

Clarification no.1 to

Invitation to Tender: AO/1-6052/09/NL/CBI
Title: Announcement of Opportunity – Call for Outline Proposals
under the Czech Republic Industry Incentive Scheme

Date: 16/03/2009

In the context of the above referenced invitation to tender we publish a list of FAQ and the answers given.

QUESTION 1:

Will the closing date of 15th May 2009 be extended?

ANSWER 1:

There will be no extension as the tendering period is already twice as long as the tendering period of a standard ITT.

QUESTION 2:

What is the situation regarding Intellectual Property Rights?

ANSWER 2:

In general, as stated in the General Clauses and Conditions of ESA contracts, the Developer shall own all IPR arising from work performed under the Contract (Foreground IPR) and the IPR shall be available to the Agency for its Own Requirements to use on a free world wide licence (see Clause 39 and 43 of GCC). There may be however deviations from this rule if the Agency judges that it must own the IPR.

QUESTION 3:

Is there any specific allocation of budget for the different types of activities (Section 2, a), b) and c) of the Cover letter of AO 6052)?

ANSWER 3:

No. There is no a priori allocation of the funds between the different types of activities. The decision will be taken by the Task Force on the recommendation of the Tender Evaluation Board.

QUESTION 4:

Who funds non-Czech partners (as in Section 1 of the Cover Letter) that may be part of the proposal?

ANSWER 4:

In the context of Section 1 of the Cover Letter, the funding of non-Czech organisations will come from the same Czech Industry Incentive Scheme. The principle is straightforward: if the benefit is for the Czech Republic it should be funded by the Incentive Scheme.

QUESTION 5:

How many participating entities are permitted per proposal?

ANSWER 5:

There is no restriction. In the case of multiple entities the management of the activity becomes very important. In the evaluation of proposals there is a criterion for the management of the activity.

QUESTION 6:

The ITT package contains information on the Workplan of the Agency regarding technological activities. If there are updates on these workplans is there any cut off date that needs to be taken into account?

ANSWER 6:

No, there is no cut-off date. A new activity may be included in the Workplans at any time. The risk of overlap, leading to exclusion of the outline proposal, rests with the submitter.

QUESTION 7:

How are the weighting factors applied in the evaluation?

ANSWER 7:

The weighting factors for each criterion are determined by the TEB before the issue of the ITT and sealed in an envelope. The weighting factors are applied to the marks given by the TEB after the evaluation of all proposals. The weighting factors are confidential.

QUESTION 8:

In the case of several proposals on the same subject being positively evaluated and the agency decides to issue a restricted competitive invitation to tender, can the bidders group together and send in a combined proposal?

ANSWER 8:

No.

QUESTION 9:

Can outline proposals that complement EC funded activities be submitted?

ANSWER 9:

In principle yes but it should be noted that 1) the same activity/work cannot have 2 funding sources, 2) ESA activities must have clear deliverables.

QUESTION 10:

In the case of an optional or mandatory programme, is this AO the only way to submit a proposal?

ANSWER 10:

No. In EMITS there are many ITTs in optional and mandatory programmes subscribed by the Czech Republic that Czech entities may submit proposals to.

QUESTION 11:

For outline proposals relevant to Section 2, b) does an industrial company need to be connected to a research and development institute?

ANSWER 11:

No.

QUESTION 12:

Is it possible for a Professor from an American University, who is also affiliated to a Czech University, to participate to a project?

ANSWER 12:

As mentioned in Paragraph 1 of the cover letter, the participation of non-Czech entities has to be fully justified, participation should be limited and not constitute the core of the activities. The cost is to be reflected in the PSS forms under External Services.

For this reason the affiliation and CV of all key personnel has to be fully documented as it will also be evaluated (see evaluation criteria in Special Conditions of Tender).

QUESTION 13:

In the PSS forms what is meant by:

- a) External major products, Semi-finished products, Hired parts
- b) What is the difference between external services and subcontracts
- c) There is no category for attendance or organisation of meetings, workshops, conferences and other dissemination actions. Why is that?
- d) If equipment falls under “electric parts and mechanical parts” what will be the case for consumables
- e) Internal Special Facilities is hard to define

ANSWER 13:

Please refer to the following website where the Forms as well as the Instructions to fill in the forms are available <http://emits.esa.int/>. The Instructions will answer the above questions.

Note: For further clarification to:

c) the meetings, workshops, conferences, if part of the project should be reflected under Miscellaneous, except for travel costs for the project, this should be reflected under Travel and subsistence.

d) consumables will fall under raw materials

QUESTION 14:

In the PSS A1 form for the field named “Sub-contracts” do we put the amount that will be paid to our subcontractor for his services and should the Sub-contractor fill in PSS forms for himself as well?

ANSWER 14:

Yes, in the field “Sub-contracts” the amount to be paid to your Sub-contractors is to be entered and Sub-contractor(s) are to complete and sign their own PSS forms.

QUESTION 15:

Are the PSS forms included in the maximum number of pages (25)?

