QUESTIONS AND ANSWERS REF. SJU/LC/0102-CFP

SESAR Large Scale Demonstration Activities – Call for Proposals (ref SJU-LC-0102-CFP)

N°	Subject	Reference in call documentation	Questions	Answers
1	**Definitions – "flight"**	Technical Specifications - Section 3 -	Could you please define what a *"flight"* under this call is?	Under this call for proposal a *"flight"* refers to the operation of aircraft on one or more stages on a scheduled or non-scheduled basis.
2	**Definitions – "proof of concept"**	Technical Specifications - Section 4.1 -	Could you please clarify what *"proof of concept"* under this call means?	Under this call for proposal, a *"proof of concept"* is to make use of a certain solution to demonstrate its feasibility in order to assess that this solution (concept or theory) has the potential of being implemented/deployed and may contribute to the achievement of the SESAR objectives.
3	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	Can participants from previous calls take part in the current call?	There is no restriction as regard to the participation of entities selected as a result of previous SJU grant and/or procurement procedures.
4	**Definitions – "trials" – Content of the demonstration activities**	Technical Specifications - Section 3 -	Could you give us the definition of *"trials"* under this call and clarify how many trials are required under each Project?	The performance of a minimum of 50 flight trials is required. A "trial" can be defined as a flight in operational environment making use of the selected solution to demonstrate its benefits, in any case in compliance with the necessary safety aspects which remain the full and only responsibility of the selected beneficiary. This minimum of 50 flight trials should allow demonstrating that the proposed targeted solution(s)

				can be implemented on the basis of data collected in real operational environments. Please note that the demonstrations may be complemented with simulation results where duly justified.
5	**Demonstration report and Demonstration plan**	Technical Specifications - Appendices H & I -	What is the difference between a validation report and a demonstration report?	Templates outlining the expected content of the Demonstration Plan and Demonstration Report are provided as Appendices H and I to the call for proposal.
6	**Content of the demonstration activities**	Technical Specifications - Section 3 -	What are the necessary prerequisites to use new technologies?	The purpose of this call for proposal is not to co-finance the development of new technologies as such. There is therefore no necessary requirement to use new aircraft technologies in the proposed projects.
7	**Content of the demonstration activities**	Technical Specifications - Section 3.1 -	Lot 1 is covering several focus areas. Should the proposed demonstrations cover all the focus areas? How were the ATM functionalities defined?	Under Lot 1, the proposed projects should at least cover one of the focus areas. The ATM functionalities (AF) were defined in the context of the SESAR Programme.
8	**Applicable contractual conditions**	Draft grant agreement	Can we negotiate the draft grant agreement and can we have access to the Multilateral Framework Agreement?	The proposed draft grant agreement is not negotiable. In case some inconsistencies/ drafting mistakes are detected by a potential bidder, an e-mail shall be sent to procurement@sesarju.eu. Please note that, as per Section 8 of the invitation to submit a proposal, the bidder shall accept the proposed contractual terms and conditions. The SJU reserves the right to reject proposals stating that the provisions of the draft agreement are accepted to a number of conditions.
9	**Participation of**	Technical Specifications - Section 6 -	Which are the targeted consortium members? May Airframe manufacturers be involved?	Section 6 of the Technical Specifications details the expected composition of the consortia answering to

	consortia in this procedure – consortia composition			this call. Yes airframe manufacturers may be involved.
10	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Sections 3.1 and 6 -	May entities proceeding from non-EU member states take part in the consortia answering to this call for proposal?	Taking into consideration that a large component of the call is about interoperability, there is no restriction in this call regarding the participation of entities proceeding from non-EU member states under the conditions defined in Article 1 of the SJU Statutes attached to Council Regulation (EC) 219/2007, taking however into consideration the principle of reciprocity.
11	**Content of the demonstration activities**	Technical Specifications - Section 3.2 -	Under lot 2, may large airports be involved?	Lot 2 is targeting in particular, but not necessarily limited to, Small / Medium size airports. Consequently, where duly justified a larger airport may be involved.
12	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	Can the same legal entity participate in more than one consortium?	There is no restriction as regard to the participation of entities in several proposals submitted in response to this call.
13	**Available budget**	Technical Specifications - Section 2.3 -	Could you give us some indications regarding the split of the budget per lot?	The SJU did not intentionally provide more information regarding the breakdown of the budget per lot as some flexibility should be kept. Each proposal will be assessed in accordance with the criteria listed in Section 8 of the Technical Specifications per Lot. Equal consideration will be given to each lot. The final selection will reflect the scoring

