

Call for tenders' details

Title: Contract for long endurance and long range RPAS

Start date: 16/03/2018

Time limit for receipt of tenders: 10/05/2018

Contracting authority: European Maritime Safety Agency

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	29/03/2018 10:52	03/04/2018 17:37	Request of postponement	The requirements analysis for the requested service/scenario is very complex and with many details with impacts on operative and financial constraints. The requested deadline is too close and, please, we kindly ask you to have an additional month in order to provide you the best tailored solutions. Thank You	03/04/2018 EMSA understands the complexity of the tender and for that reason already foresaw a bid submission period beyond the minimum required for an open tender. Unfortunately, due to operational constraints in providing services the Agency cannot extend the bid preparation period. Therefore the deadline for submission of the bids remains as initially published.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
2	04/04/2018 17:02	05/04/2018 12:18	EN-02 Tender Specifications- Economic and Financial Capacity	Under the above and Section 14.4B it states 'Yearly turnover for the company or the group must be minimum EUR 15 million for the last 2 years'. If turnover is less than 15 million for the last 2 years does this preclude any company from providing a submission which satisfies the tender specifications?	05/04/2018 In accordance with Section 14.4 Economic and financial capacity – Selection criteria - Requirements of the Tender Specifications the Tenderer's yearly turnover must be minimum EUR 15 million for the last 2 years to meet the selection criteria in item B. Tenderers with an yearly turnover less than EUR 15 million for the last 2 years will fail to meet the Economic and financial capacity - Selection criteria in item B and will be not considered for the award of the contract.
3	04/04/2018 19:23	05/04/2018 16:44	Tender due date	In Doc "EN-12 Tender Specifications Appendix 7 Tenderer's (Candidate's) Checklist" is indicated: "The documents shall be scanned and submitted by e-Submission no later than 20.00 hrs (CET/CEST time) on 30/04/2018." The deadline indicated in the Invitation to Tender is 10/05/2018. Please clarify, Thank You.	05/04/2018 This is a typo. The document should read: "The documents shall be scanned and submitted by e-Submission no later than 23.59 hrs (CET/CEST time) on 10/05/2018.
4	04/04/2018 19:23	05/04/2018 16:46	Sections missing or not consistent	In the document "EN-02 Tender Specifications_001" in Section 10, first paragraph, "...points 15.5 and 16." The point 15.5 does not exist and point 16 seems not consistent. May you please clarify? Thank you	05/04/2018 This is a typo. The document should read: "...points 14.5 and 15.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
5	04/04/2018 19:24	05/04/2018 16:47	Criterion clarification	In the document "EN-02 Tender Specifications_001" in Section 15, in table, row Q2, Section column: "0" Is it referring to chapter 15.1.3? Thank you	05/04/2018 This is a typo. It is hereby confirmed that "0" shall be replaced by "15.1.3".
6	04/04/2018 19:29	05/04/2018 16:48	Self declaration	In the document "EN-02 Tender Specifications_001" in Section 11, the proposal structure refers to Subpart Sections 14.5.3 and 14.5.4: should we provide a self-prepared document? (the RFQ does not indicate templates to adopt for these topics). Thank you	05/04/2018 It is confirmed that no specific templates are included in the tender documents for the evidence to be provided under 14.5.3 and 14.5.4. The bidder should follow the indications provided in those paragraphs. After the submission of the bids, the evaluation committee may request clarifications from the bidders if needed.
7	04/04/2018 19:30	05/04/2018 16:49	Reference does not exist	In the document "EN-02 Tender Specifications_001" in Section 17, second paragraph, the reference between brackets is "0". Could you please clarify? Thank you	05/04/2018 This is a typo. It is hereby confirmed that "0" shall be replaced by "14.5.3".