ANSWER 15:

The PSS forms can be attached to the proposal as an Annex and are an addition to the maximum limit of 25 pages.

QUESTION 16:

There are some labour categories where we cannot calculate a basic hourly rate, for example, external associates. What should we do about these categories in the PSS forms A1 and A2?

ANSWER 16:

It is not necessary to provide basic hourly rates for external services in the PSS forms, however, in the proposal you must provide clear visibility on the extent of the participation including the CV's of the external associates, manhours, travel expenses (if any) etc.

QUESTION 17:

If we cannot calculate internal special facilities unit rate, what should we do?

ANSWER 17:

Usually, in the case of universities and institutions, the cost of internal facilities (laboratories, clean rooms, other machinery etc.) is covered by public funding and no cost should be reflected in the PSS forms.

If this is not the case and the cost for the running of this facility cannot be calculated separately it can be incorporated in the Gross Hourly Rates.

QUESTION 18:

Under "Economic Condition" and "Type of Price" (PSSA1 and A2) what should we state?

ANSWER 18:

For "Economic Condition" the rates applicable for 2009 should apply. The Type of Price should be a Firm Fixed Price.

QUESTION 19:

If the proposed activity concerns the development of a Software tool should we indicate readiness level by using a) the TRL scale, b) the software development readiness scale (Algorithm, Prototype, etc.) or c) both?

ANSWER 19:

You should use b) the software developments readiness scale as described in Appendix 1 to AO/1-6052/09/NL/CBI (Reference Documentation) but ensure, however, that the field of application of the software development is very clear in the outline proposal.

QUESTION 20:

Are there any obvious printing/binding/packaging requirements we should be aware of? E.g. any provisions for double packaging (inside and outside envelopes), any provisions for not mentioning company name on the outer package and so on?

ANSWER 20:

As mentioned in the Special Conditions of Tender (Appendix 3 to the AO) the Agency's "General Conditions of Tender for ESA Contracts" available on EMITS under "Reference Documents" ➤ "Administrative Documents" and referred to as the General Conditions of Tender, shall apply. In the General Conditions of Tender you will find the following paragraph on Packing of tenders:

“Competitive tenders shall be dispatched in double envelope. The inner envelope shall be sealed and shall be without indication of origin but marked with the definition of the supplies or services and the reference number of the AO.

Both sides of the envelope shall be marked as follows:

CONFIDENTIAL
TO BE OPENED BY THE TENDER OPENING BOARD ONLY

The outer envelope, carrying the tenderer's name and address shall be sent to the establishment issuing the AO. Competitive tenders shall be for the attention of the Central Registry.”

QUESTION 21:

Do we have to sign and stamp each page of the proposal including the appendices or just the cover letter?

ANSWER 21:

There is no need to stamp each page of the proposal. Only the cover letter and the PSS forms need to be signed. Please note that each sub-contractor(s) is required to sign their own PSS forms.

QUESTION 22:

Is there any contact person in the Czech Republic regarding the AO?

ANSWER 22:

All communication regarding this AO is to be directed only to the ESA Contracts Officer of this AO.

QUESTION 23:

For preparatory activities what kind of products are expected?

ANSWER 23:

In this context preparatory means something that is done in advance or before the actual target activity. For this reason a preparatory activity is naturally expected to have objectives and not products that have a very precise meaning in an operational context. The start and end TRL in a preparatory activity must be lower than the target activity.

QUESTION 24:

Is it advisable to provide the CV's of the key personnel participating in the project as an annex to the proposal?

ANSWER 24:

The CV's of the research team should not be an annex but be part of the 25 page proposal. It is therefore important that the CV's are pertinent to the activity.

QUESTION 25:

Should we indicate the Start and End of each WP with months-since-project start or with calendar months?

ANSWER 25:

You should indicate the Start and End dates with months since project start (e.g. TO +3 months)

QUESTION 26:

When completing the PSSA1 and PSSA2 forms under Labour Hours and Cost, should we give analytically the cost for each person to be involved in the project with his/her name or in personnel categories (e.g. staff, external experts, etc.)

ANSWER 26:

In the PSS forms you do not need to put each persons name but mention each category and the relevant hourly rate for each category. In Part C paragraph 2. - Team Organisation and Personnel, persons must be identified by name and professional category.

In the PSS forms please note that it is not necessary to specify the hourly rates for external experts and their cost is to be reflected in the PSS forms under 3.7. In the proposal, however, you must provide clear visibility on the extent of the participation including the CV's of the external associates, manhours, travel expenses etc.

QUESTION 27:

Can the Manager of a project change some personnel as well as the money sharing to each one of the persons involved in the work throughout the duration of the project?

ANSWER 27:

The change of key personnel is not permitted without the approval of the Agency. If there is any change in the allocation of money from what appears in the PSS forms, approval of the Agency is required.

The change in funding is to be formalised by means of a Contract Change Notice to be signed by both parties. For change of key personnel this will be formalised by means of a letter.