				given to each proposal under each respective lot.
14	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	Can military authorities participate?	Organisations which regulate, audit and assure all aspects of military aviation ("military authorities") may participate to the demonstration activities resulting of this call and be member of the consortia. Nevertheless, the activities performed will not be eligible for co-financing.
15	**Assessment of the proposals**	Technical Specifications - Section 8 -	Will the demonstration projects be assessed in terms of performance & long term certification?	The proposals will be assessed in light of award criteria listed in Section 8.4 of the Technical Specifications. These criteria, and in particular criterion 2, contain a reference to the deployment.
16	**Role and responsibilities of entities submitting a proposal**	Invitation to submit a proposal - Section 3 – Draft grant agreement - Article 17 -	Can industry suppliers be a prime subcontractor?	In accordance with section 6 of the Specifications, the applicant shall be established as a consortium of at least two legal entities, of which at least one airspace user.The consortium may indicate subcontractors to be involved for the performance of the project, under the full responsibility of the consortium.
17	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	Can EASA be a subcontractor?	There is no obstacle at this stage to an involvement of EASA.
18	**Access Rights to SJU**	Draft Grant Agreement - Article 18.2 -	Will any SJU deliverable be made available for the execution of the demonstration activities? In such a	SJU deliverables developed prior or in parallel to the Large Scale Demonstration projects resulting of this call

	Deliverables		case, what will be their conditions of use?	might be made available to the selected Consortia, on a need to know basis and in accordance with the SJU IPRs rules. In this case, the SJU deliverables shall be considered as Background for the Projects. These deliverables shall remain the property of their owners (i.e. the SJU or the SJU members) and access rights would be granted only to the extent strictly needed/technically essential for the performance of the performance of the selected Consortia obligations under the awarded grant agreement. More information regarding the conditions of use is available under Article 18.2 of the draft grant agreement.
19	**Set-up of a consortium**	Technical Specifications – Section 6 – Draft Agreement - Schedule 7 -	Could you clarify the term "*grouping which has been constituted informally for this specific procedure*"? How shall this informal grouping be constituted? What document shall be provided to demonstrate the set-up of such grouping?	If not set as formal legal entity such as a European Economic Interest Grouping, an association or a joint venture), the existence of a grouping shall be formalised by different documents, namely: - The mandates to be signed by each consortium member (see Appendix B of the Technical Specifications) and submitted as an integral part of the proposal; and - Accession forms (Schedule 4 of the draft grant agreement) to be duly completed and signed by each Consortium Member, collected and sent by the Consortium coordinator to the SJU at the latest 45 calendar days after signature. A consortium agreement should moreover in principle be negotiated and signed before starting the selected demonstration project. Please note that Schedule 7 of the Draft Grant Agreement details the conditions governing a Consortium not set up as a legal entity.

