nevertheless, in accordance to its internal practice, as set forth in section 2 of the Invitation letter, the tender including all its supporting documents must be <u>received</u> at the SJU premises at the given time and date. Therefore in assessing the compliance of the tenderers with the relevant deadline, the SJU takes into account the receipt and not the submission date of the tender.
1.9	Opening of tenders	n/a	Will there be a formal tender opening session at which representatives of bidders could attend and, if so on what date and at which time and location please?	Following its internal practice, the SJU does not organize public tender opening sessions.

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1.10	Maximum amount & duration of the Contract	Points II.1.4), II.2.1) and II.3) of the Contract notice in the OJEU; Sections 2.1.7, 2.2.6, 2.3.6 and 3.2 of the Tender specifications	The original contract notice published in the OJ indicates that this tender has duration of 2 years maximum with a budget of EUR 2.5mn in aggregate. However, section 3.2 of the tender specifications refers to a duration of 12 months; renewable annually for up to 48 months in total. Could you clarify this apparent inconsistency please?	<p>The contract notice, published in the OJEU with reference 2014/S 028-043921, sets the estimated value of the Contract at 10 000 000 EUR, this amount being consistent with sections 2.1.7, 2.2.6, 2.3.6 of the Tender specifications which mirrors the split thereof per lot.</p> <p>The same contract notice fixes the maximum duration of the Contract to be awarded at 48 months, in compliance with the relevant provisions of section 3.2 of the Tender specifications.</p> <p>The SJU sees therefore no inconsistency between the provisions of the contract notice of the OJEU and the relevant tender documentation.</p>
1.11	Packaging of the tenders submitted for several lots	n/a	Should a tenderer consider submitting a tender for more than one lot, should the submissions be provided separately? Or is it possible to submit for multiple lots within one package as long as the inner envelopes are clearly labelled and organised in the correct sequences?	A tenderer submitting its tenders for more than one lot may opt submitting these in one package as long as the lots are clearly identified and the different tenders inside the package respect strictly the requirements of section 6 of the Invitation letter.
1.12	Additional documentation	n/a	<p>We would like to receive the following information in order to prepare an offer to this tender.</p> <ul style="list-style-type: none"> - SESAR Programme Management Plan - SJU financial rules: SJU-AB-028-DOC-06 adopted on December 12, 2013 - a Model of Membership Agreement - a model of Multilateral Framework Agreement 	<p>As set forth in section 1.3.3 of the Tender specifications, whereas the SESAR PMP can be made available upon request, MFA and MA are not public documents, therefore only some extracts thereof are made available for the interested tenderers in Annex IV of the Tender Specifications.</p> <p>The SJU Financial Rules are publically available at the following website: http://www.sesarju.eu/procurement/sesar-procurement-rules </p>

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1.13	Number of CVs to be provided – Technical and professional capacity	Section 4.3.3 of the Tender specifications	We do not see specified anywhere the expected number of CVs for Lots 1, 2 or 3 to be provided for each of the different staff categories outlined. Please could you therefore specify whether this is an omission or whether it is up to the tenderer to decide how many CVs and for which categories should be provided?	Tenderers are free to decide about the number of CVs to be submitted, keeping in mind the objective of these documents, which is to give evidence of compliance with the minimum technical and professional capacity requirements for the relevant lot.
1.14	References to be provided – Technical and professional capacity	Section 4.3.3 of the Tender specifications	Do project references for the 3 lots have to be undertaken only by the tenderer and consortium members or subcontractors, or can references from a network of member firms in different countries be included? If yes, would a letter of undertaking be required in such cases?	<p>The tenderer is considered <i>a priori</i> consisting of its consortium members as a whole (in case of a consortium) and its identified subcontractors.</p> <p>Nevertheless, should the tenderer decide submitting references from its network firms, it shall consider the anticipated volume and importance of involvement of the relevant firm in the performance of the tasks under the Contract in order to demonstrate the sufficient level of the technical and professional capacity of the tender.</p> <p>Please, refer also to Q&A 2.2.</p>
1.15	CVs to be provided – Technical and professional capacity	Section 4.3.3 of the Tender specifications	Is it possible to present the same CV to cover staff categories for different lots, should the CV in question comply with the specified requirements?	It is possible to present the same CV to cover staff categories for different lots as long as the CV in question comply with the specified requirements
1.16	Selection criteria - Technical and professional capacity	Section 4.3.3 of the Tender specifications	Under "Technical and professional capacity" where it is mentioned that project references must be within the last 3 years, may we assume that projects still active in 2011, 2012, and 2013 are accepted?	The fact that project references must be within the last 3 years, means that projects must have been performed over the last three years (either in 2011, 2012 or/ and 2013) .

