



GSA/OP/06/18

"IMS AND QUALITY MANAGEMENT SUPPORT TO GSA"

Annex I to Invitation to Tender

"Tender specifications"

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1 Overview

The present specifications, attached to the Invitation to Tender, complement the information contained in the contract notice 2018/S 152-348175 with further information on the procurement procedure and scope.

1.1 Context of the tender: European GNSS Agency and GNSS Programmes

The European GNSS Agency (hereinafter referred to as 'the GSA', 'the Agency' or 'the Contracting Authority') is an agency formed by the European Union to accomplish specific tasks related to the European GNSS programmes (Galileo and EGNOS).

Further information can be found on the GSA's web site (<http://www.gsa.europa.eu>). This website contains also information about

- European GNSS programmes (<https://www.gsa.europa.eu/european-gnss/what-gnss>)
- Legal framework applicable to the GSA (<https://www.gsa.europa.eu/gsa/about-gsa>)

1.2 Outline of the tender

Name: GSA/OP/06/18 "IMS and Quality Management Support to GSA"

Procedure: Open procedure in accordance with Article 127(1)(2) of Regulation No 1268/2012 ("RAP")¹ for procurement of services under a multiple supplier framework service contracts in "cascade".

1.3 Principles

- Tenderers are required to accept all the terms and conditions set out in the invitation to tender, tender specifications and draft contract. Tenderers are required to waive their own general or specific terms and conditions. The terms and conditions set out in the invitation to tender, tender specifications and draft contract shall be binding on the tenderer to whom the contract is awarded for the duration of the contract.
- Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or the GSA during the process of examining, clarifying, evaluating and comparing tenders will lead to rejection of his tender and may result in administrative penalties.

1.4 Purpose of the Invitation to Tender

The purpose of this contract is to establish a Framework Service Contract in cascade for the provision of Integrated Management System (IMS) and Quality Management (QM) support to the GSA. The services will be provided at the GSA HQ in Prague, Czech Republic.

¹ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union



Tenderers are invited to carefully read the provisions of the draft framework contract which are not included in this document and which specify the rights and obligations of the contractor, particularly those on payments, performance of the contract, intellectual property, confidentiality, data protection, and checks and audits.

The notion of a 'multiple framework contract in cascade' means that identical framework contracts are concluded separately between the GSA and a number of contractors, to ensure that the contract can be executed by one or other of them, if the one that is first on the list be unavailable. A minimum of two and a maximum of 3 framework contracts will be signed, provided that a sufficient number of eligible tenders are received. On that basis, contractors will be asked to provide services in the cases and according to the procedure described below.

Following an assessment of the successful tenders, the GSA will draw up a list in decreasing order of priority of the best tenderers so as to establish a list of contractors and the sequence in which they will be offered work under specific contract(s) to be concluded in accordance with the terms of the framework contract. In the case of unavailability of the contractor ranked first for reasons which do not involve terminating the contract, the GSA may call on the second contractor and then, if necessary, on the contractor ranked third for the same service, and so on.

The circumstances which justify placing the order with the next contractor on the list are:

- an order is not accepted by the contractor ranking higher in order of priority within the time specified;
- the contractor ranking higher in order of priority is in a situation of conflict of interest or in a situation likely to compromise its independence and therefore cannot perform the contract;
- the estimate of the contractor in order of priority is rejected as non-compliant with the terms of reference of the purchase order or the terms and conditions of the framework contract.

1.5 Procurement procedure timeline

Timetable	Date	Comments
Submission for publication of contract notice to the supplement to the Official Journal by the GSA.	02/08/2018	All documents of the Invitation to Tender available at: http://www.gsa.europa.eu/gsa/procurement
Deadline for requests of clarifications and for delivery of the request for provision of Annexes VI to IX.	18/10/2018	The process regarding provision of Annexes VI to IX is specified in Section 2.3 herein. Clarification requests to be sent in writing only to: tenders@gsa.europa.eu
Last date on which clarifications are issued by the GSA.	23/10/2018	All clarifications will be published at the GSA's procurement website: http://www.gsa.europa.eu/gsa/procurement



		Tenderers are encouraged to check the GSA's procurement website on a regular basis.
Deadline for submission of tenders.	31/10/2018 at 23.59 CET	According to conditions of submissions set out in section 4.7 of these specifications.
Opening session and start of evaluation session.	07/11/2018	10:00 am (local time) on the GSA premises in Prague, Czech Republic.
Completion of evaluation and award.	December 2018 (estimated)	

2 Terms of reference

2.1 Background

The tasks to be performed under the contract consist in the maintenance and continuous improvement of quality management activities at the GSA, including the on-going maintenance of the ISO 9001 certification and the preparation and maintenance of other certifications that form part of the IMS. They shall be performed under the direct supervision of the GSA Quality Manager and involve close interaction with the GSA Quality Officers. The working language shall be English.

The tasks to be executed will directly support the GSA Management and complement the exploitation engineering and project control tasks for the EU GNSS programmes (EGNOS and GALILEO), and eventually other EU space programmes. Tenderers are invited to note that the scope of activities of the GSA under Galileo/EGNOS programmes is expected to evolve and change in the coming years, for example due to the revision of the Galileo and EGNOS exploitation delegation agreements.

The Agency has developed and implemented an IMS that is documented and applied. The IMS has been developed in order to reach consistently the Agency's objectives and operations in line with the expectations of the Agency's main stakeholders. It also includes processes for regular improvement of the system and continual assurance of conformity to the applicable statutory and regulatory requirements.

The Agency has developed its own quality management approach that defines the IMS, taking into account the various standards that the Agency's activities need to comply with. The GSA Management Standards are based on the following sets of standards:

- The ISO 9001:2015 standard;
- The ISO 27001:2013 standard (under consideration and potentially implemented as Tasks 14-16);
- The ISO 20000 standard (under consideration but not implemented);
- The ITIL library of best practices;



- The European Cooperation on Space Standardisation (ECSS) Standards;
- The Safety Management System standards;
- The European Commission's Internal Control Standards.

The **ISO 9001:2015** standard specifies requirements for a QM system where an organisation needs to demonstrate its ability to consistently provide products that meet customer and applicable statutory and regulatory requirements, and aims to enhance customer satisfaction through the effective application of the system, including processes for continual improvement of the system and the assurance of conformity to customer and applicable statutory and regulatory requirements.

The **ISO 27001:2013** standard specifies requirements for the establishment, implementation, monitoring and review, maintenance and improvement of a management system - an overall management and control framework - for managing an organization's information security risks. The GSA is preparing for ISO 27001:2013 certification and may activate the required support as Tasks 15 - 16 of this contract.

The **ISO 20000** standard is a worldwide standard specifically aimed at IT Service Management. It describes an integrated set of management processes for the effective delivery of services to the business and its customers. The **ISO 20000-1:2011 standard** is the formal specification and defines the requirements for an organisation to deliver managed services of an acceptable quality for its customers.

GSA IT service management processes will be designed based on **Information Technology Infrastructure Library (ITIL)** processes where relevant. ITIL is a set of best practices for IT service management focusing on aligning IT services with the needs of business. ITIL Best Practices underpin the foundation of ISO 20000, allowing organisations who implement ITIL to move towards ISO 20000 certification.

