Tenderers are informed of the following changes of the Invitation to Tender:

A. Annex I of the Invitation to Tender (the Tender Specifications), is updated to issue 1.1 with the following changes shown in red in sections 2.3.9 and 3.2.1 (all other parts remaining unchanged):

### 2.3.9 Professional Conflicting Interests

The contractor shall ensure that its personnel in charge of the implementation of the activities under the Contract sign a “declaration on confidentiality and absence of professional conflicting interest” with the Contracting Authority before commencing any service provision. The current form of such declaration is attached for information to the draft Contract. The form may evolve and cover additional aspects from time to time. This shall not in any way relieve the contractor from any of its obligations. The Contracting Authority reserves the right to ask the contractor or its personnel performing the services to sign a declaration regarding confidentiality, non-disclosure and/or declaration regarding precise obligations of processing of personal data.

At the time of submission of the tender and during the term of the FWC, the Contractor shall not be in any situation that could compromise the impartial and objective performance of the FWC and the specific contracts. For this purpose, Tenderers shall at the time of the tender:

i. either confirm their absence of professional conflicting interest, or

ii. substantiate the potential, perceived or actual professional conflicting interest, which may negatively affect the performance of the Contract and describe the mitigating measures which remedy such a situation.

For the point (ii) above, the Tenderers must provide a comprehensive analysis and justification, with at least the following information:

a) previous and/or current involvement in activities which may have as a result that impartial and objective performance of the present FWC may be compromised;

b) respect of rules on conflict of interest regulating the legal profession, including the professional ethics rules applicable to the tenderer;

c) description of operational structure and mechanisms for monitoring, preventing and resolving conflicting interests during the execution of the FWC which mitigate or eliminate the potential, perceived or actual professional conflicting interests. Under this requirement, the tenderer shall provide an effective and convincing concept to ensure that the respective entity/-ies, including the individuals belonging to it/them, are in a position to work independently in relation to its/their tasks performed in other projects.
3.2.1 Legal and Regulatory Capacity

In order to fulfil the professional activity, the Contracting Authority requires the tenderer to fulfil the below requirements.

<table>
<thead>
<tr>
<th>Ref #</th>
<th>Legal and Regulatory Capacity Criteria</th>
<th>To be Evidenced by:</th>
<th>Applicable to:</th>
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<tbody>
<tr>
<td>L1</td>
<td>Legal entity authorisation requirement</td>
<td>1. Legal Entity <a href="https://ec.europa.eu/info/publications/legal-entities_en">FileForm</a>(^{11}), and 2. Proof of enrolment in a in a relevant professional or trade register, except when the economic operator is an international organisation. Extract of the inclusion in a trade or professional register, or certificate, membership of a specific organisation, or express authorisation or entry in the VAT register, or equivalent.</td>
<td>All economic operators participating in this procurement, i.e. primes, each consortium member and any proposed subcontractors.</td>
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</table>

B. Annex II of the Invitation to Tender (Draft Contract), is updated with the following changes shown in red in Article 27.4 (all other parts remaining unchanged):

27.4 The Contractor must have all the relevant obligations laid out in Annex VIII “Declaration on confidentiality and absence of conflict of interests” counter acknowledged and passed on in writing to:

a. its personnel;
b. any natural person with the power to represent it or take decisions on its behalf;
c. Third Parties involved in the performance of the FWC and of any Specific Contract thereunder, including Contractor Parties.

C. Annex VIII (Declaration on confidentiality and absence of conflict of interests) of Annex II of the Invitation to Tender (Draft Contract) is removed and in the list of Annexes Annex VIII is referred to as follows: Annex VIII intentionally left blank

D. Annex IIb of the Invitation to Tender (Specific Contract 1 – Statement of Work) is updated with following changes shown in red in requirement ERAS-SC1-003: Schedule Milestones (all other parts remaining unchanged):

ERAS-SC1-003: Schedule Milestones

The tasks shall commence immediately upon its entry into force.

The following milestones shall be achieved:
- Critical design review (Cf AD-01 section 4.1.5) at the latest 2 months after the entry into force of the contract;
- In-Factory Qualification reviews (Cf AD-01 section 4.1.6) at the latest 5 months after the entry into force of the contract;
- On-Site Qualification reviews (Cf AD-01 section 4.1.7) at the latest 7 months after the entry into force of the contract;
- Acceptance review (Cf AD-01 section 4.1.8) shall be achieved at the latest 12 months after the entry into force of the contract.

The overall duration expected for SC1 is 1.5 years (18 months), with intermediate milestones related to FWC “Milestone and Schedule Logic” [AD-01] (section 4).

E. EUSPA/OP/12/23 Framework Contractual Index Status List, reference EUSPA-GAL-SE-CISL-A24679, is updated to issue 1.2 with the following changes shown in red:

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