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
8	05/04/2018 06:35	05/04/2018 16:50	Appendix 1 - Service and Technical Requirements	Para 3.4 Module 3: On Site activities - 3.3.11 Each on site activity will have a minimum duration of 3 months with the possibility of extension if requested by the user. Does this mean that if successful, that EVERY mobilization alert received will be for a minimum of 3 months after Module 2: Transport and On-Site Setup?	05/04/2018 As explained in section 2 of the tender specifications, the FWC is implemented for each RPAS operation/deployment through the signature of 2 specific contracts. Only through the signature of the second specific contract "SC for Transport and On-Site set-up (module 2), On-Site Activities (module 3) and Flight Operations/Missions (module 4)" is the contractor requested to move on site and to start providing the service to the user. This second contract is indeed for a minimum duration of the operation of 3 months from its signature.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
9	05/04/2018 11:17	10/04/2018 12:14	Economic Operators eligible to participate	<p>With reference to Point 19 of the Invitation to Tender, please confirm that the statement is applicable to Prime Contractor only (our interpretation is that any Subcontractor can be an Operator from a States outside the European Union).</p> <p>In case the statement apply for Subcontractors as well, is this Tender included in the "exceptional circumstances" indicated in the last part of the paragraph? Thank You</p>	<p>10/04/2018</p> <p>In point 19 of the invitation to tender the term "economic operators" refers to the tenderers intending to participate in the present procurement procedure and not to potential subcontractors of these tenderers. Therefore, tenderers are free to choose their subcontractors from any country. However, a substantial part of the work has to be carried out by a company established in a country listed in point 19 of the invitation to tender (please see also section 10 paragraph 6 of the tender specifications).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
10	05/04/2018 06:40	13/04/2018 12:56	14.5.2 Operational Experience	One of the aircraft that we intend to put forward has the required 300 hours proven flight hours however as part of the bid we would like to propose a VTOL aircraft that will accompany it to provide a range extension solution to save on Satcom cost. This aircraft does not have the 300 hours, Does this preclude us from putting it forward?	13/04/2018 As stated in the tender specification in section 14.5.2, the offered surveillance aircraft shall have a proven record of 300 flight hours. If the bidder wants to offer an optional alternative to SATCOM solution as defined in the technical specifications in section 4.1.4.3, this solution must be mature and must meet the BRLOS requirements, or better. In particular this means that there shall be no restrictions in range, coverage and in the process in getting the permit to fly for the overall system. The bidder has to fully demonstrate and justify these capabilities. The 300 flight hours are related to the surveillance aircraft, however the alternative communication system must have at least a similar maturity as the SATCOM solution or better, in order to guarantee the maturity of the overall system.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
11	10/04/2018 08:48	13/04/2018 13:06	Eligibility of the non EU countries to the tender	(...) is a Turkish company. Our MALE UAV fulfills the specifications mentioned in the tender document so is it possible for Turkey to become a bidder in the tender?	13/04/2018 Only companies which are established in a member state of the Union or one of the other states listed in point 19 of the invitation to tender are eligible to submit a tender in the present procurement procedure. Since Turkey is neither an EU member state nor among the other states listed in point 19, a Turkish company is not eligible. As for subcontracting, please see also section 10 paragraph 6 of the tender specifications