The **European Cooperation on Space Standardisation (ECSS) System** has been developed as a cooperative effort between the European Space Agency (ESA), the national European space agencies and space industries. It comprises a comprehensive set of documents addressing all essential aspects of the three major branches (project management, engineering and product assurance) for the successful implementation of space programmes and projects. The ECSS System is a base for all space-related activities undertaken by ESA, including Galileo and EGNOS.

The **Safety Management System (SMS)** is designed to cover the responsibilities relating to the European Commission's (EC) management of the EGNSS (especially EGNOS) programmes to provide assurance that the specifications are fit for purpose and the responsibilities of EC relating to the interfaces with other key stakeholders are clearly defined. The SMS refers only to safety. It therefore does not include any contractual issues or business risks, which are controlled by separate processes within the EC.

The **Internal Control Standards (ICS)** are developed by the European Commission. They specify the requirements, actions and expectations which are necessary to build an effective system of internal



control to provide reasonable assurances on sound financial management and the achievement of the objectives of the European GNSS Agency.

With the GSA WBS an agency-wide approach is applied towards the management of processes, in a common format across all departments. The work undertaken by the GSA is allocated into manageable work packages thus enabling a better planning and control of activities. This structure is then utilised in reporting, allocation of resources and auditing. The WBS and corresponding WPDs are defined in line with the ECSS Standard M-ST-10C "Project planning and implementation".

2.2 Technical terms of reference for the QM Support

Tasks to be performed by the contractor are divided into two categories:

- **Service-based tasks:**

Tenderers shall propose the methodology and effort to implement the activities related to Quality Management which shall ensure compliance with requirements that are necessary for successful ISO 9001 re-certification. The scope and the activities currently undertaken at GSA HQ in this respect are summarised in the documents which form Annexes VI-IX to this Tender Specifications. Further information about the activities of GSA that are supported by quality management activities can be found in the European GNSS Agency Programming Document 2018-2020, available on the GSA website under this link: https://www.gsa.europa.eu/sites/default/files/gsa-oed-spr-spd-229350_1.1_single_programming_document_2018-2020.pdf. The performance of service-based tasks shall relate to all GSA activities and departments, and all GSA locations. The effort for the completion of the service-based tasks must be estimated by the tenderer on a monthly basis using Annex II (Template Financial Offer). Quality and relevance of methodology for service-based tasks will be specifically evaluated in award stage (award criterion Q1);

- **Effort-based tasks:**

Tenderers shall quote in Annex II (Template Financial Offer) the man day price for their performance.

Quality and adequacy of the team for the performance of such tasks will be specifically evaluated in award stage (award criterion Q2 and Q3);

The tenderer must propose a set of CVs suitable for undertaking the tasks.

Tasks 10, 15 and 16 are optional, depending on the GSA deciding to undertake ISO 27001 certification. Their eventual activation must follow a written request from the GSA to the successful contractor. The tenderer must show in its tender the capacity to perform them.

2.3 Service-based tasks:

A full description of the Agency, its tasks and organisation can be found on the GSA website: www.gsa.europa.eu.

The scope of the service-based tasks includes:

- Maintenance of quality management of the organisation in line with ISO 9001 requirements



- Preparation for the recertification to ISO 9001 standard
- Preparation for the certification to ISO 27001 standard (if required by the Agency)

This includes the identification, drafting and release of the processes and procedures to enable the GSA to achieve its Quality Objectives as defined within GSA's Quality Policy.

This Quality policy commits the GSA to:

- Designing and enabling services that fully respond to user needs, while continually improving the European GNSS services and infrastructure;
- Managing the provision of quality services that ensure user satisfaction in the most cost-efficient manner;
- Engaging market interested parties to develop innovative and effective applications, value-added services and user technology that promote the achievement of full European GNSS adoption;
- Ensuring that European GNSS services and operations are thoroughly secure, safe and accessible.

The service-based approach shall support GSA in the quality-related field to:

- Consistently provide services that meet stakeholder and regulatory requirements;
- Ensure customer satisfaction by overseeing the effective use and development of the Galileo and EGNOS systems;
- Prevent Non-Conformities;
- Address the risks and opportunities pertinent to the goals of the GSA Mission;
- Deploy, integrate and maintain the required quality management processes.

As a result the service-based activities will provide inputs to:

- Ensure compliance with the International Standard ISO 9001 for Quality Management Systems (and ISO 27001 requirements if requested by GSA);
- Implement continual improvement;
- Develop risk-based thinking.

The aim is to enable GSA to implement a proactive approach to develop and adapt working processes to ensure service quality in a dynamic operational environment.

The tenderer shall propose the necessary services and their proposed implementation methodology, in order to maintain the appropriate quality management activities, with the aim to enable ISO 9001 recertification and to prepare the Agency for possible ISO 27001 certification. This shall include a proposal on the team composition and the place of service performance (on-site at the GSA or off-site at contractor's premises) to assure the most effective implementation of the service-based tasks.

Please refer to Annexes VI-VIII for more detailed information on the current activities undertaken in this frame within the Agency in support of the quality management and ISO 9001 certification support preparation activities. A summary can be found in particular in the Annex VI – IMS Manual, which provides an overview of the quality activities currently undertaken at the Agency. In addition, the tenderer shall provide an offer for undertaking the complementary activities which are required for



security quality management and ISO 27001 certification support preparation activities, see Annex IX for further information.

Provision of Annexes VI to IX to the tenderer

The Annexes VI-IX will be provided by the Agency to the tenderer based on his request accompanied by original of a signed Non-Disclosure Undertaking (Annex X).

The requests for provision of Annexes VI to IX must be sent in writing only to tenders@gsa.europa.eu. At the same time, the tenderer must deliver the original of signed NDU to the submission address as specified in section 4.7 of these specifications.

GSA will dispatch the Annexes VI to IX to the tenderer no later than 5 working days after the GSA receives both (i) the request for provision of Annex VI to IX and (ii) the original of NDU.

2.4 Effort-based tasks:

The Agency may request the contractor to perform tasks related to the Implementation of quality management activities in line with the applicable standards, as detailed in the table below.

Task	Name	Description
1	Work Breakdown Structure (WBS)	a. Provide updates of the WBS and associated WPDs as required.
		b. Implement regular checks and updates of app. 130 WPDs in coordination with work package owners and their line managers.
		c. Implement an annual review of the consistency of the WBS.
		d. Implement an annual check that the WBS and WPDs are aligned with the SPD and the Delegation Agreements.
		e. Manage the list of the WPD owners.
		f. Maintain the WBS handbook, management procedure and templates up to date, including online repository.
2	Standards	a. Maintain the collection of standards relevant to the GSA on-line and in single licence formats (ISO, ECSS, ITIL).
		b. Advise departments on the applicability, availability and procurement of standards upon request.
		c. Assure that the available standards are up to date.
3	Integrated Management System (IMS)	a. Prepare the establishment of an IMS including Information Security and Quality Management, the update of the related IMS documentation, action plans & follow up.