20	**Mandate consortium coordinator**	Technical Specifications - Appendix B -	Appendix B – *"Mandate consortium coordinator"* stipulates that there is a consortium with consortium coordinator and member(s). In case the consortium is set as a *"grouping which has been constituted informally for this specific procedure"*, shall the Appendix B be changed to reflect the informal grouping and how?	Appendix B is applicable to any consortia, independently its their set-up. The template should not be changed. Each consortium shall be composed of a coordinator and members.
21	**Deadline for submission of a proposal**	Invitation to submit a proposal - Section 4 -	I saw you recently published a call for SESAR Large Demonstration activities, with deadline 28th of April 2014. Do you know if it is possible to have an extension of the deadline of a few days?	Please note that the deadline for submission of a proposal has now been extended **to Wednesday 14th May 2014**. Please refer to the corrigendum dated 5th March 2014 published on the SJU website.
22	**Financial proposal**	Technical Specifications - Appendix G -	Regarding the financial proposal: "*the SJU may co-finance up to a maximum of 50% of the total eligible costs (…) "*, could you clarify if the procured costs like sub-contractors or purchase, are to be considered as eligible costs and therefore co-financed at 50%?	As per Schedule 8 of the Draft Grant Agreement, the costs of subcontracting are eligible costs as well as costs of consumables and supplies,
23	**Financial proposal**	Technical Specifications - Appendix G -	Could you please specify what kinds of costs are considered as eligible?	Please refer to Schedule 8 of the Draft Grant Agreement, which details the criteria for determining the costs of the Project.
24	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Sections 3.1 and 6 -	Could you please could confirm that, as regards to consortium composition (Section 6), an aerospace and defence company can qualify as *"an airspace user or, specifically with regard to Projects involving General Aviation and/or Business Aviation and/or Rotorcrafts (Lot 2), one entity with the necessary airspace user competence provided in other forms than through airspace users directly"*?	Any company would have to demonstrate that it has the necessary airspace user competence so that it can reflect the view of the end users in the results of the project.
25	**Lot 1 Focus Areas**	Technical Specifications - Appendix D -	Could you please confirm that the EPP (part of the AF#6) as mentioned in PCP is included at least in:	The EPP is identified in the PCP proposal as being able to support the different AFs but is not required for the

			- *Arrival Management extended to en-route Airspace (high-density TMAs),* - *Airspace Management and Advanced Flexible Use of Airspace in fixed and direct-route environments at Functional Airspace Blocks (FAB) level,* - *Collaborative Network Operations Plan (NOP),* described in the focus areas in Appendix D attached to the technical Specifications?	AFs to be implemented. Any use of EPP is the demo proposals however would be strongly encouraged.
26	**Ownership of the results (Foreground)**	Draft Grant Agreement - Article 18.1.2(a) -	Article 18.1.2(a) states that the SJU only owns *"Foreground"* limited to Specs, Proposals, and Validation Reports. Could you clarify if the SJU shall own any technologies arising out of the performance of the *"Releases"* or *"Tasks"* and the flight evaluations under the selected Projects?	As per Article 18.1.2 (a) of the draft grant agreement, the SJU shall only own IPRs and Information arising out of the performance of the "releases", "tasks" and flight evaluation if they are related to common specifications, to validation reports and, in view of future standardisation, to proposals for standards and norms (including the related preparatory documents). These IPRs and Information are referred to as "SJU Foreground".
27	**Access Rights to Foreground and Background owned by the Consortium**	Draft Grant Agreement - Article 18.2.2 -	In Article 18.2.2 of the draft grant agreement, it is stated that the SJU and SJU Members shall be granted Access Rights of any Background which they *"have a Need to use to carry out their own work under the SESAR Programme"*. Could you explain the grounds of these rules?	As per Article 18.2.2 of the draft grant agreement, access to the Background by the SJU and SJU Member is only to be granted if the SJU or the requesting SJU Member needs that access in order to carry out its own work under the Programme. Assessing whether or not access rights are Needed must take place on a case-by-case basis, with all due care and in good faith. While no universal rules can be drawn up, the following situations are examples where access rights would appear to be Needed: (a) if without the access rights concerned, some of the R&D tasks assigned to a SJU Member under the Project would be impossible to be carried out, or significantly delayed, or require significant

				additional financial or human resources; (b) without the access rights concerned, the use of a given element of Foreground by the SJU or by one of its member would be technically or legally impossible, or would require very significant additional R&D work outside the frame of the Project (in order to develop an alternative solution equivalent to that Background). The granting of access rights may be refused by the owner of Background concerned, if it considers that such access rights are not needed by the SJU or by the SJU Member requesting them. In such a case, the SJU or its Member will have to better substantiate its request and negotiate (in good faith) with the owner of the Background, or to withdraw its request.
28	**Scope of the proposals**	Technical Specifications - Section 3.2 -	Can proposals cover different areas than the ones identified under Lot 2?	The proposed projects shall necessarily focus on the demonstration of the full operational and technical scope of at least one or a combination of the focus areas identified in Appendix E.
29	**Participation of entities proceeding from non-EU member states**	Technical Specifications - Section 6 -	Would you please confirm that partners in a consortium answering on Lot 3 of this call may be eligible to the SJU grant (if complying with the conditions listed in sections 8.2 and 8.3 of the specifications), even if not being established in a EU or ECAC member state ? Typically, as an example, that a US company may be declared as a consortium partner, and not as a subcontractor of an EU partner?	Please see the answer provided to question 12 above.
30	**Participation of**	Technical Specifications - Sections 3.3 and 6 –	May Eurocontrol participate under Lot 3 activities?	Eurocontrol may participate to Lot 3 activities in case of absence of professional conflicting interest that may affect the performance of the proposed

