

### **Clarification Note #3**

EUSPA internal reference: 270687

**Procurement procedure: EUSPA/RP/01/22**

#### **“Engineering Services”**

**Questions #42: *We would like to address the following text of the Request To Participate (Phase I) with a declaration under oath that the internal process for such a RtP consultation has been launched. Is it acceptable from EUSPA perspective?***

***EUSPA/RP/01/22 – 269556: Annex I – Tender Specifications p 32***

***“The Tenderer shall clearly indicate in its Request to Participate and Tender:***

- the tasks they intend to subcontract***
- the level of subcontracting for each tasks***
- the SMEs involved and their place of establishment***
- the competitive tendering performed***
- the proportion for each subcontracted tasks (in %) in relation to the Total Price in order to demonstrate compliance with the above-mentioned requirements.***

***As a proof of competitive subcontracting, tender(s), including a thorough visibility of technical and financial offer of consulted entities outside the Group (envisaged subcontractors), shall be provided together with the Request to Participate.”***

Answer #42: Yes, it is acceptable. Please refer to corrigendum n. 3. At phase I of the tender, the indication of the competitive subcontracting is requested, as far as the structure of the tenderer is provided at this stage. As per section 2.2.10.2 of the Tender Specifications, in Phase II, tenderers shall provide in their offer a detailed plan on how to achieve the target percentage share of subcontracting to be awarded in competitive tendering. The quality of the plan, the target percentage and the relevant commitments will be subject to the assessment under award criterion Q5.

**Question #43: *We have classified document to join to the request to participate (SAB authorization and PIMP). What is the process to send them?***

Answer #43: In case the Request to Participate includes EU classified information (EUCI):

1. the envelope concerned (depending on whether the EUCI forms part of envelope 1 or 2 as per the description in section 4.5.3 of the Tender Specifications) shall be split into two parts as follows:
  - one UNCLASSIFIED part, and
  - one R-UE/EU-R part organised in double envelopes or wrappings, whereby the outer envelope or wrapping must be opaque and not reveal that the package contains R-UE/EU-R information (as required by section 2.6.6 of the EU GNSS PSI). The inner envelope or wrapping has to bear the classification marking (R-UE/EU-R) and so does the content of the envelope.
2. the documentation classified at R-UE/EU-R level shall be submitted electronically as follows:
  - either the classified documents will be encrypted by the EU Council authorised software (the Filkrypto software for Windows) – in which case such encrypted file or electronic media containing the encrypted file will be treated as UNCLASSIFIED, and will form part of the UNCLASSIFIED part of the envelope concerned (as per number 1 above), or
  - the classified documents will not be encrypted by the EU Council authorised software, in which case such file or electronic media containing the file will be treated as R-UE/EU-R, and will form part of the R-UE/EU-R part of the envelope concerned (as per number 1 above).

***Question #44: In section 1.10, page 14 of the Tender specifications there is an inconstancy between the point 1 and the bullet “d” same page.***

Answer #44: It is confirmed that the NDU template is provided in Annex I.F as provided in section 1.5 (b), section I.10 (c), section I.10(d), section 4.6.3, and in section 6 of the tender specifications.

End of document