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1.17	Formal requirements for the tender submission NEW!	Section 5 and 6 of the Invitation letter	Could you please clarify if it is needed to provide just one copy of the proposal or different copies should be submitted? Could you please clarify the envelope system? Should we submit two envelopes (one for the technical proposal and the other one for the financial proposal)? Could you please clarify if a digital version should be also submitted?	The relevant information is provided in Sections 5 and 6 of the Invitation letter.
1.18	Selection criteria - Legal capacity – Evidence to be provided NEW!	Section 7.b) of the Invitation letter; Section 4.3.1 of the Tender specifications	Paragraph 4.3.1 (p.15) mentions a dully filled-in Legal entities' form, including all its supporting documentation (see section 7 b of Invitation to Tender [...]). Can you be more precise about this Legal entities' form and about the location of the "section 7 b"?	As set forth in the Tender documents, the tenderers shall fill in the form that can be found on the website following the link provided in Section 7.b) of the Invitation letter http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm . This dully filled-in form with its supporting documentation shall serve as evidence showing the legal capacity of the tenderer (see Section 4.3.1 of the Tender specifications).
1.19	Mandate Consortium Coordinator NEW!	Annex V to the Tender specifications	Regarding Annex V Mandate Consortium Coordinator; we will not be in the case of Mandate Consortium. However do you require us to provide this annex with the mention "not applicable"?	Annex V is to be used only in case of consortium. It does not need to be filled-in by the individual tenderers.

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1.20	Language of the documentation to be provided NEW!	n/a	Is it acceptable to provide supporting documentation in the local language (e.g. bank statement in German, in support of the Financial Identification Form filled in English; documentation from the local authorities proving solvency; etc.)? If a translation is required into English, what kind of translation is necessary?	You can provide the relevant supporting documentation such as mentioned in your question in any official EU language.
1.21	Templates NEW!	n/a	Is there any template for the technical proposal?	No template is provided for the technical tender.
1.22	References NEW!	n/a	Regarding the references, could we use references that are not finished yet or should them be fully completed?	The SJU will assess the reference content as provided by the tenderer.
2. Q&A for LOT 1 – PROJECT AUDIT				

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2.1	Additional information – templates for deliverables	Section 2.1.4.1 of the Tender specifications	On page 6, section 2.1.5.1 of the specifications reference is made to the pre-existing report templates that the JU would expect to be used for each type of assignment and that these would be made available to the winning bidders in due course. I write to ask if access to a copy of these templates could not be given now to enable us to better assess how each of the defined assignment scopes is put into practice reporting wise? This would greatly help in explaining better how our methodology and procedures can best fit with your requirements. If there were otherwise any pre-existing working paper templates for the various types of assignment that could be shared; this would also be most useful in a similar vain.	At this stage of the procedure, the SJU decided not to provide any additional specific templates for the reports/deliverables than the information already provided in the Tender specifications and in the SESAR Programme Management Plan, available upon request. As specifically indicated, these will only be provided to the selected Contractor.

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2.2	Subcontracting/joint tenders	Section 18 of the Invitation letter; Article II.7 of the Draft contract	Our firm is part of a recognised international network of audit and accountancy firms and in order to respond to this request we would, if successful, wish to call upon and use the expertise and resources of those network member firms in many of the potential countries of work. In essence, we would seek to rely on the resources and expertise of these firms to aid us in our work for JU. In such circumstances, can you clarify what documentation and / or information you would require us to present to you in terms of the exclusion and selection criteria? We do not intend to bring these network offices in as joint bidders; nor do we believe that they classically fall within the definition of subcontractors as such.	<p>Tenderer may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Nevertheless, it must in that case prove to the SJU that it will have at its disposal the capacity and the resource necessary for the performance of the Framework Contract.</p> <p>Furthermore, it should be noted that the selection criteria are the basis for a uniform assessment of the technical capacity of the tenderer to perform the activities as a whole. It is therefore at the utmost interest of the tenderer to provide evidence that the tenderer and any already identified subcontractor fulfill the requirements. In addition, provisions of section 18 of the Invitation letter, apply in case of the subcontracting, identified at the stage of the tendering procedure.</p> <p>Finally, potential tenderers are invited to consult Article II.7 of the Draft contract. This article sets forth that, even after the signature of the Contract, the selected Contractor shall always seek and received the SJU's prior-authorization for the sub-contracting/ performance of the Contract by third parties.</p> <p>In the case described, the SJU would tend to consider the network member firms called upon to perform certain tasks on behalf of the tenderer, as subcontracting.</p>

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2.3	Technical and professional capacity – evidence to be provided	Section 4.3.3.1 of the Tender specifications	In terms of selection criteria evidence, you have stated in section 4.3.3.1 - page 16, that for specific examples of similar experience, any bidder should provide, if supplied to a contracting authority evidence: <i>"in the form of certificates issued or counter signed by the competent authority."</i> Our past experience indicates that this can often be quite difficult to obtain in the relative short time frame from now until the deadline for submission; therefore, as an alternative, can we include copies of the signed contracts specifically entered into with those contracting authorities for the specific pieces of work then performed?	The SJU considers that for the services already provided, the time granted for the submission of tenders is sufficient in order to allow tenderers to obtain the necessary certificates. For the services that are, however, being provided at the time of this tendering procedure and not yet completed, the SJU may consider accepting any other form of evidence, including, as suggested, copies of the relevant contracts showing the scope of work contracted.
2.4	Technical and professional capacity – evidence to be provided	Section 4.3.3.1 of the Tender specifications; Annex II.2 to the Tender specifications	In section 4.3.3.1 on page 17, you request: "Detailed CVs of the persons who will be responsible for carrying out the tasks" The specifications otherwise specifically mention and define the role of the Audit Co-ordinator and the financial offer proforma template for LOT 1 specifies 5 distinct categories of personnel. Could some further clarity be given as to exactly how many CV examples are needed and for which categories? Should we aim to cover all categories, all possible countries or a more limited sample of the pool of expertise available to us?	Considering that the specific tasks to be assigned cannot be determined in detail at this stage, but rather will be determined on the case by case basis after the signature of the relevant Contract, the SJU does not set any required minimum number of CVs. This is left at the discretion of the tenderer. Nevertheless, in determining the number of CVs to be included in the tender, the tenderers shall consider the minimum requirements for the technical and professional capacity for, in particular, Audit co-ordinator and the main team members proposed. It should be noted that Annex II.2 to the Tender specifications is meant presenting a summary of the information provided in the CVs.