Task	Name	Description
		<p>b. Prepare the annual IMS Implementation Plan in coordination with the Quality Manager.</p> <p>c. Organise a monthly review of the progress and required updates of the IMS Implementation Plan.</p> <p>d. Conduct an annual gap analysis related to the IMS implementation at the GSA versus certification requirements.</p> <p>e. Support the analysis of external standards for incorporation into the GSA IMS.</p>
4	QM Policies, Processes and Procedures	<p>a. Perform an annual review and update of the GSA QM policies, processes and procedures.</p> <p>b. Maintain the register of policies, processes and procedures.</p> <p>c. Maintain the on-line repository of all QM-related documentation.</p> <p>d. Undertake with GSA departments the development and maintenance of department-specific repositories of policies, processes and procedures.</p> <p>e. Assure the adherence of the GSMC (Galileo Security Monitoring Centre) quality management processes to the GSA guidelines, in coordination with the GSMC quality officers.</p>
5	Monitoring and measurement, customer satisfaction	<p>a. Implement satisfaction surveys for the GSA departments (in-house and with external stakeholders).</p> <p>b. Maintain an overview of satisfaction surveys implemented across the GSA departments, stakeholders and subcontractors.</p> <p>c. Analyse the results of satisfaction surveys and provide suggestions for improvements.</p>
6	Internal Quality Audits	<p>a. Prepare the Annual Quality Audit Plan and associated QM documentation.</p> <p>b. Analyse the results of previous audits and resulting actions as new audit inputs.</p> <p>c. Prepare audit question lists and check lists.</p> <p>d. Manage the schedule of internal quality audits.</p> <p>e. Implement Internal Quality Audits according to plan.</p> <p>f. Draft audit reports and manage their approval in coordination with auditees and line managers.</p>
7	Management Review	<p>a. Define indicators and data to allow for evaluation of the effectiveness of the IMS.</p>



Task	Name	Description
		<ul style="list-style-type: none"> b. Prepare the agenda for the annual management review c. Collect the required documentation in alignment with the quality related tasks. d. Prepare the Management Review inputs and presentation. e. Prepare the Management Review minutes of meeting (MoMs).
8	Quality Awareness	<ul style="list-style-type: none"> a. Provide QM Induction Training for new internal and external staff. b. Implement training and awareness sessions for the GSA staff.
9	ISO 9001 Certification Support (if not through service tasks)	<ul style="list-style-type: none"> a. Prepare collections of evidence in alignment with standards specifications. b. Provide audit experience ("mock audits") for selected audit participants. c. Manage the schedule of external surveillance visits and re-certification audits. d. Analyse external audit reports and derive follow-up actions.
10	ISO 27001 Certification Support (if not through service tasks)	<ul style="list-style-type: none"> a. Prepare staff training sessions, in coordination with the concerned GSA departments. b. Organise audit training sessions ("mock audits"). c. Maintain an up to date certification gap analysis.
11	Programme Management Support	<ul style="list-style-type: none"> a. Review documents linked to service provision from a QM perspective (e.g. version control, templates, approval flow), and when appropriate also from a content perspective. b. Support departments in the definition of procedures. c. Contribute to progress reports, such as those that may be required by PMP. d. Provide a consistency check of all performance indicators and KPIs contained in the annual update of the SPD. e. Prepare and organise the GSA Quarterly Reviews, compile the inputs from all concerned departments and provide the integrated presentation. f. Follow up on actions resulting from the GSA Quarterly Review. g. Provide inputs to the reports for the weekly GSA management meeting. h. Support the definition and follow-up of corporate risk management activities as requested.
12	Continuous Improvement	<ul style="list-style-type: none"> a. Maintain the actions record related to non-conformances and suggestions for improvement for all GSA departments.



Task	Name	Description
		<ul style="list-style-type: none"> b. Follow up on the implementation of the CIDB actions in coordination with action owners and quality officers. c. Provide monthly analysis of the status and trends of the CIDB actions.
13	Quality Team	<ul style="list-style-type: none"> a. Provide advice and guidance to the GSA Quality Officers. b. Implement Regular Quality Team meetings and related working groups. c. Prepare MoMs of Quality Team meetings. d. Follow up on Quality Team discussions and action items; maintain the on-line repository of all QM-related documentation e. Implement the training and inboarding of new Quality Officers.
14	ISO 9001 Related Tasks (if not through service tasks)	<ul style="list-style-type: none"> a. Ensure the implementation of activities resulting from the IMS Implementation Plan and IMS gap analysis. b. Ensure the implementation and follow up of Management Review recommendations and actions. c. Ensure the implementation and follow up of internal and external audit recommendations and actions. d. Ensure the implementation and follow up of actions as required to maintain quality certification to the ISO 9001 standard.
15	ISO 27001 Planning Support (if not through service tasks)	<ul style="list-style-type: none"> a. Prepare a detailed roadmap for ISO 27001 preparedness and certification. b. Maintain an up to date implementation timeline including critical path analysis. c. Advise the GSA on the allocation of responsibilities and resources between departments, related to ISO 27001 implementation and certification. d. Advise the GSA on the definition of the scope of ISO 27001 applicability. e. Drive the incorporation of ISO 27001 into the GSA IMS.
16	ISO 27001 Implementation Support (if not through service tasks)	<ul style="list-style-type: none"> a. Support the ISO 9001 implementation working group and related activities. b. Maintain an up to date ISO 27001 implementation gap analysis. c. Support the establishment of an Information Assets Inventory. d. Prepare a risk management framework incorporating the GSA activities in the areas of corporate risk management, disaster recovery plans and business continuity planning. e. Prepare and maintain the Statement of ISO 27001 Applicability.



Task	Name	Description
		f. Support the operational aspects of ISO 27001 implementation within the departments, especially the definition, application and maintenance of controls.

2.5 Staff profiles for all tasks

The tenderer shall provide in its offer CVs of the staff proposed to perform each of the tasks listed in sections 2.3 and 2.4. Such profiles are to be categorised as per the table below. Profile categories are also reflected in the template financial offer (Annex II) for the calculation of the price of the tender.

Profile category	Years of experience	Minimum number of CVs	Experience
Senior Quality Technician (SQT)	At least 5 years	2	Practical relevant experience in the area of Quality Management and ISO 9001 implementation.
Junior Quality Technician (JQT)	At least 2 years	2	Practical relevant experience in the area of Quality Management and ISO 9001 implementation.
Senior Information Security Adviser	At least 5 years	2	Practical relevant experience in the area of Information Security and ISO 27001 implementation.

2.6 Deliverables

The contractor shall provide :

- Documentation, templates, technical notes, reviews and commented versions of documents (including booklets, website pages or other awareness documentation);
- Presentations;
- Meeting minutes;
- Other specific deliverables related to the execution of the tasks defined in the specific contract terms of reference.

Unless otherwise specified by the GSA, for each task the contractor shall deliver an electronic copy of each deliverable with all relevant data. The GSA may request that the contractor submits also one (1) paper copy of the final version of each deliverable and/or annexes. GSA templates shall be used when requested.

Results of the activities performed under the FWC may be published or released by the GSA to third parties. For this purpose, the contractor must ensure that there are no restrictions based on confidentiality and/or intellectual property rights imposed by third parties. Should the contractor



intend to use study data that cannot be published, such limitation must be explicitly mentioned in the offer.

In addition, for effort-based tasks, the deliverables will include:

- Progress reports (monthly, quarterly, ad hoc, close-out) as defined in relevant SC;
- Detailed timesheets;
- Updated list of the documents transmitted to the GSA;

2.7 Quality performance assessment

Activities carried out under the FWC shall meet the highest professional standards and include:

- Effective project management: seeking agreement on objectives, resources, timing and deliverables, adjusting them when needed.
- Compliance with the schedule of execution of deliverables.
- Reliable and efficient document management.
- Transparent reporting: any technical deviation (such as change of resource, scope, schedule, planning) or administrative deviation (such as change of legal representative, address, bank details, contact person, composition of consortium and/or of subcontracting) must be reported immediately to the GSA.
- Monthly or quarterly reporting, as requested by the GSA. To this end, and unless otherwise agreed, regular meeting will be organised at the GSA headquarters.
- Capacity of the contractor to react quickly to replace advisers deemed to be providing an unsatisfactory output (in principle within one month from notification of a request by the GSA).

