



## Clarification Note #3

GSA internal reference: 254026

### Procurement procedure: GSA/NP/02/19

#### EGNOS geostationary SBAS payload service GEO-4

**Question # 3: TIP section 2.8.2.1.1 - The section mentions "Subcontracting presenting security aspects". Can GSA please provide clarification on what is meant by this term?**

**Answer # 3:** Subcontracting presenting security aspects means all subcontracted activities which may affect the confidence that EGNOS, as information system handling EUCI (comprising the entire assets required for it to operate, including the infrastructure, organisation, personnel and information resources), will protect the information it handles and will function as it needs to, when it needs to, under the control of legitimate users. It includes aspects relevant for ensuring appropriate levels of confidentiality, integrity, availability, accountability, non-repudiation, authenticity and reliability.

**Question # 4: TIP section 2.8.2.1 - Can GSA please clarify if COTS goods/service of non-EU origin can be considered?**

**Answer # 4:** As mentioned in the TIP, goods and services of non-EU origin are acceptable either if:

- They are provided through subcontracting which does not present a security aspect;
- A waiver to the participation conditions has been requested and granted for all the other cases.

**Question # 5: TIP section 2.8.2.3.2 – The section mentions "Tenderers shall clearly indicate in their Initial Tenders which tasks, and to which proportion (in %) in relation to the total price they intend to subcontract, demonstrating compliance with the above mentioned requirements."**

**Section 4.6 includes as a deliverable "A statement containing the share of subcontracting, including subcontracting by competitive tendering, intended as well as the scope of the subcontracted activities."**

**Considering that only high level requirements have been distributed, it will be difficult to assess the price for some elements (e.g. hosting sites) and therefore identify the share of subcontracting by competitive tendering.**

**Can the GSA please confirm the understanding that any share presented is a ROM work-in-progress assumption and that it will evolve up to BAFO phase, noting that it shall be at all times above the minimal threshold defined for the tender?**

**Answer # 5:**

GSA confirms that the statement containing the share of subcontracting listed in section 4.6 to be delivered in the RtP will be considered a preliminary estimation. The detailed list of subcontracted



activities and their proportion will have to be provided only in the Initial Tender (for which the Tenderers will have received the full technical specifications).

**Question # 6: TIP section 3.1 - The section mentions "The Candidate (all entities: Core Team members and all subcontractors) must sign the Declaration of Honour (Annex 5)."**

**Many subcontractors will not be selected during Phase I.**

**Our understanding is that the Declaration of Honour for these subcontractors, will only be delivered once they are selected, therefore in a stage later than Phase I but before the BAFO Stage. Can the GSA please confirm this is correct?**

**Answer # 6:** Subcontractors which are part of the Core Team (and are used for fulfilling the selection criteria) shall already be known and defined in the RtP. Other subcontractors may be defined only at the stage of the Initial Tenders. In the latter case, Declaration of Honours and evidence shall be submitted for those subcontractors in the Initial Tenders.

**Question # 7: TIP section 4.6 - Section mentions "The purpose of the Descriptive document (Annex 2) is to provide an indication of the potential scope and complexity of the GEO-4 activities and responsibilities. It is against this reference point that the relevance of the Candidate's technical capacity will be assessed."**

**Is it requested to provide a Statement of Compliance to the requirements identified in Annex 2 of TIP?**

**Answer # 7:** Candidate's technical capacity will be evaluated against criteria defined in section 3.2.3 using the evidence provided by the Candidate. A Statement of Compliance against Annex 2 is not requested but Candidates are invited to provide one if they believe this is useful to prove their compliance to the selection criteria.

**Question # 8: TIP section 4.6 c) - The table on page 35 identifies documents to be submitted by non-Core Team subcontractors (e.g. Letter of intent, NDU, Declaration of Honour..)**

**Considering that only high level requirements have been distributed, some subcontractors will still not be selected during Phase I, only potential candidates will be considered at this stage.**

**Our understanding is that these documents will only be submitted once these subcontractors are selected, therefore after the Phase I and before the BAFO Stage. Can the GSA please confirm this is correct?**

**Answer # 8:** See answer to question #6. Candidates shall submit those documents for the subcontractors (not part of the Core Team) which have been already identified at the time of the RtP. In any case, the documents shall be provided in the Initial Tenders.

**Question # 9: Descriptive Document section 6.2.1.1 - Document [AD-271] reference is not included. Can the GSA please clarify what is this document?**

**Answer # 9:** [AD-271] will be provided in the Tender specifications datapackage. It contains the NLES detailed site implementation requirements.

**Question # 10: Descriptive Document section 6.2.3 - It is stated that "The Contractor shall be responsible for the regulatory aspects concerning the filing with the International Telecommunication Union (ITU) for the use of all downlink and uplink frequencies associated to the GEO-4**

**It is normal practice that the European Commission takes the responsibility for the frequency coordination of the L-band, and that the operator takes care of the frequency coordination of the feeder links.**

**Is this understanding correct?**

**Answer # 10:**

The Descriptive Document correctly explains that the Contractor will be responsible for the filling of both of the uplink and downlink frequencies. The responsibility for the international coordination of the downlink will be of the European Commission with Contractor's support.