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2.5	Technical and professional capacity – evidence to be provided	Section 4.3.3.1 of the Tender specifications; Annex II.1 to the Tender specifications	<p>As requested in the Tender Specifications section 4.3.3.1 , we have to provide the following evidence:</p> <ul style="list-style-type: none"> – in point 1. ii) (page 15) : references of at least 10 audits, each one invoices over 10.000 €, with at least one audit of each of the following types : financial audit, agreed procedure, systems audit and performance audit. The provision of services directly relevant to the tender submitted have been provided within the last three years (template Annex II.1) – and in point 1.iii) (page 16): list of audit assignments performed in the context of EU Framework Programme within the last three years (template Annex II.1) <p>Could you please clarify what is the difference between the information you expect to receive for these 2 points and confirm that the template to use is the same?</p>	<p>As mentioned in Section 2.1.2.5 of the tender specifications <i>"the Financial provisions within which the audit activities shall be performed are those established in the MAs, the MFA, the 7th Framework Programme in Research and the TEN-T, with consideration, when required, of the Horizon 2020 rules for expenditure"</i>.</p> <p>Therefore, when assessing the technical and professional capacity of the tenderers, the SJU requires not only a general list of 10 audits (with clarification regarding the type, year, budget of the activities) as per point 1.ii) but also another list indicating whether these audits were performed in the context of (any specific) EU Framework Programme. The list required under point 1.iii) is complementary to the first list and may refer to some or all the audits listed as per point 1.ii). The templates to be used for both lists shall both respect the format given under Annex II.1 to the Tender specifications.</p>

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2.6	Documentary proof – Selection criteria	Section 4.3 of the Tender specifications	<p>Page 7 of the tender specifications – place of performance, states that: <i>"Such auditing services may take place anywhere in the 28 European Union territories or, exceptionally, outside these territories. It is expected that the Contractor is able to provide services on the spot, reducing at a minimum level missions from another European country."</i></p> <p>Our understanding from this is that our proposal structure will need to include firms in our consortium within our network who are based in the 28 EU countries, in order to provide services 'on the spot'. It is also our understanding that all of these firms in the consortium will need to fulfil the selection criteria provided on P15 of the tender specifications – where it is stated that:</p> <p>The SJU may waive the obligation for a candidate or tenderer to submit the documentary evidence requested under Sections 4.3.1, 4.3.2 and 4.3.3 below if such evidence has already been submitted for another procedure and provided the documents were issued not more than one year earlier and are still valid at dispatch of the information for candidates and tenderers. In such cases, the candidate or tenderer must declare on his honour that the documentary evidence has already been provided in a previous procedure with the SJU, provide reference to that procedure, and confirm that there has been no change in the situation.</p> <p>For a previous framework contract for similar audit services, we collated and submitted the same requested evidence for selection criteria for all firms within the consortium located across the 28 EU Member states. However, the documents were issued in October and November 2012 – so some 17-18 months earlier.</p> <p>Given the time required to collate such information across 28 firms in our network, would SESAR consider extending the period for the selection criteria documents submitted for a previous tender to 18 months earlier (an extension from the request for documents issued not more than one year earlier), where each firm also provides a declaration that there has been no change in the situation?</p>	The SJU agrees accepting the documentary proof older than one year demonstrating tenderer's compliance with the minimum requirements for the selection criteria, under the condition, that the relevant information/documentation is still valid.

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2.7	Selection criteria - Technical and professional capacity – language skills	Section 4.3.3.1 – 2.b.ii) of the Tender specifications	<p>Page 16 of the tender specifications – states that team members need to have fluency in English and French.</p> <p>For many EC framework contract audits where we have provided similar audit services, there is certainly a requirement for tenderers to have language capabilities in English and in French, which has been met by forming a consortium between ourselves and our French Partners. However, it has not generally been a requirement for each team member, from Senior Auditors through to Managers, to be fluent in both French and English.</p> <p>Given that the deliverables are to be prepared in English – we refer to Section 2.1.5.1 – Deliverables on P6 of the tender specifications where it states that:</p> <p>The Deliverables will mainly consist of one written Draft Audit Report per audit performed in English language. This Draft Report will be subject to the review of the SJU and will lead to the Final Audit Report.</p> <p>We would ask the following: Would it be acceptable to SESAR if we provided language capabilities in French and English within the consortium as a whole? If this is not acceptable, please can you provide a definition of what criteria the individual would need to meet in order to be considered fluent in a language.</p> <p>Please can you also advise if there would be any penalty where individual team members have language capabilities in English or French, but that individual does not have capabilities in both languages.</p>	The SJU accepts that the tenderers provide language capabilities in French and English within the team and not per individual team member.