Within the implementation of the contract, the GSA shall be entitled to refuse particular member of staff in compliance with Art. I.4.2 of FWC (Annex XI), if this member does not comply with the quality requirements prescribed in these tender specifications.

2.8 Security requirements

Activities may entail access to documents classified up to RESTREINT UE/EU RESTRICTED. However, the contractor will not be required to handle or produce such classified information within the meaning of Art. 1 of Decision 2015/444.² Neither a facility security clearance nor the personal security clearance is required for the access to classified information above.

² Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information OJ L 72, p. 53)



2.9 Legal and contractual terms of reference

2.9.1 Participation conditions

Participation to the procurement is open on equal terms to all natural and legal persons under the conditions set out in Article 119 of the Financial Regulation.³

2.9.2 Notice on the United Kingdom's withdrawal from the EU (complementing the participating conditions)

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the European Union, pursuant to Article 50 of the Treaty on European Union. This means that, unless a ratified withdrawal agreement⁴ establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30th March 2019, 00:00h (CET) ("the withdrawal date"⁵). The United Kingdom will then become a "third country"⁶.

Subject to any transitional agreement that may be contained in a possible withdrawal agreement, as of the withdrawal date, tenderers which are no longer established in the European Union as a result of the withdrawal of the United Kingdom, will no longer comply with the participating conditions Section 2.9.1. Therefore, subject to the following paragraph, those prime contractors and subcontractors will no longer be in a position to carry out their activities under the contract or the subcontract, respectively.

In as far as the tenderer and/or their subcontractors are in the situation described in the previous paragraph, tenderers shall provide in their tender adequate explanations, assurances and commitments on how they will ensure that, as from the withdrawal date, they and/or their subcontractors will continue to comply with the participating conditions set out set out in Section 2.9.1. Failure by tenderers to provide such adequate explanations, assurances and commitments will lead to rejection of the proposal.

More specifically,

The proposal shall therefore contain adequate explanations, assurances and commitments on how the Tenderers will ensure that, as from the withdrawal date, they and/or their subcontractors(s) will continue to comply with those participating conditions. This is hereinafter referred to as "Mitigation Plan" and will be evaluated as an integral part of the Tenderer's Proposal.

The Mitigation Plan shall contain:

³ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union

⁴ Negotiations are ongoing with the United Kingdom with a view to reaching a withdrawal agreement.

⁵ Furthermore, in accordance with Article 50 (3) of the Treaty on European Union, the European Council, in agreement with the United Kingdom, may unanimously decide that the Treaties cease to apply at a later date.

⁶ A third country is a country, which is not a member state of the EU.



a) a firm, irrevocable and unconditional commitment by the tenderer to assign the contract at the latest as from 30 March 2019 to another economic operator satisfying the participating conditions (the “Proposed Assignee”), as well as a firm, irrevocable and unconditional commitment and acceptance by the Proposed Assignee to be bound by all ITT requirements, rights and obligations; and

b) shall provide, as a minimum, the following information and documents:

- The tenderer shall clarify and justify that the schedule of this activity will not be affected and shall submit relevant information supporting such statement;
- The tenderer shall confirm and justify that the implementation of the Mitigation Plan will not cause any additional cost to this activity;
- The tenderer shall provide evidence of compliance of the Proposed Assignee with the participating conditions;
- The tenderer shall assume full responsibility, ensure and confirm all formalities which are required for such an assignment to be legal, valid and enforceable under the applicable law it adheres to;
- The tenderer and the Proposed Assignee shall explicitly state their compliance with Art. I.15 of the draft FWC (Annex XI of the Invitation to Tender) (clauses related to assignment).
- In order to substantiate the assignment, the tenderer is further expected to elaborate the mitigation plan to a full extent as an integral part of the baseline proposal, including complete technical, management and administrative, implementation, financial and contractual volumes as defined in the tender specifications.

Where applicable, the contract shall be assigned in whole or in part to the Proposed Assignee no later than 30th March 2019, to ensure that the participating conditions as stated in Section 2.9.1 are met. Such assignment is subject to Art. I.15 of the Contract.

The tenderer shall ensure that its subcontractor meets the conditions of Art. I.16 of the draft FWC (Annex XI of the Invitation to Tender).

2.9.3 Place of performance

The service-based tasks will be performed in the place indicated in the successful tender’s proposal. If proposed to be undertaken either partly or completely at the GSA facilities, the GSA will endeavour to make available the necessary office accommodation.

The effort-based tasks will be performed at contractor’s premises or at the GSA HQ in Prague, Czech Republic (if required so by the GSA).

Assignment (dedicated advisors)



For effort-based tasks which will be performed in GSA HQ in Prague instead of contractor's premises, the GSA shall reimburse to the contractor daily allowances and subsistence costs of (dedicated) advisors assigned (i.e. not only being on a mission) to GSA HQ in Prague, provided that (i) the performance of effort-based tasks by the dedicated advisor in the GSA HQ in Prague was explicitly required by the GSA and (ii) daily allowances and subsistence costs will be reimbursed in the amount indicated by the tenderer in "Financial Offer" (Annex II. hereto). No further reimbursement of any other costs like travel, hotel or daily allowances shall be done.

For avoidance of any doubts, please note that no reimbursement of any daily allowances and/or subsistence costs will be provided for performance of service-based tasks, unless agreed otherwise.

Short-term missions

Short-term missions (in case of both service-based tasks as well as in case of effort-based tasks) to the GSA's or the GSA sub-contractor's other premises might be necessary. Locations include, without limitation, the GSMC in Saint-Germain-en-Laye (France), the EGNOS liaison office in Toulouse (France) and the Galileo Control Centres (GCCs) in Oberpfaffenhofen (Germany) and Fucino (Italy). Costs and expenses incurred in such short term missions will be reimbursed in accordance with the EC Guide to Missions rules applicable to the GSA at the time of the mission (Annex II.1.II to the FWC).

2.9.4 Working conditions of the contractor's staff

The tenderer shall acknowledge in particular for effort-based tasks that personnel providing services to the GSA is not replacing the GSA staff but provides expertise and assistance not available in-house.

Any contractor's staff working at the GSA premises shall remain fully under the contractor's control, supervision and responsibility. Any working area at the GSA site is provided purely for ease of service provision and not replacing the personnel's workplace he/she has been provided by his/her employer.

Any contractor's staff working at the GSA premises is expected to coordinate in terms of logistic and working time with the needs and working hours of the GSA.

In FWC and its specific contracts (SC), the tenderer will be requested to acknowledge that the contract to be signed is (i) not meant to establish any employment relationship between the GSA and the tenderer's personnel performing the services and (ii) shall not be interpreted as establishing such a relationship. The tenderer shall take all measures to ensure this understanding with its personnel and shall indemnify and hold the GSA harmless against any claim which the GSA would face in this respect.

2.9.5 Volume of the contract

Considering the maximum duration of the FWC, the maximum budget for the FWC will be as follows:

- 2.000.000 €

After the contract is awarded, the GSA reserves the right to launch an exceptional negotiated procedure for similar services of a value up to 50% of the initial maximum FWC value with the same contractor in case of need, as foreseen in Art. 134(1)(e) RAP.