**Question # 11: Descriptive Document section 6.2.2 - Can GSA please clarify what is the meaning of MTTO?**

**Answer # 11:** MTTO means Mean Time To Outage

**Question # 12: TIP section 2.8.2.1.1 - Point b) includes the statement "also including the ultimate controlling person) comply with the conditions under sections 2.7.2.1.1a) above".**

**Section 2.7.2.1.1 a) does not exist in the document.**

**Could the GSA please confirm this refers to Section 2.8.2.1.1 a) instead?**

**Answer # 12:** Yes. The correct reference is to section 2.8.2.1.1 a)

**Question # 13: TIP section 2.8.1 - Section 2.8.1. states "Documents containing PI will not be disclosed to entities that cannot claim to meet the conditions laid down in relevant conditions of section 2.7.1 of this document."**

**Section 2.7.1. refers to the Scope of the Contract.**

**Could the GSA please confirm this refers to Section 2.8.1. instead?**

**Answer # 13:** Yes. The correct reference is to section 2.8.1.

**Question # 14: TIP section 2.8.2.3.1 - Section 2 mentions "When subcontracting, Candidates shall ensure the subcontractor's compliance with the exclusion criteria and participation conditions."**

**Can subcontractors out of the Core Team selected after Phase I be of non EGNOS Member States (EU, Norway, Switzerland)? If so, is it necessary to submit a request for waiver to consider these subcontractors?**

**Answer # 14:** Participating Conditions apply to all subcontractors and is not related to the time of their selection. Subcontractors selected after Phase I may be from non-EGNOS Participating States in case they do not present a security aspect. In case of security aspect, the same rule shall apply as for other subcontractors whereby they shall request a waiver to the participating conditions.



**Question # 15: In accordance with Service Descriptive document (Annex 2 to the TIP), the KO of the activities is planned around October 2020 and the OSD shall be declared between 1st January 2022 and 31st July 2024. This means that the Contractor has few months more than 1 year to develop the GEO4 Payload/RF station/Signal Monitoring, delivery and launch.**

**Moreover, if this understanding is correct, the Bidder shall have in its team a partner that can provide the platform ready to be launched in 2021 to embark the GEO4 payload, or GSA shall guarantee the embarkation of this payload on a platform to be launched in 2021.**

**Could the GSA clarify?**

**Answer #15:** The Tenderers have the flexibility to propose an OSD at anytime between 01/01/2022 and 31/07/2024. There is no obligation on the Tenderers to propose a launch in 2021. This procurement procedure is for Services. The Agency is procuring the service of an SBAS payload onboard of a GEO satellite. The Tenderers shall be responsible of all necessary steps to provide such service.

**Question #16: It is kindly requested to postpone the deadline to submit Request to Participate by 2 weeks.**

**Answer #16:** The deadline is extended as per Corrigendum 1.

## Corrigendum #1

### Procurement procedure: GSA/NP/02/19

### EGNOS geostationary SBAS payload service GEO-4

The timeline in Section 1.5 of Annex I to Invitation to Tender 'Tender Specifications' is amended as follows:

Phase	Action	Date	Applicable conditions and further comments
<b>Prior Information Phase</b>	Publication of Prior Information Notice in the Official Journal of European Union (OJ)	26/02/2019	Ref: OJ/S S40 89191-2019-EN
<b>Phase I- Selection Phase</b> <b>Request for participation and selection of Candidates</b>	Submission of Contract Notice for publication in OJ	02/09/2019	Ref: TBD
	Deadline for requests for clarifications	<del>15/10/2019</del> 29/10/2019	Please note that contacts between the GSA and Candidates are prohibited throughout the procedure save in exceptional circumstances as described in section <b>Error! Reference source not found.</b> below.
	Last date of publications of clarifications	<del>22/10/2019</del> 05/11/2019	All clarifications will be published on GSA procurement website: <a href="http://www.gsa.europa.eu/gsa/procurement">http://www.gsa.europa.eu/gsa/procurement</a>
	Deadline for submission of RtP	<del>31/10/2019</del> 14/11/2019	
	Evaluation process of Phase I	November/ <del>December</del> 2019	Please note that within this time the Candidate may be requested to answer clarification questions posed by the Evaluation Committee, with short deadlines for responses.
<b>Phase II</b> <b>Submission of Initial Tenders and negotiations</b>	Invitation to participate in Phase II	<del>Mid-December 2019</del> January 2020	Dispatch of tender documents to the pre-selected Candidates Notification to unsuccessful Candidates.



	Deadline for reception of Initial Tenders	March 2020	Deadline will be defined in the tender specifications.
	Period of evaluation of Initial Tenders and negotiations	April 2020	No minimum or maximum number of negotiation rounds.
<b>Phase III</b> <b>Best And Final Offer phase and award of the Contract</b>	Invitation to submit Best And Final Offers (BAFOs)	May 2020	
	Submission deadline for BAFO	June 2020	
	Evaluation and Award decision	Summer 2020	
	Signature of Contract	September/ October 2020	
	Start of Contract (Kick-off meeting)	October 2020	

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