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2.8	Services to be provided	Section 2.1. of the Tender specifications	Regarding documentation to be reviewed as part of the project audit, please can you advise in which language this documentation is presented.	That would depend on the SJU Member audited. SJU Members are located in almost every EU country. Therefore documentation could be in English, Italian, French, Czech, Spanish, Portuguese, Estonian, Swedish, German, etc.
2.9	Additional information – templates for deliverables	Section 2.1.4.1 of the Tender specifications	<p>With regards to sample reports, the tender dossier states 2.1.5.1 on P6 of the tender specifications that: templates of the Reports will be provided by the SJU at the time of signature of the relevant Specific Contract or organisation of the related kick-off meeting.</p> <p>It is noted that SESAR intends to issue templates of the reports following contract award, however, it would be extremely useful to see a template of this report to assist with preparation of our proposal. Would it be possible for SESAR to provide the template at this stage?</p>	Please, refer to Q&A 2.1.
2.10	Services to be provided	Section 2.1. of the Tender specifications	Would it be possible for SESAR to provide an indicative geographical split of audits to be performed in 2014.	It is not possible to provide this information at this stage.
2.11	Award criteria	Section 4.4.1 of the Tender specifications	In the context of Lot 1, I write to seek clarification as to the meaning of the phrase "understanding of the domain/s and compliance with international standards" as stated within the technical award criteria in section 4.4.1 of the tender specifications under the sub-heading "Methodology and quality of the tender" on page 20. Specifically, is the word "domain/s" intended to be a reference to the 28 EU member states and to what degree these are understood and applied in those countries; either by law or practice?	Understanding of the domain means understanding of the domains of audit for specific purposes such as for EU co-financed projects, agreed-upon procedures, systems audits, performance audits etc.

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2.12	Services to be provided	Section 2.1. of the Tender specifications	Could you provide us with an overview of the number of audits together with the average number of days per audit, performed within the last years, and split up by member state and by type of audit.	For the last three years (2011, 2012, 2013) 32 compliance / financial audits have been performed and 1 performance audit has been launched. The average days per audit vary from 3-5. The geographical split was as follows: 6 in France, 5 in Italy, 4 in Sweden, 1 in Finland, 5 in Germany, 1 in Czech Republic, 3 in Spain, 1 in UK, 2 in Austria, 2 in Norway, 2 in Switzerland.
2.13	Eligibility requirements	Section 2.1.3.2 of the Tender specifications	Under heading 2.1.4.2 of the tender specifications, there is a reference that "the auditor" should be independent from the SJU Member. We interpret this to mean that if a contractor responds to a specific request, the proposed team of auditors should then be independent from the SJU member of members that may be concerned with the specific request, and that the cascade mechanism can then be triggered there remain any conflict. Could you please confirm that our understanding is correct? If it is not, could you please elaborate on the correct interpretation of this independence clause, notably if it has implications beyond the scope of the individual auditor(s) proposed to respond to a specific request?	"The auditor" should be independent from the SJU Member means that "the auditor" should not be the statutory auditor of the SJU Member, nor have provided services to the SJU Member especially regarding the Certificate to Financial Statements or the Certificate of Methodology for SJU cost claim purposes.

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2.14	Subcontracting; geographical coverage	Section 18 of the Invitation letter	<p>Under heading 2.1.5 of the tender specifications, it is mentioned that audits could take place anywhere in the EU or even outside the EU. It is also specified that contractors would be expected to provide services on the spot. Is it then expected that this geographical coverage be demonstrated formally via subcontracting or letters of intent (for intended subcontractors)? If yes, should we also demonstrate coverage in countries beyond the EU? And if yes, would it be possible to receive an indication of countries where activities could be expected?</p> <p>Alternatively, is it sufficient at tender stage to present a network of member firms that can cover needs in all countries and with which more formal (subcontracting) arrangements could be determined at a later stage?</p>	<p>As set forth in section 18 of the Invitation letter, tenderers are already required to identify subcontractors in their technical tender, if any, whose share of the contract is above 10% and provide a Declaration on honour guaranteeing the compliance of the subcontractor(s) with the exclusion criteria as set forth in section 4.2 of the tender specifications. A letter of intent is therefore not required at this stage and as suggested, it is sufficient to present the already identified firms of your network.</p> <p>Indicatively, SJU Members have premises in the USA, Australia, India, China.</p> <p>Please, also refer to the Answer to Question No. 2.2.</p>