2.9.6 Conflict of interests

The tenderer shall respect the GSA policy on the conflict of interest (Annex V).

As part of contractor's specific offers, signed declaration(s) of confidentiality and absence of conflict of interests shall be submitted to the GSA, as per template provided by the GSA. Such declarations shall be signed by every dedicated adviser proposed to be assigned to tasks under the related specific contract.

2.9.7 Subcontracting

The contractor may call on subcontractors to provide specific know-how. However, the contractor will remain the sole entity legally and financially responsible vis-à-vis the GSA.

The tenderer must indicate clearly which parts of the work will be sub-contracted and to what extent (proportion in % of turnover and resources). The sub-contractor must not sub-contract further.

Sub-contractors must satisfy the eligibility criteria applicable to the award of the contract.

If the identity of the intended sub-contractor(s) is already known at the time of submitting the tender, the tenderer must furnish a statement guaranteeing the eligibility of the sub-contractor.

The tenderer shall present the name, contacts and advisers of the proposed subcontractors.

If the identity of the sub-contractor(s) is not known at the time of submitting the tender, the tenderer who is awarded the contract will have to seek the GSA's prior written authorisation before entering into a sub-contract.

Where no sub-contracting is indicated in the tender the work will be assumed to be carried out directly by the tenderer.

2.9.8 Participation of consortia

Consortia may submit a tender on the condition that they comply with the rules of competition.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure.

Such consortium must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender, to sign the contract and any ensuing amendment, in the name and on behalf of the consortium. All members of a consortium (i.e. the leader and all other members) are jointly and severally liable to the GSA.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see **sections 3.2 and 3.3** below). Concerning the selection criteria "economic and financial capacity" as well as "technical and professional capacity", the evidence provided by each member of the consortium will be assessed to ensure that the consortium as a whole fulfils the criteria.



The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium may be excluded.

2.9.9 Intellectual property rights

Applicable terms and conditions on intellectual property rights are defined in the draft contract (Annex XI of the Invitation to Tender).

2.9.10 Terms of payment

Payments shall be made in accordance with the provisions specified in the draft contract (Annex XI to the Invitation to Tender).

3 Assessment of tenders

Assessment of the tenders is following the stages described below.

3.1 Legal and administrative requirements

Ref. #	Requirement	To be evidenced by:	Applicable to:
L1.	General requirement Tenderers (including all consortium members and any proposed sub-contractor) must prove that they are authorised to perform the contract under the national law	Tenderers (including all consortium members and any proposed sub-contractor) shall provide a duly filled in and signed Legal Entity Form (see below) and proof of inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, authorisation or entry in the VAT register.	Tenderers (including all consortium members and any proposed sub-contractor)
L2.	Place of establishment Tenderers (including all consortium members and any proposed sub-contractor) must be established in an EU Member State, Norway or Switzerland.	Submission of a proof provided for under criterion L1 Additional supporting documents may be requested from successful tenderer upon notification of award by the GSA.	Tenderers (including all consortium members and any proposed sub-contractor)



3.2 Exclusion criteria

The tenderer shall not be in any exclusion situation described in the Declaration of Honour included in **Annex III** of the tender specifications. To this end, the tenderer must submit this Declaration of Honour duly completed, signed and dated.

Supporting evidence requested as part of the Declaration of Honour may be submitted only by the successful tenderer upon notification of award by the GSA. The GSA reserves the right to request the supporting evidence during the tendering procedure.

3.3 Selection criteria

Tenderers must fulfil the selection criteria below. Where indicated, tenderers shall provide a Declaration of Honour in the form provided in **Annex III** stating their compliance with the selection criteria. The GSA reserves the right to request the supporting evidence during the tendering procedure or upon notification of award by the GSA.

3.3.1 Financial and Economic capacity criteria

Ref. #	Financial and Economic capacity criterion	To be evidenced by:	Applicable to:
S1.	The tenderer must have financial and economic capacity required for performance of the contract pertaining to the described tasks. The tenderer is presumed to have these capacities if it has had a minimum yearly turnover of 200,000 (two hundred thousand) euro in last three years. If the tenderer does not have this turnover, it may submit, either within its tender or upon notification of award by the GSA, any other elements demonstrating the financial and economic capacity to perform the contract.	Submission of a copy of the official financial statements of the last three years or equivalent proof.	Tenderer (all members of consortium cumulatively)



3.3.2 Technical and professional capacity criteria

Ref. #	Technical and professional capacity criterion	To be evidenced by:	Applicable to:
S3.	Experience of supporting successful implementation of ISO 9001 certification or re-certification over the period of at least 3 years for one or more entities active in an aerospace programme or in a similar field (defence, IT, energy industry, automotive engineering, mechanical and electromechanical engineering etc.);	Declaration mentioning the duration of experience and entities for which the services were provided. GSA reserves the right to request supporting documents, proving this experience, during the procurement procedure or after the award decision and before the signature of the contract	Tenderer (all members of the consortium cumulatively)
S4	Experience of supporting successful implementation of ISO 27001 certification or re-certification over the period of at least 3 years for one or more entities active in an aerospace programme or in a similar field (defence, IT, energy industry, automotive engineering, mechanical and electromechanical engineering etc.);	Declaration mentioning the duration of experience and entities for which the services were provided. GSA reserves the right to request supporting documents, proving this experience, during the procurement procedure or after the award decision and before the signature of the contract	Tenderer (all members of the consortium cumulatively)
S5	All proposed profiles for all tasks must have at least level C1 in English	Declaration GSA reserves the right to request supporting documents, proving this experience, during the procurement procedure or after the award decision and before the signature of the contract	Tenderer (including any consortium member)



3.4 Minimum requirements

3.4.1 List of requirements

Tenderers and/or consortia must meet the minimum requirements specified below:

No	Minimum requirements	To be evidenced by:	Applicable to:
M1	The tenderer shall offer the staff profiles as described in section 2.4 and 2.5.	CVs	Tenderer (all members of consortium and proposed subcontractors cumulatively)
M2	The tender submitted must be compliant with applicable environmental, social and labour law obligations of the tenderer.	Statement of compliance with the requirements in the Declaration of Honour (Annex III). The GSA reserves the right to request supporting evidence during the tendering procedure or upon notification of award by the GSA.	Tenderer (including all members of consortium and any proposed sub-contractor)
M3.	All proposed profiles for tasks 1-9 & 11-19: At least 5 years (Senior) and 2 years (Junior) experience in QM and ISO 9001 implementation and certification.	CVs	Tenderer (all members of consortium cumulatively)
M4.	All proposed profiles for tasks 10, 15-16: At least 5 years experience in Information Security Management and ISO 27001 implementation and certification.	CVs	Tenderer (all members of consortium cumulatively)
M5	The tenderer must be able to communicate with the GSA in English (GSA internal working language).	Statement of compliance with the requirements in the	Tenderer (all members of consortium cumulatively)



No	Minimum requirements	To be evidenced by:	Applicable to:
		Declaration of Honour (Annex III). The command of English is verified by the fact that the tenderer understands the tender specifications drafted in English.	

The failure to comply with minimum requirements will lead to exclusion of the tenderer from the tender procedure.

3.4.2 Curriculum Vitae (CV) format

Experience requested in previous section shall be demonstrated by curriculum vitae of advisers which shall be submitted in English, according to the Europass format (available at: <http://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>).