	consortia in this procedure – consortia composition			project. A situation of professional conflict of interest would be a situation which generally would prevent an organisation/contractor to fulfill his or her duties impartially under the agreement. This will be assessed in the proposal evaluation. In case of identified professional conflict of interest, the SJU may decide to reject the proposal.
31	**Assessment of the proposals in light of selection criteria**	Technical Specifications - Section 8.3.2 -	How does a newly created company (start-up) prove its eligibility for biding and in particular its sufficient economic and financial capacity?	The company in question should provide as many required document in the call as possible in order to prove its sufficient economic and financial capacity and explain in a letter the situation. If the economic and financial selection criteria are fulfilled by relying on a third party, the SJU may demand – in case of award - that this third party signs the contract (i.e. becomes a contractor) or, alternatively, provides a joint and several first-call guarantee. Please note that the selection criteria are applied on the consortium as a whole, i.e. on all the economic operators involved in a proposal (including consortium members and / or subcontractors, or third parties on which the consortium relies to fulfil some criteria).
32	**Lot 1 Focus Areas**	Technical Specifications - Section 3.1 -	In the scope of preparing an offer under Lot 1 focussing on ATM Functionality 6, we would like to know if a project of performing EPP sending through a ferry flight can be proposed as a stand-	The SJU consider that it is necessary to include the EPP into a wider proposal linked to one of the 6 mentioned focus areas.

			alone project proposal in response to the call or if it shall be included into a wider proposal linked to one of the 6 mentioned focus areas?	
33	**Access to documents**	Technical Specifications - Appendixes H & I -	How to access appendixes H & I?	Appendixes H & I can be downloaded in Word format from the SJU website (http://www.sesarju.eu/procurement/calls-for-tenders).
34	**Demonstration report**	Technical specifications - Section 4 -	Would a study evaluating the impact of the use of variant technologies in terms of operational benefits be eligible as part of the demonstration report?	The SJU confirms that such study would be eligible as part of the demonstration report if a complementarity with the Programme and alignment with the demonstration objectives is demonstrated.
35	**Draft Grant Agreement**	Draft Grant Agreement - Schedule 8 -	Is "duration of use" referring to the duration of use of the equipment as such or to the duration of use of the equipment during the trials?	"Duration of use" refers to the duration of use of the equipment during the trials. This schedule enables the SJU to check whether the costs are eligible under the project itself so as to make the calculations of the SJU co-financing (each selected project shall be co-financed up to a maximum of 50% of the maximum estimated project costs as presented in the submitted financial proposal).
36	**Content of the demonstration activities**	Technical Specifications - Section 3.2 -	Regarding the title of Lot 2 ("Solutions targeting improvements in particular, but not necessarily limited to, at small/medium size airports (targeting in particular Business and General Aviation, including rotorcraft))", shall an airspace user such as business, general aviation or rotorcraft be included in any consortium?	At least one entity within the consortium would have to demonstrate that it has the necessary airspace user competence so that it can reflect the view of the end users in the results of the project.
37	**Content of the demonstration activities**	Technical Specifications - Section 3.2 -	Can this call be addressed with commercial aviation partners only?	Yes, nevertheless this call is not restricted to commercial aviation partners only. For instance, General Aviation partners are although sought as part of this call.
38	**Participation of**	Technical Specifications	In case Eurocontrol would participate as a member of	Like any other applicant, Eurocontrol shall submit all