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2.15	Subcontracting	Section 18 of the Tender specification; Q&A 2.2.	<p>I refer to the recent set of clarification Q & A published on your website and dated 06/03/2014; specifically Q 2.2 and explanation paragraph: "Furthermore, <...>."</p> <p>Based on our earlier reading of the invitation to tender letter (section 18) and the tender specifications (section 4.3 in particular – copied below), we had understood that:</p> <p>Only named subcontractors where the volume of work to be undertaken by them might exceed 10% of the total contract value need provide the declaration on honour related to exclusion criteria. Thus any subcontractor expected to undertake less than 10% of the work, even if named, need not provide such a letter. However, the statement above would appear to require such a declaration to be provided by all named subcontractors; regardless of the % of work that they might yet undertake. Could you please urgently clarify this point.</p> <p>From what was written in the ITTL and the ToR, it appeared evident to us that no documentation in relation to selection criteria was required at this stage for subcontractors, only for the tenderers and fellow consortium members (ie as we understood entities collaborating as "joint bidders" on a joint and several liability basis. However, the statement above now appears to suggest that such evidence must be provided for all named subcontractors. Could you please also urgently clarify this point as this is potentially not a small task to undertake and appears to be a change in the specifications from those originally issued. Would it, for example, be possible to supply such information for those subcontractors where the 10% work threshold was envisaged to be exceeded over the contract lifespan?</p>	<p>In addition, to what is mention in Q&A 2.2, we confirm that a declaration on honour as well as the proof required for the selection criteria shall only be provided for the identified subcontractors whose share of the Contract is estimated above 10%.</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
2.16	Selection criteria – minimum requirements for the technical and professional capacity	Section 4.3.3.1 of the Tender specification; Annex II.3	<p>1. As described in the Tender Specifications section 4.3.3.1 (page 16), the requirements for the Audit Co-ordinator are the following:</p> <p>a. The Audit co-ordinator who will be the interlocutor with SESAR must have:</p> <ul style="list-style-type: none"> i) a status of certified auditor in one of the 28 EU Member States; ii) at least 3 years of work experience in managing EC Framework Programme audits; iii) at least 3 years of work experience managing a team; iv) experience in public sector performance auditing; v) fluency in English and French. <p>Can you please confirm that these are the requirements for the Audit Coordinator in terms of years of experience signing the audit reports?</p> <p>2. In addition to the Audit Co-ordinator, the section above also refers to team members and team leaders and defines the relevant years of experience for each (page 16: at least 1 year of relevant work experience in auditing for EC Framework Programme purposes, and at least 3 years for the Team Leader). However, it is not fully clear how these requirements link with the expert categories defined for the financial offer according to the financial offer template for Lot 1.</p> <p>Could you therefore clarify how the experts categories in the financial offer (and experience requirements) correspond to the minimum experience requirements on page 16, and how the different categories should be considered in view of the team composition which is part of the organizational aspects of the tender?</p>	<p>It should be noted that section 4.3.3.1 of the Tender specifications set forth the <u>minimum</u> requirements pertaining to the <u>specific</u> minimum skills/experience of the tenderer and/or its team, in order to enable the SJU to assess the tenderer's professional and technical capacity to execute the Contract.</p> <p>With regard to the first question, the SJU therefore confirms that these are the minimum requirements for the Audit Co-ordinator, signing audit reports.</p> <p>Provisions of section 4.3.3.1 are distinct from Annex II.3, where the SJU establishes different expert categories, based on the <u>overall</u> professional experience of the team members solely for the purposes of the price determination and the financial evaluation of the tenders.</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
2.17	Financial tender template NEW!	Annex II.3 to the Tender specifications	<p>Can you confirm that the financial form of LOT 1 only needs to be filled in for all EU Member states, to the exception of Belgium, as the total price will be calculated automatically by adding these daily rates after application of the indicated weighting factors which reflect a fictional use of the Contract, as mentioned in Annex II.3 (see herebelow)?</p> <p>Can you provide us with the list of the weighting factors that will be applied by EU country?</p>	<p>The tenderer is required to propose <u>fixed daily rate</u> for each of the 28 EU Member States.</p> <p>With regard to the calculation of the financial offer, this will be determined applying the weighting factors, reflecting the fictional use of the Contract to the rates proposed for BELGIUM. The rates for the remaining EU Member States will not be considered for the financial evaluation of the tenders, however, will be annexed to the Contract and will become binding.</p> <p>No weighting factors are therefore applicable for the remaining EU countries.</p>
2.18	Financial tender NEW!	n/a	<p>Can you confirm that the coordination time will be compensated on each individual assignment separately from the time spent by the audit team on the specific assignment? If yes, this means that the budget price for a specific assignment will include separately a price for the coordination time and a price for the on-the-spot audit work.</p>	<p>We confirm that the coordination time is acceptable if needed for the performance of individual assignments. It should be noted, however, that the daily rates provided in the financial offer of the tenderer shall be fixed, include all costs and expenses directly and indirectly connected with the services to be provided (including travel costs within the EU) and shall not change according to the type of activity (coordination/management or on-the-spot audit work).</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
2.19	Financial tender template NEW!	Annex II.3 to the Tender specifications	<p>Referring to Annex II.3 Lot 1 we understand that 28 separate spreadsheets need to be provided, one for each of the EU Member States, and that the weightings per category will apply for each country for the pricing calculation to be totalled for all countries. We further assume that the anticipated volume of work to be carried out will vary considerably according to specific countries, however we do not see any similar weightings to be ascribed to the different countries to also be taken into account for the final pricing calculation. Please could you therefore explain how the comparability of financial offers will be ensured, for instance should certain tenderers make different assumptions about possible volumes per country?</p> <p>Linked to the above question, we do not see specified in the tender documentation whether the fixed daily rates provided per country are binding for the purposes of the specific requests to be launched. Please could you confirm whether this will be the case? Would it also be possible to provide to potential tenderers an example of the format for a specific request budget breakdown?</p>	Please, refer to Q&A 2.17.
3. Q&A for LOT 2 – STRATEGY ADVICE				

