



CLARIFICATION NOTE #4

Procurement procedure: GSA/OP/07/15 – “PRISMA”

The questions of the present Clarification Note #4 are published on GSA website: <http://www.gsa.europa.eu/gsa/procurement>.

Clarification Notes #1 and #2 could not have been published on the GSA website and therefore were transmitted by email (Clarification Note #1 and Clarification Note #2) by tenders@gsa.europa.eu to all potential tenderers which provided the duly-completed annex I.B with the relevant supporting documents, and to whom access to the tender package was granted.

Question #5: Is it possible to include in the proposal a company with headquarters outside EU for the development of activities on unclassified items according to the User Segment Classification Guide ([RD.01]), which have interface with classified items?

Answer: Please refer to clarification note #2.

Question #6: Is it possible that only for the purposes of PRISMA, in the case that any staff of non-EU based companies need to access to PRISMA classified information, this can be performed by their staff with due PSC (up to SECRET UE/EU SECRET by a MS) in the classified facilities of the Prime?

Answer: Yes, but only if a security agreement exists between the EC and the country/entity in which the non-EU based company's ultimate controlling shareholders are established; if the classified information relates to PRS, in addition the non-EU based company shall come under the jurisdiction of a PRS Participant and the company shall be authorised by the SAB to access such information.

Please note that art. 3 of Decision No 1104/2011/EU of the European Parliament and of the Council of 25 October 2011 on the rules for access to the public regulated service provided by the global navigation satellite system established under the Galileo programme clearly states:

Third countries or international organisations may become PRS participants only where, in accordance with the procedure provided for in Article 218 of the Treaty on the Functioning of the European Union, they enter into both of the following agreements between the Union and the third country or international organisation concerned:

- (a) a security of information agreement defining the framework for exchanging and protecting classified information and providing a degree of protection at least equivalent to that of the Member States;*
- (b) an agreement laying down the terms and conditions of the detailed rules for access to the PRS by the third country or international organisation; such an agreement could include the manufacturing, under specific conditions, of PRS receivers, to the exclusion of security modules.*



Question #7: In specific situations described in Question #6, is it enough to make GSA aware on a case by case basis, or would each company have to request PRS authorisation?

Answer: Please refer to answer to Question #6 above.

Question #8: As the deadline for submission of tenders was extended, are deadlines for requesting/issuing clarifications also extended? If so, what are the new deadlines?

Answer: Yes. New deadline for requesting clarifications from GSA is 09/09/2015. Last date on which clarifications are issued by GSA is 17/09/2015.

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