



Prague, 27 -09- 2018
GSA/LEG/2018/244007

Subject: Competitive procedure with negotiation GSA/NP/37/18 - "Aviation DFMC SBAS Receiver Prototype (second source)"

Reference to contract notice in the Official Journal:

OJ/S S192 433088-2018 / 05-10-2018

Dear Sir/Madam,

1. The European GNSS Agency (hereinafter named as the GSA) is planning to award a contract under the above referenced public procurement procedure. Please find enclosed the related Tender Specifications (Annex I) listing all the documents that must be produced in order to submit an initial tender, and the Draft Contract (Annex II).
2. If you are interested in the contract of this procurement, you should submit an initial tender duly signed by your authorised representative, satisfying all the conditions of submission and presentation of tender described in detail in **section 4** of the Tender Specifications.
3. **Submission** of initial tenders must respect the deadline specified in **section 1.2** of the Tender Specifications.
4. Submission of an initial tender implies acceptance of all the terms and conditions set out in this Invitation to Tender, in the respective Tender Specifications and in the Draft Contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions unless otherwise explicitly indicated and marked as area proposed for negotiation. For the avoidance of doubt the minimum requirements specified in **section 2.7** of the Tender Specifications shall not be subject to negotiation.
5. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, unless otherwise agreed by the GSA during negotiations, is nine (9) months from the final date for submission.



6. Contacts between the contracting authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the conditions described in **section 4.9** of the Tender Specifications.

7. This invitation to tender is in no way binding on the GSA. The GSA's contractual obligation commences only upon signature of a contract with the successful tenderer. Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the tenderers being entitled to claim any compensation. This decision must be substantiated and the tenderers notified.

Yours faithfully,

AP
Carlo des Dorides
Executive Director 

Enc.:

Annex I – Tender Specifications with its respective annexes:

- ANNEX I.A – Template Identification Sheet of the Tenderer
- ANNEX I.B – Template Legal Entity Form
- ANNEX I.C – Template Financial Identification Form
- ANNEX I.D – Template Declaration of Honour relating to Exclusion Stage
- ANNEX I.E – Template Financial Statements
- ANNEX I.F – Template Financial Proposal
- ANNEX I.G – Template Subcontractor Letter of Intent
- ANNEX I.H – Cost Statement Forms V5
- ANNEX I.I – Template Declaration of Non-Participation in GSA/NP/04/15 Contract

Annex II – Draft Service Contract with its annexes:

- ANNEX I – Tender Specification
- ANNEX II – Contour's Tender
- ANNEX III – Declaration of background intellectual property rights;
- ANNEX IV – Template declaration of foreground intellectual property rights;
- ANNEX V – Template of deliverable/supply acceptance sheet;
- ANNEX VI – Template of financial guarantee;
- ANNEX VII – Template of declaration on confidentiality and absence of conflict of interests;