



SJU/LC/0087-CFP

~~7 February 2013~~ 14 May 2013

SESAR Integrated Remotely Piloted Air System Demonstration Activities – Technical Specifications

1 Introduction

1.1 Overview of this call

In the framework of the European Remotely Piloted Air Systems Steering Group ("ERSG") established by the European Commission in 2012, there is the need to identify, plan, coordinate, and subsequently monitor the activities necessary to achieve the safe integration of Remotely Piloted Air Systems ("RPAS") into the non-segregated Air Traffic Management ("ATM") environment. In the context of SESAR where the new generation of ATM systems and operations is being built, RPAS are likely to become some of the aircraft that SESAR systems will need to incorporate.

More specifically, the need for SESAR Integrated RPAS Demonstration Activities to ensure the adequate integration of these systems in the non-segregated ATM has already been identified in different working documents of the European Commission on the subject.

The purpose of this call for proposals is to select a number of 'Demonstration Activities' Projects, including integrated pre-operational flight trials activities, (the "Demonstration Projects"), which shall aim at:

- demonstrating how to integrate RPAS into non-segregated airspace in a multi-aircraft and manned flight environment, in order to explore the feasibility of integration with the wider aviation community by 2016;
- focusing on concrete results filling the operational and technical gaps identified for RPAS integration into non-segregated airspace; and
- capitalising on the SESAR delivery approach by providing synergies, risk and opportunities, with the overall SESAR programme.

The Demonstration Activities shall:

- be relevant at European scale;
- be performed in European Union and/or Eurocontrol member States;
- cover various types and sizes of RPAS, and
- be performed between the third quarter 2013 and first quarter 2015¹.

Each project selected by the SESAR Joint Undertaking ("SJU") in accordance with the criteria indicated in Section 4 below shall be the subject of one individual co-financing agreement and co-financed to a maximum of 50% of the total actual eligible costs².

This call is part of the Annual Work Programme 2013 of the SJU, approved by the Administrative Board on 19 December 2012³ and is in accordance with the SJU Financial Rules adopted by the Administrative Board on 31 December 2010, Title VI, Article 75.

1.2 What is SESAR?

Single European Sky Air Traffic Management Research ("[SESAR](#)") is a European initiative aiming at modernising and harmonising the European ATM systems ensuring sustainable, safe and efficient air transport development through a performance driven approach.

1.2.1 The SESAR Programme

The on-going SESAR Programme consists of more than 300 Projects, inter-related, and grouped into 16 Work Packages, each encompassing a particular domain of ATM (either operational, technical or transversal). Each SESAR Project has a defined set of deliverables i.e. expected tangible solutions that enable an improvement in ATM.

Progressively, the SESAR Projects are taking the necessary steps towards the validation of the SESAR concept of operation. This includes, in particular, the establishment of the operational requirements, the development and verification of technical prototypes, the conduct of validation activities that reach the most mature stage in yearly Releases and the performance of demonstration

¹ See Section 3.3 below

² See attached Draft Co-Financing Agreement (Schedule 8)

³ See the SJU Annual Work Plan 2013, section 3.4 "Demonstration Activities and AIRE"

activities aimed at further exploring the operational benefit of SESAR solutions in a real-life environment.

In this context, there is a need to ensure a specific input from a RPAS perspective to integrate and complement the activities already well advanced in the SESAR Programme.

1.3 R&D Roadmap for RPAS integration into non-segregated airspace

As already mentioned, during 2012, the European Commission has established a European RPAS Steering Group (hereinafter also ERSG) with the objective of developing a European RPAS roadmap aiming at an initial RPAS integration by 2016 into non-segregated ATM environments (i.e. airspace and aerodromes) at European scale. The work was terminated by year end 2012 and includes different sections reflecting the RPAS integration from a regulatory, research and development (R&D) and a social and liability perspective. It is expected that the Roadmap would be made available publicly, if and once adopted by the European Commission.

The aforementioned R&D Roadmap has been structured to initially provide:

- an introduction of the objectives and the high level principles governing the future R&D activities in this field;
- the identification of the integration requirements; and
- the identified operational and technological system gaps, describing enablers that are required to achieve full RPAS integration.

R&D activities have, based on these findings, been grouped in specific operational and technical gaps areas around specific types of foreseen operations considering not only the specific timeframes according to the ATM Master Plan, but also bearing in mind possible early opportunities or quick wins.

Until now, a piecemeal approach to the integration of RPAS in non-segregated airspace has taken place, with different un-coordinated activities in several European countries. The R&D Roadmap has clearly identified the need and demonstrated the added value to establish a set of demonstration activities at flight test centres or centres of excellence with access to the required relevant airspace, bringing together RPAS operators, manufacturers, air navigation service providers and regulatory authorities, with the aim of collecting best practices in parallel to developing operational procedures, technical documentation and proposals for standards.

