

### CLARIFICATION NO.3

Related to tender No. GSA/NP/09/12 – “EGNOS Service Provision”

1. Question: Is the Hosting Service quotation for EGNOS assets to be provided by GSA or to be obtained by the candidate?

Answer: The hosting service quotations for EGNOS assets are to be obtained by the candidate in Phase II. More information will be provided in the tender documentation in Phase II.

2. Question: In the Tender Information package GSA-2012-D-644220, at chapter 8.6. Content of request to participate (page 27), among “ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA” are requested “Declaration of Intent” and “Declaration of Honour” for Candidate and Sub-Contractor(s).

Considering the definition used in the SOW (EGN-ESP-SOW-4.2-222) it is understood that above declarations are requested for Technical Sub-Contractors only (NOT including Incumbent and Mandatory Sub-Contractors). Please, confirm that no declaration is required for Incumbent and Mandatory Subcontractors.?

Answer: No Declaration of Intent is required for Mandatory and Incumbent Sub-Contractors in this Phase of procurement procedure.

3. Question: In the Tender Information package GSA-2012-D-644220, at chapter 7.2.3 Financial, economic, professional and technical aspects relating to Selection Stage [Certification as ANSP for CNS services S1] (page 22) and in particular to the following sentence:

“Certification as ANSP for CNS services (technical and professional capacity).

The candidate shall submit either:

- a valid non-derogated Air Navigation Service Provider Certificate for Communication, Navigation and Surveillance services issued under the EU Single European Sky regulations,
- or a credible ANSP CNS Certification Plan demonstrating the capacity of the candidate to obtain this certificate prior to the submission of their final tender (Best And Final Offer – BAFO) including at least:

- a presentation of the current status of readiness of the candidate with respect to the ANSP CNS certification process and requirements; and
- a detailed plan of work and schedule of activities with the associated tasks description, deliverables, milestones and interactions with the National and/or European certification authorities.”

Is the following interpretation accepted by the Agency?

“In Phase I the Candidate shall provide a credible ANSP CNS Certification Plan including at least:

- a presentation of the current status of readiness of the candidate with respect to the ANSP CNS certification process and requirements; and
- a detailed plan of work and schedule of activities with the associated tasks description, deliverables, milestones and interactions with the National and/or European Certification authorities.

In Phase II and Phase III of the Bid the candidate will provide evidence of the status of the ANSP Certification Process, including updating of the Plan, in interaction with the National and/or European Certification Authorities.

At the submission of the final tender (Best And Final Offer – BAFO) the tender will provide either the evidence of successful ANSP CNS Certification or the ANSP CNS Certification Plan, approved by the National and/or European Certification Authority, to give evidence of the capacity of the candidate to obtain the ANSP CNS Certification without time impacts on the Service Hand Over Review. “

Answer: The interpretation cannot be followed insofar as the certification plan will be subject to a credibility check already in Phase I supporting the candidate’s capacity to achieve the certification as ANSP CNS at the time of the submission of its final tender.

Should the candidate, during the implementation of the first steps of its certification plan, encounter unforeseen difficulties which are out of its control and prevent him from obtaining the ANSP CNS certificate prior to submitting its final tender, the tenderer shall provide as part of its final tender (BAFO) all the elements justifying that such a certificate will be obtained prior to contract award. These justification elements will be evaluated by the Agency as part of the award criteria assessment.