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
12	13/04/2018 10:29	23/04/2018 16:23	Deadline regarding ready operational system, ref Milestone T2	<p>Dear Sirs and Madams,</p> <p>Regarding section 14.5.3 Maturity of the Configuration Offered;</p> <p>As required in tender, we will be able to perform a successful flight demonstration within 45 days of the contract award.</p> <p>Our challenge is due to the complexity of the technical requirements for the RPAS and sensors, we will rely on a system that is already in use in military airspace, but will need to be further adapted to the civilian requirements in the tender.</p> <p>Based on this needed development, there will be a fully new certification process needed from the Aviation Authorities and this process will take some time.</p> <p>As stated, a successful flight demonstration within 45 days of the contract award is not a problem. But due to the certification process, the RPAS offered from us will not be ready for operation at EMSA locations ref Milestone T2 on page 4 in "Tender specifications" before 01.04.2019, equal Milestone T9. Is this acceptable from EMSA?</p>	<p>23/04/2018</p> <p>The Agency is aware about the timings of a certification process for civil RPAS over 150kg and has intentionally not asked for fully "certified" airframes neither for the initial configuration test at T1 nor for the operations (ref Table 1 "Time table" in section 4 of the "Tender Specifications"). In order to start operations, the Agency and the service provider have to work closely with the national CAAs and EASA in order to obtain a Permit to Fly. This could be based on a "State aircraft" approach or to operate under an "experimental" regime. In order to obtain the Permit to Fly, detailed documentation is requested as per "06 Tender Specifications Appendix 1 Technical Specifications Enclosure 3 Template - RPAS Passport" by T4.</p> <p>Regarding the timetable, milestone T9 is intentionally dependent on the time to obtain the permit to fly which is difficult to estimate as it varies from Member State to Member State. Accordingly, it is not possible to estimate accurately the start of the first operations. Nevertheless EMSA expects operations to start in early 2019 i.e. before the date identified in the question. The proposal to have services only after 01/04/2019 is not</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					services only after 01/04/2019 is not acceptable.
13	17/04/2018 13:38	23/04/2018 16:24	EN-02 Tender Specifications_001	Upon signing a SC on modules 2 - 4: Does EMSA like to sign three (3) different SCs for each module or is it one (1) SC for modules 2-4?	23/04/2018 As explained in the Tender Specifications: Section 2, the contracting authority will implement, for each RPAS operation, 2 Specific Contracts: one Specific Contract for Mobilization Alert and Preparation (Module 1) and one Specific Contract covering 3 modules i.e. Transport and On-Site set-up (Module 2), On-Site Activities (Module 3) and Flight Operations/Missions (Module 4). The templates of SC can be consulted in the draft Framework Contract.
14	17/04/2018 13:39	23/04/2018 16:25	EN-02 Tender Specifications_001	Under 14.5.3 Maturity of the Configuration Offered it is stipulated: „All costs shall be borne by the tenderer.“ We understand that the mentioned costs are those for the demonstration itself on the tenderer side. EMSA will take care of their own expenses for this demonstration. Please confirm.	23/04/2018 Any expenses related to EMSA including travel and subsistence expenses for the scope of the performance of the initial configuration test defined under 14.5.3 of the Tender Specifications will be borne by EMSA.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
15	17/04/2018 13:40	23/04/2018 16:26	EN-03 Tender Specifications Appendix 1 Technical Specifications_001	We have noticed that there are no minimum guaranteed flight hours. Does EMSA have any estimation regarding the number of deployments and annual flight hours?	23/04/2018 There are no official estimates regarding deployment and flight hours. On the other hand, there is currently high demand for services. Note that EMSA commits to purchase services only through the signature of Specific Contracts. These are linked to a request for services from a user e.g. Member States and/or EU agency.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
16	17/04/2018 13:41	23/04/2018 16:28	EN-03 Tender Specifications Appendix 1 Technical Specifications_001	<p>Under 3.2.1.3 it is stated that the "preparation phase will last at least 30 days, but cannot be concluded before the Permit-to-Fly (PtF) is obtained from the requesting State (see 4.1.6.1). The process to obtain the PtF might already have been started earlier."</p> <p>Contractor assumes not to be on site prior to PtF due to the fact that SC 2-4 will be signed after PtF. However, costs will already appear prior to this phase. Does EMSA compensate contractor for costs if PtF takes longer than 30 days?</p>	<p>23/04/2018</p> <p>The Agency confirms that the contractor is not obliged to be on site for operations prior to the reception of the PtF (permit to fly) due to the fact that SC 2-4 will be signed only after the PtF is available.</p> <p>The Specific Contract (SC) 1 covers all actions necessary to get the PtF and to be ready for operations. This includes i.a. site visit(s) and working on the documentation as requested by the national CAAs. SC 1 is active until the PtF is obtained or as a minimum for 30 days. Nevertheless obtaining the PtF might take longer than 30 days which also means that the SC 1 may run longer. No compensation is foreseen in this situation as the cost structure of SC 1 is linked to the outcome of the activities and not to the duration.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
17	17/04/2018 13:42	23/04/2018 16:29	EN-16 Framework Service Contract (FWC)	<p>According to Article II.4.4 of the FWC, the contractor "must obtain any permit or license required in the State where the services are to be provided."</p> <p>Please advise which permits/licenses are contemplated by said article. To the extent said article refers to the permit-to-fly, please confirm that, as per Section 4.1.6.3 of Appendix 1 to the tender specifications, "the requesting user will be required to support the process and to ensure that the permit-to-fly will be issued by the national authorities."</p>	<p>23/04/2018</p> <p>Article II.4.4 of the draft FWC refers to the permits necessary to perform the contract under the law of the Member State where the services are to be provided. Therefore, it also refers to the permit to fly process which can include the requirement for pilot licenses, the use of specific frequencies, security clearance if needed, etc. This will vary depending on the requesting State where the services will be provided. Section 4.1.6.3 is confirmed as it refers to the fact that the requesting user, e.g. a Maritime Authority, is expected to facilitate communications with the national civil aviation authority to support obtaining the Permit to Fly.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