	consortia in this procedure – consortia composition	- Section 6 -	future Consortia, which administrative documents should be submitted?	the documents requested in the framework of this call for proposals. However, as Eurocontrol is both a public body and an international organisation, the verification of its financial capacity shall not apply (art. 131 of the Financial Regulation applicable to the general budget of the Union).
39	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	We haven't found any reference about power of attorney. Could the SJU confirm that such document is not requested?	Upon grant award, the SJU shall sign the Grant Agreement with the Coordinator duly authorised by the other consortium members via a mandate in accordance with Appendix B attached to the Technical Specifications.
40	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	We would like to provide an offer for Lot 2 focusing on Remote Towers without having any Airspace User in the Consortium. The entity providing the necessary Airspace User competence would be the ANSP, resulting in an offer submitted by the Consortium leader only. The demonstrations would of course be closely co-ordinated with Airspace Users and airports. Would such a proposal be rejected for formal reasons as the Consortium is set up by only one partner or could it be eligible on an exceptional basis?	Such a proposal would be rejected by the SJU since, due to the nature of the Demonstration Project Activities to be performed, applicants should be set up as a consortium and composed of at least two independent legal entities. In addition, the airspace user competence provided by the ANSP shall be well demonstrated.
41	**Draft Grant Agreement**	Draft Grant Agreement - Section 9.2 -	Could you give the exact definition of an "affiliated entity"?	As defined in art. 122.2 of the Financial Regulation applicable to the general budget of the Union, an entity that is linked to a beneficiary through a permanent capital or legal link which is neither limited to an action nor established for the sole purpose of its implementation is considered as an affiliated one.
42	**Draft Grant Agreement**	Draft Grant Agreement - Schedule 2 -	There are several references to the sections 3.1 or 3.2 of schedule 2 (in articles 9.2.5, in article 12, in schedule 1 for definition of "report" and "final report"). According to the context of these articles of the grant agreement, these sections 3.1 and 3.2 of schedule 2 appear to deal with **reports**.	▪ In Schedule 2, the reference of the technical specifications shall be SJU/LC/0102-CFP instead of SJU/LC/0087-CFP. ▪ In technical specifications SJU/LC/0102-CFP, **reports** are described in section 4.3 instead of sections 3.1 and 3.2.

			This schedule 2 refers to the technical specifications. What doesn't look normal is that : ▪ In schedule 2, the reference of the technical specifications is SJU/LC/0087-CFP, as we expect to read SJU/LC/0102-CFP instead. ▪ In technical specifications SJU/LC/0102-CFP, sections 3.1 and 3.2 don't describe **reports** but they describe the content of the Lot 1 and Lot 2 of the project.	The Technical Specifications and the Draft Grant Agreement will be corrected accordingly through a coming corrigendum.
43	**Invitation to submit a proposal**	Invitation to submit a proposal - Article 16 -	Article 16 of the Invitation to submit a proposal states that the proposal must include a mandate from each member of the consortium, authorizing the coordinator to submit a proposal on their behalf. This article also states that this mandate should be in accordance with Appendix B attached to the Technical Specifications. The point is that Appendix B appears to be a template of mandate to sign the grant agreement and not to submit a proposal. Could you please clarify this point? Is it possible to use a "Letter of Intent" from each member, instead of Appendix B?	Appendix B is both a template to submit a proposal and a template of mandate to sign the grant agreement. A single document procedure has been preferred in order to avoid applicants to submit twice such a mandate in case their proposal would be selected. There is no possible use of a "Letter of Intent" since Appendix B replaces it.
44	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	Is there anything that prevents or limits the participation of the National Safety Authority (e.g. the UK CAA) from participating either as a consortium member or a sub-contractor to a consortium member when responding to this call?	The UK National Safety Authority can participate to this call, either as a consortium member, a specific third party (see Art. 9.2 of the draft grant agreement) or a sub-contractor to a consortium member. However, the consortium shall bear in mind the minimum eligibility requirements set forth in Section 6 of the Technical Specifications.
45	**Draft Grant Agreement**	Draft Grant Agreement	Since the draft grant agreement is a template, would SESAR accept to modify/amend it or what are the options you can offer to keep the terms of your responses to our questions (i.e. questions n°26 and	No, the articles of the draft grant agreement are non-negotiable and will not be modified. The relevant provisions shall, however, be interpreted in the light of the answers the SJU has provided for questions n°26,

