

## Clarification Note #2

### Grant procedure: EUSPA/GRANT/01/2026 “Receiver box for PRS civilian applications”

(EUSPA internal reference: 324812)

#### Question #6:

Annex XIII / Participation Conditions

Could you please confirm whether all co-applicants must submit Annex XIII Part 2 / Declaration of Ownership and Control, even if they are not involved in security-sensitive activities?

Could you also confirm whether subcontractors that are not involved in security-sensitive activities - i.e. subcontractors that will not perform PRS-related activities, will not create, manage or disseminate PRS Information, will not access or handle EUCI, and will not receive AD-2 / PRS Receiver Requirements - are exempt from submitting Annex XIII Part 2 and the related supporting evidence?

#### Answer:

As indicated in section 7.2.1 of the Call for Proposals, “Annex XIII - Part 2 to be filled by the Applicants, Affiliated Entities, and subcontractors **involved in security sensitive activities.**”

It is clarified that “Applicants” also entails Co-Applicants.

#### Question #7:

A4 and A5 forms for subcontractors

Could you please confirm whether subcontractors are exempt from submitting A4 – Operational Capacity Form and A5 – Financial Capacity Ratios, in line with Section 5.6, which states that subcontractors submit the same forms except for the forms proving financial and operational capacity?

#### Answer:

Please refer to the updated version of the Call for Proposals published together with Corrigendum no.2.

The Operational Capacity Form (now B2 form) is not to be submitted by subcontractors.

The Financial Capacity Ratios (A5 form) is not to be submitted by subcontractors.

**Question #8:**

As in the document there is a mention to "member states" and it is not clear if this wording refers to "EUSPA member states" (i.e. Switzerland included) or "European Union Member states" (i.e. Switzerland excluded) let us kindly know at your earliest convenience if a Swiss company:

- 1) Can participate as prime contractor
- 2) Can participate as subcontractor only
- 3) Cannot participate at all.

**Answer:**

In line with section 7.2.1 of the Call for Proposal, participation to this Call is open to economic operators fulfilling the following three cumulative conditions (the eligibility and participation conditions as per Art. 24, hereafter, the "**Participation Conditions**"):

- a) the legal entity is established in an **EU Member State** and its executive management structures are established in that **EU Member State**.
- b) the legal entity commits to carry out all relevant activities in one or more **EU Member States**; and
- c) the legal entity is not subject to control by a third country or third country entity. For the purpose of this paragraph, 'control' means the ability to exercise a decisive influence over a legal entity directly, or indirectly through one or more intermediate legal entities.

Participation Conditions shall apply individually to legal entities belonging to the group of economic operators which submitted the proposal, as follows:

- to each **Applicant** (including co-Applicants, if any);
- to each **Affiliated Entities**;
- to each **subcontractor involved in security-sensitive activities**.

In line with section 7.2.3 of the Call for Proposal, in this procurement the Granting Authority may decide, upon a motivated and justified request, to waive the condition laid down under point c) of section 7.2.1 above with regard to any entity which applies as a subcontractor involved in security-sensitive activities.

Considering the above, a legal entity that does not fulfil the above-mentioned cumulative conditions (e.g. a legal entity established in a third country like Switzerland) can only participate to this Call for Proposal as a **subcontractor not involved in security-sensitive activities**, since participation conditions only apply to Applicants, Affiliated Entities and subcontractors involved in security sensitive activities.

**End of document**