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
3.1	Type of services	Technical specifications – LOT 2 (section 2.2.2 of the Tender specifications)	We would also appreciate receiving further information on the activities that would constitute a typical and/or initial work order under the framework agreement.	At this stage of the procedure, the SJU is not in a position to define the content of the first specific contract to be placed under the framework Contract in case awarded. A general description of the type of activities which may be requested under the Framework Contract is provided in section 2.2.2 of the Tender specifications). Broadly it can be expected that advice is requested by the Senior Management of the SJU in view of more strategic decisions of the functioning, governance, etc of the organization.
3.2	Selection criteria – Technical and professional capacity – evidence proving the minimum requirements	Section 4.3.3.2 of the Tender specifications; Annexe III.1	<p>We would like to have some clarifications concerning the compilation of the Annex III.1.</p> <p>As reported in Technical Specifications (page 19) such annex should be completed by the tenderer and should also include certificates or evidences issued or countersigned by the competent authority or the private entity. On the other hand the Annex III.A, in particular the column gives the possibility to the tenderer to choose if to include or not these evidences. In our understanding, considering what is written inside such file (Certificate/evidence annexed to the tender: YES/NO), it is not a mandatory to enclose these evidences in the proposal.</p> <p>Could you confirm us that our understanding is correct?</p>	<p>As set forth in section 4.3.3.2 of the Tender specifications, the certificates/evidence issued or countersigned by the competent authority or the private entity shall be attached to the dully filled in Annex III.1 as part of the tenderer's technical tender.</p> <p>The column of Annex III.1 shall serve as the checklist for the tenderer for the provision of the mandatory proof required.</p> <p>If for whatever reason the tenderer is not able to provide the necessary certificate/evidence, "NO" option shall be chosen and explanation provided by way of a letter attached to Annex III.1.</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
3.3	Selection criteria – minimum requirements for the technical and professional capacity	Section 4.3.3.2 of the Tender specifications	Under "Technical and professional capacity" for lots 2 and 3 there is a request to provide references to "similar projects / services". Our interpretation is that projects similar by nature will be projects that cover the type of services referred to which can be accepted as long as the project in question is/was related to "a large transnational or PPP technological and/or research programme". Please could you confirm if this is correct?	Yes, we confirm.
3.4	Selection criteria – minimum requirements for the technical and professional capacity	Section 4.3.3.2 of the Tender specifications	We would like to clarify whether we should limit the number of project descriptions to six (three per topic). Could you please let us know whether there is a limit for the maximum number of project descriptions which should be used as evidence of technical and professional capacity for Lots 2 and 3?	It is sufficient to provide six project description (three per type of services as detailed in section 4.3.3.2 of the Tender specifications). This number is also reflected in Annex III.1.
3.5	Selection criteria – minimum requirements for the technical and professional capacity	Section 4.3.3.2 of the Tender specifications	In case of a Consortium is required to include 6 references per member of the consortium or only 6 for the whole group?	Six for the whole Consortium.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
3.6	Submission of tenders for several Lots NEW!	n/a	In the case that we apply for Lot 2 and Lot 3, will SJU evaluate & rank them independently? Will the evaluation of one Lot have an effect on the evaluation of the other Lot? Alternatively, should we provide separate applications for each Lot?	As set forth in Section 4.1 of the Tender specifications, <u>"the assessment procedure will be carried out for each Lot separately"</u> without any effect or influence on one another. There should be separate tenders submitted for each lot. Pleaser, also consult the Q&As 1.7 and 1.11.
3.7	Type of services; Award criteria NEW!	Section 2 of the Tender Specifications	<ol style="list-style-type: none"> 1) What are the key strategic topics where you foresee the request for support in the next 2-3 years (such as business case building, macro-micro economic studies, stakeholder management, strategic vendor management)? 2) How do you see operational competencies as relevant to deliver the breadth of work that is expected? 3) To which type of audiences do you expect communication to take place over the duration of the framework agreement? Does this include the political landscape, public institutions and government agencies, stakeholder CEOs? 4) What evidence do you expect to prove the "suitability and balance of the proposed team" without including the CVs for the more junior profiles (which are explicitly not requested)? 	<p>Q 1) The topics indicated by the tenderer appear reasonable to the SJU but not necessarily exhaustive.</p> <p>Q 2) Where necessary the tenderer may need to make an appeal to operational competencies. Overall it is expected that the tenderer has a clear understanding of the domain of work of the SJU.</p> <p>Q 3) The audience is managerial, political, operational, institutional and/or a combination of all.</p> <p>Q 4) Through how the tenderer has proposed possible teams in previous similar contracts, on how the tenderer shows his understanding of the work expected to be done and any other relevant element provided in the answer to this call for tenders.</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
3.8	Award criteria NEW!	4.4.1 of the Tender Specifications	You mention as one of the criteria the "Appropriateness of the solution proposed to perform the hand-over with the current contractor in order to cause minimal disruption in the SJU operations". Can you please confirm that this is relevant for Lot 2 and who the current contractor is?	The SJU confirms that the given criteria are also applicable for Lot 2. The details of the current SJU Contractor awarded the Contract are publicly available under the following reference in the OJEU: 2010/S 46-067199, 06/03/2010. Please note however that the SJU expects a general description of the proposed hand-over process, the identified risks and mitigation processes, etc.
3.9	Award criteria NEW!	4.4.1 of the Tender Specifications	What do you mean with "Identification, prevention and measures in place to mitigate any conflict of interest"? Are you referring to potential conflict of interest within the strategic consultant that works for competing clients or between the SJU and its stakeholders?	Tenderers should be independent in fact and appearance when providing support to the SJU. The tenderer shall therefore identify the cases which may impair its independence and objectivity in providing advice and support to the SJU and detail in its offer the proposed measures to prevent these situations and/or mitigate their occurrence.
4. Q&A for LOT 3 – SUPPORT TO PROGRAMME MANAGEMENT				
4.1	Technical and professional capacity – evidence to be provided	Section 4.3.3.3 of the Tender specifications	Referring to 4.3.3.3 Point 2, how many CV's need to be included for the different consultants.	Considering that the specific tasks to be assigned cannot be determined in detail at this stage, but rather will be determined on the case by case basis after the signature of the relevant Contract, the SJU does not set any required minimum number of CVs. This is left at the discretion of the tenderer and should reflect as far as possible the technical and professional capacity of the tenderer to provide the requested support.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.2	Technical and professional capacity – evidence to be provided	Section 4.3.3.3 of the Tender specifications	Referring to 4.3.3.3 Evidence proving the minimum requirements for Lot 3, can the same project(s) be used to illustrate our capability in programme management as well as change management or should we include 6 distinct projects.	The same projects can be used to show both: experience in programme and change management.
4.3	General	n/a	General questions: What is the average size and running time for a project under the Lot 3?	In order to understand the indicative volume of the Contract, tenderers are invited to refer to section 2.3.6 of the Tender specifications detailing the estimated possible maximum budget for Lot 3 for the potential total duration of the Contract (i.e. maximum 4 years).
4.4	Type of services	Technical specifications – LOT 3 (section 2.3.2 of the Tender specifications)	We would also appreciate receiving further information on the activities that would constitute a typical and/or initial work order under the framework agreement.	At this stage of the procedure, the SJU is not in a position to define the content of the first specific contract to be placed under the framework Contract in case awarded. A general description of the type of activities which may be requested under the Framework Contract is provided in section 2.3.2 of the Tender specifications).