			27)?	27, 35 and 41.
46	**Draft Grant Agreement**	Draft Grant Agreement - Section 9.2	DSAE (French Ministry of Defence) will carry out part of the project activities and will incur eligible expenses. Both DSNA and DSAE are part of the state administration and have the same legal personality (i.e. the French Republic). At the present stage of proposal elaboration : - do we consider DSAE as an affiliated entity to DSNA and identify it in the proposal? - which administrative documents do we have to provide regarding DSAE? - do we have to provide any document to justify the commitment of DSAE to perform part of the activities? And if the proposal is successful : - do we have to identify DSAE in the agreement and will DSAE have to sign the agreement? - can DSAE claim its costs and benefit of the co-financing through DSNA?	In principle, an entity - fulfilling the relevant eligibility requirements - may participate in this call for proposals either as a consortium member, as a specific third party (see Art. 9.2 of the draft grant agreement) or as a subcontractor (see Art. 17 of the draft grant agreement). As detailed in Art. 9.2 of the draft grant agreement, specific third parties which are affiliated entity or have a link to a Consortium Member in the framework of a legal structure may carry out part of the Project activities, and/or make available resources to the Consortium by means of contribution in-kind to the Project. Such parties have to be clearly identified in the grant agreement and, in order to be able to charge eligible costs, fulfil the relevant requirements set forth therein. It should also be noted that, the identified specific third parties shall provide the same administrative documentation as a consortium member keeping in mind that public bodies are exempt from the verification of their financial and economic capacity. In case of an award of the grant agreement, solely the consortium coordinator shall sign it and solely the consortium members shall accede thereto as set forth in Art. 3 of the draft grant agreement.
47	**Draft Grant**	Draft Grant Agreement - Section 8 –	Within an envisaged project proposal using GBAS ground stations as basis for modified approach	Flight inspections have to be considered as a “regular” subcontract (category B) within the proposal, since it is

	Agreement	- Annexe 1 -	procedures, a flight inspection of the modified GBAS ground stations is mandatory. This flight inspection has to be performed by a certified provider of flight inspection services. Has this to be considered as a "regular" subcontract within the proposal (with the consequence that the provider has also to provide the relevant material with regard to "Exclusion Criteria") or as "external services costs" under category C - Other Project Costs of the financial proposal?	a cost related to the demonstration activities.
48	**Draft Grant Agreement**	Draft Grant Agreement - Section 9.2 -	Concerning the participation of the affiliated entities, shall such entities also submit all the requested administrative documents (for example: legal entity form, Financial Identification form…)?	Yes, affiliated entities that are identified as specific third parties in accordance to Art. 9.2 of the draft grant agreement shall provide the same documents that are requested from a consortium member.
49	**Participation of consortia in this procedure – consortia composition**	Technical Specifications - Section 6 -	In which way could Skyguide participate (as a member of Consortium or an Affiliated Entity) and which administrative documents are requested for each case?	Please refer to questions and answers No. 46 and 48.
50	**Definitions – "flight"**	Technical Specifications - Section 3 -	In question n°1 above, you define "flight" as: "*Under this call for proposal a "flight" refers to the operation of aircraft on one or more stages on a scheduled or non-scheduled basis.*" What exactly do you mean by "stages"? For instance: arrival, departure? Does this mean that an aircraft which departs, then returns to the airport to perform a touch and go, and finally lands at the airport, is considered as one flight or as two flights?	The call requires the performance of a minimum of flight trials demonstrating the SESAR targeted solution(s). In a scenario where a given flight would demonstrate various demonstration objectives on a single flight this shall be counted as one flight trial. In case of non-scheduled flights and the scenario of e.g. touch and go's what will count is that the minimum number of instances where the demonstration objectives are demonstrated in real flight conditions while considering the overall appropriateness of the proposed demonstration approach against the selection criteria outlines for this call.
51	**Draft Grant**	Draft Grant Agreement - Schedule 8 -	Members belonging to the consortium related to SESAR Large Scale Demonstration Activities SJU/LC/0102-CFP	Yes, such cost structure is allowed.

