

## QUESTIONS AND ANSWERS REF. SJU/LC/0101- CFT

### Definition Phase related to civil Remotely Piloted Air Systems insertion into the European Aviation System in the context of the Single European Sky initiative

N°	Subject	Reference in call documentation	Questions	Answers
1	Participation in the procedure  10/02/2014	Letter of Invitation to Tender points 18 and 18.bis  Tender specifications 2.9 Participation in this procedure	<p>A call has been published for a Definition Phase related to civil Remotely Piloted Air Systems insertion into the European Aviation System in the context of the Single European Sky initiative (ref SJU/LC/0101-CFT). The topics that are described in the tender specifications documents appear to be fully related to the SESAR JU Lot Z concern.</p> <p>Consortium X, led by entity Y, has been selected as an entity to become an “Associate Partner of the SJU” for this lot.</p> <p>The maximum allocated budget for the study is said to be 3.000.000, 00 EUR whereas the funding mechanism of such a consortium seems, as far as I understand, different from the funding of the call.</p> <p>We are currently trying to find out how, and if, Consortium X, can be involved in this call.</p> <p>Could you please clarify if the involvement of a “Lot Z consortium” would have to be made through the submission of a proposal in the call or if it could support the winner of the call, funded through a direct contract with the SJU?</p>	<p>Procedure SJU/LC/0101-CFT is a standing alone procurement procedure and is therefore not related to any other procedure of any other kind previously launched by the SJU.</p> <p>On behalf of the principle of equal treatment, the fact of being in any kind of relationship (membership, associate, associate partner) with the SJU does not prevent any entity from participation (either as a tenderer, member of a consortium or subcontractor) in this procurement procedure, neither poses any benefit with respect other possible tenderers.</p> <p>Further details on the rules for participation in this procedure can be found in section 2.9 of the Tender Specifications and points 18 and 18.bis of the Letter of Invitation to Tender.</p> <p>Finally, at this stage of the procedure, the SJU does not envisage to add to the activities indicated in the tender support or input from any of its Associate Partners. Where a need in this sense would be detected, the necessary actions will be put in place.</p>
2			SJU’s web site indicates that you have launched an	Please note that the procedure referred in the question is a call for proposals launched on

	<b>Tender documents</b> 18/02/2014		open call on "SESAR calls for Remotely Piloted Air System demonstration activities", however if I click on the link I don't manage to download the calls document.	February 2013 and closed nowadays. Instead, the current procedure, "Definition Phase related to civil Remotely Piloted Air Systems insertion into the European Aviation System in the context of the Single European Sky initiative", is a call for tender and the relevant documentation is available at: <a href="http://www.sesarju.eu/procurement/calls-for-tenders#1645">http://www.sesarju.eu/procurement/calls-for-tenders#1645</a>
<b>3</b>	<b>Price revision</b> 20/02/2014	Letter of Invitation to Tender, point 7.c)  Tender Specifications, subheading 3.4.2	With regard to the Draft Contract annexed to the ITT referenced, we understand that a procurement contract with a firm fixed price will be established (see Art. I.3 .2 Price revision: n/a).  Can you please tell us if our assumption is correct?	The SJU confirms that the value of the contract is a firm fixed price, to be submitted by potential tenderers in the financial offer, which shall include all costs and expenses directly and indirectly connected with the services to be provided. This is indicated in point 7.c) of the Letter of Invitation to Tender and subheading 3.4.2 of the Tender Specifications.  As regards article I.3.2 of the draft contract on price revision, it relates to annual indexation of prices established according to external factors. This article is not applicable to this contract due to its limited duration and the unlikelihood of being impacted by indexation of prices.
<b>4</b>	<b>Checks and audits</b> 20/02/2014	Draft Contract, article II.18	Art. II.18 foresees the performance of Checks and Audits, potentially covering also price investigations. What is the purpose and scope of these Checks and Audits?	The provisions related to "Article II.18 checks and audits" form part of the General Conditions applicable to all contracts issued by EU bodies. These provisions are applicable only when needed or specifically requested in the tender specifications, and in case of discrepancy with the specific conditions, the latter will prevail.  Without prejudice of the above, the purpose of the

				<p>eventual checks and audits referred in article II.18 is the performance of the contract. These should not imply extra costs on the future contractor. The general obligation of the future contractor would rest on guaranteeing the retention and access to documents related to the contract and its implementation as well as availability to cooperate and provide feedback should it be needed.</p>
5	<p><b>New!!!</b></p> <p><b>Intellectual Property</b></p> <p>13/03/2014</p>	<p>Tender specifications: 2.10 Intellectual Property Rights</p> <p>Draft contract: Article I.8 on exploitation, Article II.10 on Ownership of the results - intellectual and industrial property, and Annexes A and B</p>	<p>We would like to know if you already have a template which would respect the peculiarity of the tender (peculiarity like ownership of the result).</p>	<p>Intellectual property rights and ownership of the results are addressed in the sections highlighted in Section 2.10 of the tender specifications, Articles I.8, II.10 and Annexes A and B of the draft contract.</p> <p>Whereas the information in the tender specifications and the articles of the contract are fixed, the templates to be found in annexes A and B to the draft contract are to be filled in by the successful tenderer with a view to the contract to be placed.</p> <p>These Annexes shall contain as much information as possible and give all relevant and exhaustive evidence about the acquisition of all the necessary pre-existing rights and third parties' rights embedded in the results/deliverables generated under the contract. The annexes should therefore contain information on each deliverables and be updated over the duration of the contract.</p>
6	<p><b>New!!!</b></p> <p><b>Content of</b></p>		<p>In the description of topics to be addressed in D.1, the tender specifications mention the "incentive mechanisms". Could you please provide more</p>	<p>The SJU considers the information stated in heading 2 of the tender specifications sufficient for the purpose of proposing incentive mechanisms at this</p>

	<b>deliverables</b> 14/03/2014		insights about the expected results/indications to be provided on this topic?	<p>stage of the procedure. Tenderers are therefore invited to propose incentive mechanisms.</p> <p>This proposal will be part of the approach and methodology that the tenderer will propose for the contract. The quality and relevance of the methodology to be used by the tenderer will be assessed on the basis of the award criteria listed in the tender specifications, subheading 3.4.1 technical evaluation.</p>
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