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.5	Selection criteria – Technical and professional capacity – evidence proving the minimum requirements	Section 4.3.3.3 of the Tender specifications; Annexe III.1	<p>We would like to have some clarifications concerning the compilation of the Annex III.1.</p> <p>As reported in Technical Specifications (page 19) such annex should be completed by the tenderer and should also include certificates or evidences issued or countersigned by the competent authority or the private entity. On the other hand the Annex III.A, in particular the column gives the possibility to the tenderer to choose if to include or not these evidences. In our understanding, considering what is written inside such file (Certificate/evidence annexed to the tender: YES/NO), it is not a mandatory to enclose these evidences in the proposal.</p> <p>Could you confirm us that our understanding is correct?</p>	<p>As set forth in section 4.3.3.3 of the Tender specifications, the certificates/evidence issued or countersigned by the competent authority or the private entity shall be attached to the dully filled in Annex III.1 as part of the tenderer's technical tender.</p> <p>The column of Annex III.1 shall serve as the checklist for the tenderer for the provision of the mandatory proof required.</p> <p>If for whatever reason the tenderer is not able to provide the necessary certificate/evidence, "NO" option shall be chosen and explanation provided by way of a letter attached to Annex III.1.</p>
4.6	Number of CVs to be provided – Technical and professional capacity	Section 4.3.3.3 of the Tender specifications	In section 4.3.3.3, we do not find any requirement as per the number of CVs to be provided for each profile. Could you please clarify how many CVs need to be provided per profile for Lot 3?	Please, refer to Q&As 1.13 and 4.1.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.7	Technical and professional capacity – minimum requirements	Section 4.3.3.3 of the Tender specifications	Regarding the Tender Specifications annexed to Invitation to Tender Ref. SJU/LC/0099-CFT point 4.3.3.3 LOT 3 paragraph 2 – could you elaborate on the reason why you state a maximum number of years of experience for the consultant role being 10 years. Would it be an exclusion criterion to provide CV's with more years of experience.	When determining the minimum requirements for the technical and professional capacity, the SJU has taken due consideration of the <u>nature of the services</u> to be provided by the future Contractor. Therefore in order to prove that it has sufficient technical and professional capacity for the provision of the services under Lot 3, the tenderer is invited to demonstrate its compliance with the minimum requirements as detailed in section 4.3.3.3 of the Tender specifications.
4.8	Technical and professional capacity – evidence to be provided	Section 4.3.3.3 of the Tender specifications	Under "Technical and professional capacity" for lots 2 and 3 there is a request to provide references to "similar projects / services". Our interpretation is that projects similar by nature will be projects that cover the type of services referred to which can be accepted as long as the project in question is/was related to "a large transnational or PPP technological and/or research programme". Please could you confirm if this is correct?	We confirm that "projects similar by nature" should be understood as be projects that cover the type of services referred to which can be accepted as long as the project in question is/was related to "a large transnational or PPP technological and/or research programme".
4.9	Technical and professional capacity – minimum requirements	Section 4.3.3.3 of the Tender specifications	Regarding item 4.3.3.3 - Consultant profile – Is it valid to include CVs of staff with more than 10 years of experience as part of consultant profile of lot 3?	Please, refer to Q&A 4.7.
4.10	Technical and professional capacity – minimum requirements	Section 4.3.3.3 of the Tender specifications	We would like to clarify whether we should limit the number of project descriptions to six (three per topic). Could you please let us know whether there is a limit for the maximum number of project descriptions which should be used as evidence of technical and professional capacity for Lots 2 and 3?	It is sufficient to provide six project descriptions (three per type of services as detailed in section 4.3.3.3 of the Tender specifications). This number is also reflected in Annex III.1.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.11	Selection criteria – minimum requirements for the technical and professional capacity	Section 4.3.3.2 of the Tender specifications	In case of a Consortium is required to include 6 references per member of the consortium or only 6 for the whole group?	Six for the whole Consortium.
4.12	Type of services NEW!	Section 2.3.2 of the Tender specifications	Could you provide any information about the type of services with which there may be a handover with the current contractor?	Most of the services described under this call for tenders are already provided by the SJU current contractor. Please note that "handover" should be understood as the proposed measures and requirements allowing a smooth, timely and efficient transition of advisory support to the SJU.
4.13	Award criteria NEW!	Section 4.4.1 of the Tender specifications	One of the technical award criteria is "identification of, prevention of and solution to mitigate identified conflict of interest" (page 24). What kind of "conflict of interest" do you mean?	Tenderers should be independent in fact and appearance when providing support to the SJU. The tenderer shall therefore identify the cases which may impair its independence and objectivity in providing advice and support to the SJU and detail in its offer the proposed measures to prevent these situations and/or mitigate their occurrence.
4.14	Selection criteria – Technical and professional capacity NEW!	Section 4.3.3.3 of the Tender specifications	You are asking for "a university degree in a relevant field". Please, could you clarify what you consider a "relevant field"?	"A university degree in a relevant field" shall be understood as relevant in terms of the areas such as indicated in the first paragraph of Section 4.3.3.3 and recognized as relevant by the employer (the tenderer) of the expert.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.15	Legal form of the entity/ies replying to this call for tenders NEW!	n/a	Are you expecting consortia for LOT 3 or is it valid a sole contractor?	The tenderers are free to decide whether to tender as a consortium or as a single entity.
4.16	Submission of tenders for several Lots NEW!	n/a	In the case that we apply for Lot 2 and Lot 3, will SJU evaluate & rank them independently? Will the evaluation of one Lot have an effect on the evaluation of the other Lot? Alternatively, should we provide separate applications for each Lot?	Please, refer to Q&A 3.6.