	Agreement		have to quote their part of the project according to schedule 8 of the draft Grant Agreement. We assume that each member may quote its part according to its choice: either its own eligible direct and indirect costs or its own eligible direct costs with a 7% flat rate. For example, member n°1 will quote with direct costs (=A) and indirect costs (=B), member n°2 will quote with different direct costs (=C) and indirect costs (=D) and member n°3 will quote with different direct costs (=E) and a 7% flat rate. Do you confirm such a cost structure is allowed?	
52	**Participation of consortia in this procedure – subcontracting**	Draft Grand Agreement - Schedule 8 -	In a consortium where companies A and B are both members of this consortium, could company A be also a subcontractor of company B?	Yes. Nevertheless, company A cannot declare as eligible costs the subcontracted work that has been performed, in accordance to the provisions of schedule 8 of the draft Grant Agreement.
53	**Technical proposal template**	Technical Proposal template - Table of contents -	Concerning the template of the Technical Proposal- since the table of contents (page ii) is little bit different from the content of the strawmen, for example - table of contents chapter 2 a- "references" correspond to the chapter 9 of the proposal– we would like to know which of these two indicators we should refer to?	A corrigendum on this matter has been published on the SJU website (http://www.sesarju.eu/procurement/calls-for-tenders).
54	**Deadline for submission of proposals**	Invitation to submit a proposal - Point 4 -	Could the deadline for submission of proposals be extended?	No. This deadline has already been extended once, from 28/04/2014 to 14/05/2014, and will not be extended again.
55	***NEW!*** **Participation of consortia in this procedure –**	Draft Grand Agreement - Schedule 8 -	Under a proposal in preparation, industry consortium member X is planning to pay inspection costs to (brand X) ground stations owned by ANSP A, which is also a member of the consortium. X is planning to subcontract the inspection task to A, who will have to subcontract itself the inspection task to a	Yes, this is acceptable, if Y will do the work and invoice 100% to A whereas A will invoice the same 100% to X in order to pay Y. X will be the one who will incur costs and declare the subcontracting costs as eligible as it has indirectly subcontracted through A.

	subcontracting		specialized company Y (not consortium member). 100% of the cost of inspection will be invoiced to X, for whom this will be eligible cost. The reason for this model is that A is the owner of the X brand ground station and for formal reasons a direct subcontracting of Y by X is not possible. Can you confirm that this is allowable in this call?	
56	***NEW!*** **Administrative proposal**	Invitation to submit a proposal	In reference to the administrative documentation required in support of proposals under this call, I am hoping you would clarify whether, in the case of an applicant that is an Economic Interest Grouping of national services, it will be necessary to submit only one set of documents (from this applicant), or whether you will require separate documentation from each participating national service?	Administrative documentation from the Grouping and a legal entity acting on behalf of its members would be sufficient.
57	***NEW!*** **Co-financing**	Invitation to submit a proposal	I would appreciate if you can clarify the interpretation of the second paragraph in the document entitled "INVITATION TO SUBMIT A PROPOSAL Ref. SJU/LC/0102-CFP". In the last sentence it says: "The minimum value of a proposed Project below EUR 300.000 (three hundred thousands) will not be considered." Our question is, is this the value of the total shared cost or SJU contribution, i.e. EUR 300k total or EUR 600k total cost of the project. There is some confusion regarding this when read together with the previous sentence.	This EUR 300.000 threshold refers to the value of the total project costs.
58	***NEW!*** **Timetable**	Technical Specifications - Section 2.2 -	Regarding the SJU/LC/0102-CFP SESAR Large Scale Demonstration Activities. The new date for the call submission is now the 14th of May 2014 at 11h30. Can you tell us the dates for the Call notification and call signature?	In principle, the SJU would like to maintain the initial calendar. Therefore, the dates for notification of grant award and grant agreement signature should remain the ones that are mentioned in section 2.2 of the Technical Specifications.