The curriculum vitae of the proposed staff should indicate his/her experience relevant to the specific tasks that he/she will cover.

3.5 Award stage

For the tender to be evaluated in award stage, the tenderer must have passed the exclusion and selection stages and fulfil the minimum requirements.

3.5.1 Qualitative award criteria

No	Award criteria	Description of criteria	Points Max: 100 Min: 50
Q1	Quality and relevance of methodology for service-based tasks and effort-based tasks 1-9 & 11-14	Proposed methodology to carry out tasks execution, taking into account the GSA specificities, as well as needs described in present tender specifications; in particular: <ul style="list-style-type: none">Implementation of ISO 9001 requirements in line with the planning and management of processes of a space programme based on	Max: 35 Min: 17.5



No	Award criteria	Description of criteria	Points Max: 100 Min: 50
		<p>European Cooperation on Space Standardisation (ECSS), leading to ISO 9001 recertification.</p> <ul style="list-style-type: none"> • Maintenance and further development of the quality management organisation of the GSA, based on the WBS approach. • Adaptation of the risk management approach to the requirements applicable to GSA operations in line with the GSA risk management process. • Quality of proposed approach to guarantee efficient interfaces, without gaps and overlaps, to the GSA operational processes in line with ECSS-Q-ST-10⁷ • Implementation of ISO 27001 requirements in line with the planning and management of processes of a space programme based on ECSS, leading to ISO 27001 certification if so decided. <p>Service-based tasks (17.5 points)</p> <p>Effort-based tasks 1-9 & 11-14 (17.5 points)</p>	
Q2	Quality and adequacy of the team proposed for performance of service-based tasks and effort-based tasks 1-9 & 11-14	<p>Q2.1 Overall quality of the proposed advisers, both individually and as members of proposed team for service-based tasks (12.5 points).</p> <p>Q2.2 Overall quality of the proposed advisers, both individually and as members of proposed team for effort-based tasks 1-9 & 11-14 (12.5 points).</p> <p>The qualification, the length and quality of experience of the proposed staff (including the fact that the staff has more than the minimum required</p>	<p>Max: 25</p> <p>Min: 12.5</p>

⁷ Available online at www.ecss.nl



No	Award criteria	Description of criteria	Points Max: 100 Min: 50
		experience as indicated in section 2.5) will be considered within the evaluation of this criterion.	
Q3	Quality and adequacy of the team and methodology proposed for performance of effort-based tasks 10, 15, 16	<p>Q3.1 Overall quality of the proposed advisers, both individually and as members of proposed team.</p> <p>The qualification, the length and quality of experience of the proposed staff (including the fact that the staff has more than the minimum required experience as indicated in section 2.5) will be considered within the evaluation of this criterion</p> <p>(5 points)</p> <p>Q3.2 Proposed methodology to carry out tasks execution, taking into account the GSA specificities, as well as needs described in present tender specifications; in particular:</p> <p>Identification, design, documentation and evaluation of activities according to ISO 27001 requirements, in line with the planning and management of processes of a space programme based on ECSS, leading to ISO 27001 recertification.</p> <p>(5 points)</p>	Max: 10 Min: 5
Q4	Quality and adequacy of organisation of work	<p>Quality of proposed organisation of work including</p> <ul style="list-style-type: none"> responsibilities and coordination between team members and suitability of proposed allocation of tasks to team members proposed location for the provision of services and tasks being understood that sufficient presence of advisers at GSA HQ will be considered as an advantage responsiveness to changes including business continuity management 	Max: 25 Min: 12.5



No	Award criteria	Description of criteria	Points Max: 100 Min: 50
Q5	Conflict of interest	- Quality of proposed measures for detecting, preventing and resolving any potential and/or emerged conflicts of interests during the contract execution.	Max: 5 Min: 2.5
Total			Max: 100 (Minimum score required: 50)

All sub-criteria will have the same weighing for the evaluation, unless explicitly specified.

Tenders which receive a score lower than the minimum score required in a single qualitative award criteria or a total lower than fifty (50) points on overall technical quality will be rejected.

3.5.2 Financial Award Criteria

3.5.2.1 General

The tables in **Annex II** to this document shall be duly filled in, stamped, initialled, dated and signed by the tenderer, without any omission or addition with regard to the original format.

The tenderer shall indicate the prices for the complete service for service-based tasks and price per man day for effort-based tasks. Rules on use and calculation of the man days are set out in Articles I.4.1 of the FWC (Annex XI of ITT).

For effort-based tasks, man days should be assumed as corresponding, in principle, to 8 working hours. Considering the requirements of coordination of services with the needs and working schedule of the GSA, tenderers shall note that, in some circumstances, the man day can exceed 8 hours. In such a case, extra hours shall not have impact on the firm price for the man day.

In the Annex II, the tenderer shall also indicate daily allowances and subsistence costs of dedicated advisors, who may be assigned to performance of effort-based tasks to GSA HQ, Prague, Czech Republic (see Section 2.9.3).

The tables in Annex II will be used by the GSA to perform the evaluation of tenders against the Financial Award Criteria.

Prices given by the tenderer shall include any and all costs related to the performance of the FWC.



Prices presented shall be firm, fixed and binding for the tenderer/contractor throughout the duration of the FWC and shall be used as basis for calculation of prices of specific contracts to be executed under the FWC.

3.5.2.2 Calculation of financial score of the tender

The tenderer which is above the technical threshold and which offers the least expensive total price in the table of Annex II will receive one hundred (100) points.

Other tenderers will receive the proportionate points according to the ratio between the least expensive total price and their own price, as shown in the formula below:

Financial Score of Tender X = (cheapest total price received / total price of the tender X) * 100

3.5.3 Calculation of final score and ranking of tenders

The FWC will be awarded to the tenderer which obtains the highest score according to the formula shown below:

FINAL SCORE = 60% of Qualitative Evaluation score + 40% of Financial Evaluation score
--

4 Conditions of submission of tenders

4.1 Disclaimers

Please note disclaimers referred to in the invitation to tender.

4.2 Visits to premises or briefing

Visits to the GSA's premises or briefings during the tendering process are not foreseen.

4.3 Variants

Variants are not permitted under this procurement procedure.

4.4 Preparation costs of tenders

Costs incurred in preparing and submitting tenders are borne by the tenderers and will not be reimbursed.

4.5 Presentation of the tender

4.5.1 Language

Tenders shall be drafted in one of the official languages of the European Union, preferably **ENGLISH**.



4.5.2 Outer envelopes

Each Tender must be presented in one (1) outer envelope or parcel, which should be sealed with adhesive tape, signed across the seal.

Each outer envelope shall carry the following information:

- the reference number of the Invitation to Tender **GSA/OP/06/18**
- the project title **“IMS and QM Support to GSA”**
- **the name of the tenderer**
- the indication **“Tender - Not to be opened by the internal mail service”**
- **the address for submission of tenders** (as indicated in **section 4.7**)
- **the date of posting** (if applicable) should be legible on the outer envelope.

4.5.3 Inner envelopes

Each outer envelope shall contain **three (3) inner envelopes**, namely, **Envelope 1, 2 and 3 stating the content of each:**

- Envelope 1: “ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA”, with the name and stamp of the tenderer and the reference number of the Invitation to Tender „GSA/OP/06/18“;
- Envelope 2: “TECHNICAL OFFER”, with the name and stamp of the tenderer and the reference number of the Invitation to Tender “GSA/OP/06/18“;
- Envelope 3: “FINANCIAL OFFER”, with the name and stamp of the tenderer and the reference number of the Invitation to Tender „GSA/OP/06/18“.