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.17	Selection criteria – Technical and professional capacity NEW!	Section 4.3.3.3 of the Tender specifications	<p>The requirements related to the staff levels and level of experience for lot 3 are:</p> <ul style="list-style-type: none"> Consultants: university degree in a relevant field with five (5) to maximum ten (10) years of relevant work experience, as far as possible possessing formal qualifications (such as PMI certification or equivalent) and with excellent soft and communication skills, Junior Consultants: a university degree in a relevant field with three (3) to maximum five (5) years of relevant work experience, as far as possible possessing formal qualifications (such as PMI certification or equivalent) and excellent soft and communication skills, Assistant consultants/administrative staff: university degree in a relevant field with one (1) to maximum three (3) years of relevant work experience. <p>In our understanding, administrative staff and assistant consultant might have a different role. Therefore we are considering having a different pool of resources for these two profiles, as well as a different pricing, leading to a possible optimization of our financial offer for the services covered under this lot. Is this acceptable?</p>	<p>The category "Assistant consultants/administrative staff" pertaining to the given range of professional experience shall be considered indivisible and only one price provided for this category.</p> <p>It should be noted that the defined profiles should be strictly respected in order to allow the SJU to assess in a fair and transparent way the submitted tenders.</p>

N°	Subject	Reference in the corresponding tender documents, draft contract or contract notice	Questions	Answers
4.18	Reimbursement of travel expenses NEW!	Article I.3.3 of the Draft contract	<p>We are also inquiring on the applicability of cost reimbursement for travel related to the services described in section 2.3.2 of the invitation to tender.</p> <p>When looking at the article II.16.1 and following of the draft framework contract in cascade, we understand that indeed travel costs will be reimbursable (e.g. travel with SJU programme manager for project reviews). Can you confirm?</p>	As set forth in Article I.3.3 "Reimbursement of expenses incurred for the performance of audit mission outside the EU territories" of the draft contract, the provisions of this article are applicable solely for Lot 1.
4.19	Selection criteria – Technical and professional capacity NEW!	Section 4.3.3.3 of the Tender specifications	<p>Three different profiles are requested to be part of the proposed team: consultants, junior consultants and assistant consultants. However, given the size of the contract and the technical complexity of ATM, we believe that some senior profiles might be also relevant to provide SESAR with senior management skills and senior expertise in the fields defined by the Tender. Would it be acceptable for you to include a reasonable extent of more senior profiles in addition to the profiles defined by the ITT? If this would not be the case, how do you foresee the management of the contract?</p>	Given the nature of the tasks to be performed under this lot, the SJU considers the required profiles adequate. These profiles should be strictly respected in order to allow the SJU to assess in a fair and transparent way the submitted tenders.