59	***NEW!*** **Administrative proposal**	Invitation to submit a proposal	In case when the company participates to the 2 different lots, except the Mandate and Declaration on Honor, would it be possible to present the other requested documents in original for lot 1 and the copies of the same documents for lot 2 (lot 1 and lot 2 are two proposals)?	Yes, as long as a clear indication is included in the cover letter of your proposal for Lot 2 informing the SJU that the relevant original documentation is submitted as part of Lot 1 proposal.
60	***NEW!*** **Cost breakdown form**	Financial proposal template - Appendix G -	In the Cost Breakdown Form, costs have to be split between preparatory activities, demonstration activities and other project costs. What are the definitions of preparatory and demonstration activities?	Preparatory activities are typically the cost related to the first phase of the project (planning) while demonstration activities are the ones performed during the execution phase.
61	***NEW!*** **Cost eligibility**	Draft Grant Agreement - Schedule 8 -	An entity] is working on an SJU LSDA Bid with a major European airline which is prepared to offer hundreds of trial flights; possibly thousands depending on the degree of automation of the trials. However, they are prepared to do this if the operating costs of the trial flights are treated as "in-kind" Eligible Costs. They do not wish to obtain Grant funds against these costs, only to be treated as "in-kind" costs for the 50% co-financing. They do wish to recover time spent by staff and any other incremental costs caused by the trials as Eligible Costs for Grant recovery. The airline is one of Europe's leading airlines and would provide operational leadership on SES implementation within the industry, particularly with airports and ANSPs. Where an airline is proposing to use scheduled revenue passenger flights for the trials, can you explain under which cost eligibility categories the "in-kind" costs of the flights are allocated (e.g. fuel, maintenance & aircraft ownership)? And where relevant, what apportionment method might be appropriate?	Operating costs of flights when performed on revenue flights shall not be co-financed by the SJU. However, if such costs can be understood as "exceptional additional operating costs" (e.g. training of staff) they can be declared as eligible.
62	***NEW!***	Technical Specifications - Appendix A -	One potential partner of a proposal has raised the following concerns regarding the content of the	1) A Declaration of Honour shall in any case be submitted and duly filled in by all the members of

	Declaration on honor		provided "declaration on honor" to be used in the context of this call. • Paragraph d) not acceptable as the undersigned will not be able to confirm the full payment of these contributions; involved company has several thousand employees. • Paragraph f): Declaration should not include board members or authorized representatives. Not relevant for public companies; involved company is a stock company. • Paragraph j) gives the impression that contractual penalties might result from this declaration, which is unacceptable. • The demanded proofs cannot be provided, written confirmation in the Declaration of Honor should be sufficient. Please note that modifications of the Declaration of Honor resulting of these concerns have been accepted by the SJU in previous proposals (latest December 2013). Does SJU accept in the context of this call (SJU/LC/0102-CFP) an alternative Declaration on honor, if this alternative Declaration has been already accepted by SJU in another context (e.g. within Call for tender SJU/LC/0096-CFT)?	the consortium. However, when deemed necessary by the Bidder, a specific annexe to the Declaration on Honour may also be submitted to further describe any relevant facts/offences, including their impact on the European Union's financial interests and image, the time which has elapsed, the duration and recurrence of the offence, the intention or degree of negligence of the company and the measures taken by the company to remedy the situation, The SJU will then analyse the submitted declaration and accompanying documents and assess the situation in accordance with the exclusion criteria referred to in Section 8.2 of the Technical Specifications and its Appendix A. 2) In this respect, the relevant provisions of the SJU Financial Rules and Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (Official Journal L 298, 26.10.2012) and 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 (Official Journal L 362, 31.12.2012) apply. Please note that in accordance of Section 16 of the Invitation to submit a proposal, exclusion of one of the consortium members on these grounds may result in the exclusion of the whole consortium.

63	***NEW!*** **Administrative proposal**	Invitation to submit a proposal	For consortium members being part of several proposal consortia would it be sufficient to provide the SJU with only one original of the documentary proofs? In the other proposals there would be a reference to the one with the originals as well as copies of the original as attachment.	Please, refer to Q&A No. 58.