Each inner envelope shall contain **one (1) ORIGINAL and three (3) COPIES**. The original tender shall be marked **“ORIGINAL”**, and the copies signed in the same way as the original shall be marked **“COPY”**.

It is required that tenders be presented in the correct format and include all documents necessary to enable the evaluation committee to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

The GSA retains ownership of all tenders received under this procedure. Consequently tenderers shall have no right to have their tenders returned to them.

4.6 Content of the tender to be submitted

Each tender must consist of:

1. an administrative file (envelope 1).
2. a technical offer (envelope 2).
3. a financial offer (envelope 3).

In addition to the above, in general the tender must be:

- signed by the tenderer or his duly authorised representative;



- perfectly legible so that there can be no doubt as to words and figures;
- clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled or organised in files).

The GSA reserves the right to request additional evidence in relation to the tender submitted for evaluation or verification purposes.

4.6.1 Administrative file

Each tender shall include an administrative file, containing:



ENVELOPE 1 – ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA (one (1) ORIGINAL and three (3) COPIES per envelope).

- A **cover letter**, dated and signed by the tenderer or by any other duly appointed representative and including:
 - A declaration of full acceptance of the requirements in this Invitation to Tender;
 - The tenderer's undertaking to provide the services;
 - A list of all the documentation included/enclosed in the tender;
 - A list of the legal entities involved, specifying each entity's role and qualifications;
 - Tenderer's contact details.
- The duly filled in, signed, stamped and dated **identification sheet of the tenderer** using the template in **Annex I⁸**
- The duly filled in, signed and dated **legal entity form⁹** using the template available at:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm
- any supporting documents required in this template.
- A statement containing the name and position of the tenderer's **authorised representative/signatory** and **official** documentary evidence proving the representative's legal authority to validly sign on behalf of the organisation.
- In case of consortia, a duly signed and dated **statement/declaration** by each of the consortium members specifying the company or person heading the project and authorised to submit a tender on behalf of the consortium, sign the general terms and conditions of contract in the name and on behalf of the other consortia members, manage the contracts, including any amendment thereof in the name and on behalf of other consortia members.
- In case of subcontractors, a signed, stamped and dated **declaration of intent (Annex IV)**
- The duly filled in, signed and dated **Financial Identification Form** using the template available at:
http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm
- The duly filled in, signed, stamped and dated **declaration(s) of honour¹⁰** relating to **exclusion, selection criteria and minimum requirement** using the template in **Annex III**.
- **1 CD-ROM containing any and all electronic files (in searchable format) related to ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA, strictly identical in full to the original tender.**

⁸ One (1) per tenderer (presenting all the legal entities involved in the consortium and/or sub-contractors)

⁹ One (1) per legal entity (i.e. tenderer, all consortium members, all subcontractor(s))

¹⁰ One (1) per legal entity (i.e. tenderer, all consortium members, all sub-contractor(s))



4.6.2 Technical proposal

Each tender shall include a technical proposal demonstrating a good understanding of the tender requirements and the capability to satisfy them.

Tenderers shall describe as part of their technical proposal all prior experience relevant for performance of the tasks requested.

Moreover, tenderers (whether being sole contractor or part of a consortium/grouping) are requested to demonstrate how their proposed methodology/strategy/organisation will guarantee the most efficient and effective implementation and management of the requested tasks. In particular, tenderers should ensure that their approach is adapted to take full account of the specificities of the programmatic context within which the GSA operates, and are encouraged to consider carefully the approach which the GSA has developed and deployed so far.

In particular, the tenderers must include into the technical proposal a full and detailed description of proposed approach as regards to the full set of the award criteria (see section 3.5.1). Tenderers shall provide a compliance matrix to the award criteria demonstrating where in their tender they provide explicit evidence of meeting the award criteria.

Here below is a summary of the content requirements of the Technical proposal:

ENVELOPE 2 – TECHNICAL OFFER (one (1) ORIGINAL and three (3) COPIES per envelope).
<ul style="list-style-type: none">Duly signed and dated Executive Summary (2 pages maximum) on the Technical Offer.
<ul style="list-style-type: none">Technical Proposal, in accordance with the requirements of the present tender specifications
<ul style="list-style-type: none">1 CD-ROM containing any and all electronic files (in searchable format) related to TECHNICAL OFFER, strictly identical in full to the original tender.

4.6.3 Financial proposal

4.6.3.1 Content

Each tender shall include a financial proposal. Here below is a summary of the content requirements of the technical proposal:

ENVELOPE 3 – FINANCIAL OFFER (one (1) ORIGINAL and three (3) COPIES per envelope).
<ul style="list-style-type: none">Duly signed and dated financial proposal using the template in Annex II¹¹
<ul style="list-style-type: none">1 CD-ROM containing any and all electronic files (in searchable format) related to FINANCIAL OFFER, strictly identical in full to the original tender.

The financial offer must respect the following conditions:

¹¹ One (1) per tender



4.6.3.2 Unit prices and total price

Unit prices quoted in **Annex II**, must be firm and fixed and are not subject to revision. The unit prices in the financial offer will constitute the price list for the duration of FWC¹², and shall include all costs and expenses which are necessary for performance of the tasks.

These cost and expenses are notably: effort for all the tasks (including drawing up quotations and reports) necessary for their performance, including all costs (management of the project, administrative support and any support resource, coordination, quality control or currency conversion fees).

4.6.3.3 VAT exemption

As the GSA is exempt from all taxes and dues, including value added tax (VAT), pursuant to Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union, these must not be included in the price.

4.6.3.4 Currency and exchange rates

The price tendered must be all-inclusive and expressed in Euro, including for countries which are not part of the Euro zone. For tenderers in countries which do not belong to the Euro zone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and assume the risks or the benefits deriving from any fluctuation.

4.7 Submission

Tenders may be submitted by post mail, express mail, commercial courier or hand-delivered and are to be submitted not later than the relevant date and time specified in section 1.5 above to the following address:

European GNSS Agency
Procurement and Legal Department
Tender ref: GSA/OP/06/18
Janovskeho 438/2
170 00 Prague 7
Holesovice, Czech Republic

Tenders sent by post mail, express mail and commercial courier shall be addressed to this address not later than 23:59 (local time) of date as indicated in section 1.5. In this case, a receipt must be obtained as proof of submission.

In case the tender is hand-delivered, a receipt must be obtained as proof of delivery, signed and dated by the reception desk officer. The reception is open from 08.00 to 17.00 Monday to Thursday, and

¹² Price grid quantities estimates are provided by the GSA in Annex II. Such estimates will only be used by the GSA to simulate the cost competitiveness of tenderers against the most realistic scenario of implementation of the framework contract. In this respect, quantity estimates are in no way binding. Upon signature of the framework contract, only the unit prices provided by the tenderers in the duly completed tables of Annex II.



from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays, European Commission holidays and some Czech national holidays.

Upon submission of tenders by post mail, express mail, commercial courier or hand-delivery, tenderers shall send an email of notification of submission to tenders@gsa.europa.eu. The subject of the email shall be: "GSA/OP/06/18: submission of tender by *[insert name of legal entity / consortium]*"

4.8 Public opening of the tenders

The tenders will be opened on the date and time specified in section 1.5 above, in the offices of the GSA, Janovského 438/2, Prague 7, Czech Republic.