18	17/04/2018 13:43	23/04/2018 16:31	EN-16 Framework Service Contract (FWC)	Article II.13 of the FWC provides EMSA with various exclusive intellectual property rights with respect to the results of the services, but there is no definition of "results" in the FWC (nor elsewhere in the tender documents). Article II.13 of the FWC provides EMSA with various exclusive intellectual property rights with respect to the results of the services, but there is no definition of "results" in the FWC (nor elsewhere in the tender documents). Please explain the meaning of "results" for the purposes of the FWC.	23/04/2018 "Result" is any intended outcome of the implementation of the framework contract, whatever its form or nature, which is delivered and finally or partially approved by EMSA. A result may be further defined in the tender specifications (Annex 1), please see also Article I.10.1 ("Ownership of the results") of the draft framework contract. A result may, in addition to materials produced by the contractor or at its request, also include pre-existing materials.
19	17/04/2018 13:45	23/04/2018 16:32	EN-09 Tender Specifications Appendix 4 Financial tender template	It is our understanding that the maximum number of flight hours per year is limited to 2,100 flight hours. Please confirm	23/04/2018 There is no maximum number of flight hours per year defined in the tender. As explained in Section 15.2 of the Tender Specifications "price scenarios are calculated for the purpose of the evaluation and comparison of the bids in terms of prices only". Section 5 of the Tender Specifications defines the contractual ceilings which are linked with the maximum budget available in the contract, ceilings for the different modules and the ceiling of the price scenario.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
20	17/04/2018 13:45	23/04/2018 16:33	EN-09 Tender Specifications Appendix 4 Financial tender template	The financial template only includes 50% of the costs for SatCom. It is our understanding, that this only serves the comparability of the offers. Please confirm.	23/04/2018 As explained in section 15.2 of the Tender Specifications "price scenarios are calculated for the purpose of the evaluation and comparison of the bids in terms of prices only". However in this case please note that the average price of flight hour with and without SATCOM is also used to assess the maximum price ceiling for Module 3 as explained in Section 5 of the Tender Specifications.
21	17/04/2018 13:54	23/04/2018 17:05	Request for extension	Due to the complexity of the tender in conjunction with necessary answers/preparation time from subcontractors/third parties, we herewith kindly ask for an extension to the closing date of three (3) weeks. This enables the contractor a reasonable time to prepare and deliver an extensive and important document. We strongly believe that especially EMSA but also the contractor would both benefit from the extra time with then being able to prepare and submit a professional tender.	23/04/2018 Please see answer to question 1.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
22	17/04/2018 13:41	02/05/2018 10:15	EN-16 Framework Service Contract (FWC)	Because not explicitly provided in the FWC, and in order to allow the contractor to obtain the required export approvals, it is assumed that EMSA will provide end use/end user certificates on behalf of the requesting State, in a form, and promptly after, requested by the contractor. Please confirm.	02/05/2018 EMSA will provide the contractor with the end user agreement to proceed with the operation with the contractor, which can act as proof that the services will be performed in support to national authorities of a European Member State or EFTA country,
23	17/04/2018 13:44	02/05/2018 10:17	EN-16 Framework Service Contract (FWC)	According to Article II.13.8 of the FWC, "if natural persons appear in a result or their voice or any other private element is recorded in a recognizable manner, the contractor must obtain a statement by these persons... giving their permission for the described use of their image, voice or private element and, on request, submit a copy of the permission to EMSA." Please note that due to the nature of the services to be provided by contractor (i.e., maritime surveillance), obtaining the consent of every person appearing in the results would not be possible. Please advise.	02/05/2018 Article II.13.8 of the draft FWC deals with cases where the images of individual persons are intentionally recorded. The random presence of persons in images or videos recorded by RPAS sensors for purposes of maritime surveillance does not fall within the scope of Article II.13.8.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
24	30/04/2018 17:19	03/05/2018 17:35	EN-09 Tender Specification appendix 4 Financial tender	We wanted to clarifying why the 15M Euro limitation in the submission form is aggregating both the minimum and maximum scenario.	03/05/2018 The rational of the 15MEuro limitation for the evaluation is for EMSA to ensure that the resulting contract allows an economically acceptable offer in view of the planned services and budget available. As the distribution of the type of service requests over the four years of duration is not predictable, the same weight has been given to the two scenarios proposed for evaluation.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
25	02/05/2018 16:08	03/05/2018 17:36	Completed documents	<p>Do you confirm EMSA will complete the template "EN-06 Tender Specifications Appendix 1 Technical Specifications Enclosure 3 Template - RPAS Passport" after Contract Award? Also, the template "EN-04 Tender Specifications Appendix 1 Technical Specifications Enclosure 1 Template - Capability test" (title "RPAS Capabilities") will be completed after the live demonstration together with the "Initial configuration test" template by EMSA?</p> <p>Thank you</p>	<p>03/05/2018</p> <p>It is not EMSA but the contractor that will have to provide at milestone T4 (first draft) and at T5 (final) the compiled RPAS Passport based on the template (EN-06 Tender Specifications Appendix 1 Technical Specifications Enclosure 3 Template - RPAS Passport) as further detailed in Section 4 of the Tender Specifications (EN-02 Tender Specifications) and Section 5 in the Technical specifications (EN-03 Tender Specifications Appendix 1 Technical Specifications).</p> <p>Please take note that the RPAS Passport is a living document and has to be updated according to the needs of the national aviation authorities and towards the most recent developments of the RPAS related regulations during the lifetime of the Framework Contract.</p> <p>- In order to record the operational capabilities, the template "EN-04 Tender Specifications Appendix 1 Technical Specifications Enclosure 1 Template - Capability test" will be filled and completed by EMSA at the beginning of the first deployment (milestone T9), and at the beginning of each following deployment, when the configuration of the RPAS has changed. Please see Section 4 of the Tender Specifications (EN-02 Tender</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					Tender Specifications (EN-02 Tender Specifications).

Generated on the 28/03/2024 22:51:30 - Generation time 17 ms