This opening session will be public. A representative(s) of each tenderer may attend the opening of the tenders. At the end of the opening session, the Chairman of the opening committee will disclose the name of the tenderers and the decision concerning the admissibility of each offer received. The prices indicated in each tender received will not be communicated.

Tenderers who wish to attend are invited to send a request (at least 5 (five) calendar days before the date of the opening) to the following e-mail address: tenders@gsa.europa.eu, specifying the name(s) of the attending person(s) and the tenderer (s)he represents. The subject of the email shall be: "GSA/OP/06/18: request from *[insert name of legal entity / consortium]* to participate to the opening session"

In order to be able to enter the GSA premises for the opening of the tenders, the attending person(s) shall present an ID card or passport at the reception of the GSA. Maximum one representative of a tenderer may attend the opening.

4.9 Period of validity of the tenders

Period of validity of the tenders, during which tenderers may not modify the terms of their tenders in any respect: 9 (nine) months from the closing date for the submission of the tenders.

4.10 Further information

Contacts between the GSA and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

- At the request of the tenderer, the GSA may provide additional information solely for the purpose of clarifying the nature of the contract.
- Any requests for additional information must be made in writing only to tenders@gsa.europa.eu. The subject line of the e-mail has to quote the reference of the procurement procedure: GSA/OP/06/18.



- Requests for additional information received after deadline specified in section 1.5 above will not be processed (*for practical reasons*).
- The GSA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the Invitation to Tender.

After the opening of tenders:

- If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the submitted tender must be corrected, the GSA may contact the tenderer, although such contact may not lead to any alteration of the terms of the submitted tender.

4.11 Information for tenderers

The GSA will inform tenderers of decisions reached concerning the award of the contract in due course, including the grounds for any decision not to award a contract or to recommence the procedure.

If a written request is received, the GSA will inform all rejected tenderers of the reasons for their rejection and all tenderers submitting an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

4.12 Data protection specific to the tender process

Processing the reply to the invitation to tender involves the recording and processing of personal data. Such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

Identity of the Controller: Unless indicated otherwise, replies to the questions and any personal data requested are required to evaluate the tender in accordance with the tender specifications and will be processed solely for that purpose by the Executive Director of the GSA (the Controller), Head of Administration and Head of Legal and Procurement Department (the Delegated Controllers).

Purpose of processing: Upon reception of your tender by the Controller, your personal data is collected and further processed for the purpose of the management and administration of the selection of procurement by GSA services.

Data concerned: personal data collected and further processed concern the tenderer and its staff or subcontractors (natural persons). Information can relate to the following data: name; function; contact details (e-mail address, business telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, internet address); certificates for social security contributions and taxes paid, extract from judicial records; bank account reference (IBAN and BIC codes), VAT number, passport number, ID number; information for the evaluation of selection criteria or eligibility criteria: expertise, technical skills and languages, educational



background, professional experience including details on current and past employment; declaration on honour that they are not in one of the exclusion situation referred to in article 93 and 94 of the FR.

Legal bases: The FR and the RAP

Lawfulness of processing: The lawfulness of the processing is based on Article 5(a), 5(c) and 5(d) of Regulation (EC) No 45/2001.

Recipients of the data processed: For the purpose detailed above, access to your personal data is given to the following persons, without prejudice to a possible transmission to the bodies in charge of a monitoring or inspection task in accordance with European Union law: (i) the GSA staff as well as outside experts and members of opening or evaluation committee and contractors who work on behalf of the GSA for the purposes of management of the procurement procedure and request to participate evaluation, and the bodies charged with a monitoring or inspection task in application of European Union law (e.g. internal audits, Financial Irregularities Panel, European Anti-fraud Office - OLAF); (ii) members of the public; In case you are awarded a contract by the GSA, your personal data will be made public, in accordance with the GSA's obligation to publish information on the outcome of the procurement procedure and on the beneficiaries of funds deriving from the budget of the European Union (Article 90, 110 (2) and Article 30(3) of the FR, respectively). The information will concern in particular your name and address, the amount awarded and the name of the project or programme for which you are awarded a contract. It will be published in supplement S of the Official Journal of the European Union and/or on the website of the GSA.

Information on the retention period of personal data: Files relating to tender procedures, including personal data, are to be retained by the GSA until procurement procedure is finalised, and in the archives for a period of 7 years following the end of the year when last payment has been made under the contract signed as a result of the procurement procedure. However, tenderers from unsuccessful tenderers have to be kept only for 7 years following the signature of the contract. Files may have to be retained also until the end of a possible audit if one started before the end of the above periods.

Technical storage information: Files relating to tender procedures, including personal data, are retained both in soft (electronic) and hard (paper) format in GSA servers/premises where access is granted in controlled manner strictly on basis of justified need-to-know.

Your personal data may also be registered in the Early Detection and Exclusion System (EDES) of European Commission if you are in one of the situations mentioned in Article 106 of the FR. For more information, see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)

The data subject's rights and contact data: Data subjects have the right of access and rectification (modification, correction or deletion) of their personal data at any time. Requests shall be addressed to the Controller via GSA Data Protection Officer at dpo@gsa.europa.eu by describing your request explicitly. Any rectification of your personal data will be taken into consideration from the data protection point of view. Special attention is drawn to the consequences of a request for deletion, as this may lead to an alteration of the terms of the tender and lead to exclusion as stated in Article 148



of the RAP. Data subjects are entitled to lodge an appeal with the European Data Protection Supervisor (EDPS) at edps@edps.europa.eu should they consider that the processing operations do not comply with Regulation (EC) 45/2001.

5 Acronyms and Definitions

Acronym	
CET	Central European Time
CIDB	Continuous Improvement Data Base
CV	Curriculum Vitae
ECSS	European Cooperation on Space Standardisation
EDES	Early Detection and Exclusion System
EDPS	European Data Protection Supervisor
EGNOS	European Geostationary Navigation Overlay Service
EU	European Union
EU	European Commission
FWC	Framework Contract
GCC	Galileo Control Center
GNSS	Global Navigation Satellite System
GSA	European GNSS Agency
GSMC	Galileo Security Monitoring Center
ICS	Internal Control Standards
IMS	Integrated Management System
ISO	International Standards Organisation
ITIL	Information Technology Infrastructure Library
JQT	Junior Quality Technician
KO	Kick-Off
KPI	Key Performance Indicator
NDU	Non-Disclosure Undertaking
OLAF	European Anti-fraud Office
PMP	Project Management Plan
PSC	Personal Security Clearance
QM	Quality Management
SC	Specific Contract
SISA	Senior Information Security Adviser
SMS	Safety Management System
SPD	Single Programming Document
SQT	Senior Quality Technician
VAT	Value Added Tax
WBS	Work Breakdown Structure
WPD	Work Package Description



6 Annexes

These tender specifications have the following annexes:

Annex	Title
Annex I	Template identification sheet of the tenderer
Annex II	Template financial offer
Annex III	Template Declaration of Honour for exclusion and selection criteria and minimum requirements
Annex IV	Template declaration of intent
Annex V	GSA policy on the prevention and management of conflicts of interest
Annex VI	Integrated Quality Management System Manual
Annex VII	Work Breakdown Structure Chart
Annex VIII	Work Package Description
Annex IX	ISO 27001:2013 High-level Implementation Roadmap
Annex X	Non-Disclosure Undertaking
Annex XI	Framework Agreement

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