2 Overview of the call for proposals

2.1 Indicative timetable

| Milestone | Deadline |
|--|--|
| Launch of this call for proposals | 7 February 2013 |
| Deadline for requesting additional information/clarification from the SJU | No later than 15 calendar days before the closing date for submission of proposals |
| Last date on which clarifications are issued by SJU | No later than 6 calendar days before the closing date for submission of proposals |
| Closing date for submission of project proposals | 19 April 2013 |
| Notification of award | Mid-May 2013 (indicative) |
| Co-financing agreement signature and starting date of the Project activities | June 2013 |

2.2 Available budget

The SESAR Joint Undertaking has earmarked a total maximum budget of co-financing for this call for proposals of **4.000.000,00 EUR** (four million EURO). As a result of the call, the SJU expects to award indicatively 10 co-financing agreements taking into account the number and quality of the proposals

with a maximum co-financing of 500.000,00 EUR (five hundred thousand EURO) per co-financing agreement (project).

Each selected project shall be co-financed up to a maximum of 50% of the total estimated project eligible cost as presented in the submitted financial proposal (see template attached hereto as Annexe V).

At the end of the project, where the actual project eligible cost⁴ would be lower than the maximum project cost estimated in the financial proposal, the selected projects shall be co-financed up to 50% of the actual project eligible cost. Where, on the contrary, the actual project eligible cost would be higher than the maximum project cost estimated in the financial proposal, the maximum SJU co-financing shall remain unchanged and correspond to the maximum amount established in the co-financing agreement.

The SJU reserves the right not to distribute all the funds available.

2.3 Planned start and completion date of the selected projects

The projects cannot start before signature of their respective co-financing agreements and must be completed within 24 months from the dates of the kick-off meetings (T0). The dates of the performance of projects set-out in the selected proposals may not be substantially changed at a later stage.

2.4 Participation of consortia in this procedure

Only entities set up as a consortium and composed of at least two independent legal entities are eligible to participate to this call. In this respect, each consortium shall include:

- at least one RPAS flight operator; and
- at least one Air Navigation Service Provider ("ANSP") which shall, as far as possible, ensure the connections with the relevant regulatory authorities.

Consortia shall comply with the rules of competition.

For the purpose of this call, a consortium is defined as a legally-established grouping or a grouping which has been constituted informally for this specific procedure.

All members of a consortium (i.e., the coordinator/consortium leader and all other consortium members) are jointly and severally liable to the SJU for the performance of the Co-Financing Agreement as a whole.

In order to facilitate the coordination of the Project, the consortium members shall designate one of the consortium members, who shall act as a single point of contact towards the SJU i.e., a "Coordinator".

Upon award of the Co-Financing Agreement, the SJU shall sign the Co-Financing Agreement with the Coordinator duly authorised by the other consortium members via a mandate (see template attached hereto as Annexe VI).

The participation in the Consortia of Small Medium Enterprises, Research Centres, Universities⁵ and other similar private/public bodies is encouraged.

2.5 Subcontracting

Subcontracting is permitted in the proposal but the Consortium will retain full liability towards the SJU for performance of the Co-Financing Agreement as a whole.

⁴ In accordance with the decision of the Administrative Board, the SJU procedures shall be in line with the FP7 and TEN-T. In this respect, Schedule 8 attached to the draft co-financing agreement details the eligibility criteria for the demonstration activities costs.

⁵ As defined in Regulation (EC) No 1906/2006 of the European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013)

Bidders must give an indication of the proportion of the Co-Financing Agreement that they intend to subcontract.

Bidders are required to identify subcontractors, if any, whose share of the contract is above 10%.

During Co-Financing Agreement execution, the change of any subcontractor identified in the proposal will be subject to prior written approval of the SJU⁶.

3 Terms of reference

The Terms of Reference will become part of the co-financing that may be awarded as a result of this call for proposals.

3.1 Expected content of the Demonstration Activities

The selected projects have to revolve around the innovative character of RPAS operations through the introduction of new technologies and operational improvements which shall allow the integration of RPAS in non-segregated airspace and ATM environments. In this respect, each project shall be considered as an integrated pre-operational demonstration for technologies as well as developing associated procedures. The proposed demonstrations and flight trials shall be related to, but not exclusively, the following topics:

- **Safety**
 - Ensure safe execution of a RPAS flight using a Detect & Avoid (D&A) system compatible with existing safety nets and operating procedures;
 - Airspace management procedures, including air traffic management tactical; and
 - Integrity of control link(s) for RPAS operations taking into account latency issues.
- **Capacity and efficiency**
 - Exchange trajectories with ATC taking into consideration the latencies and uncertain trajectory basis for RPAS operations identifying existing limitations and gaps; and
 - Address alternative RPAS specific but interoperable surveillance, communications and navigation solutions.
- **Airport integration & airspace throughput**
 - Demonstrate airport surface operations capability including interaction with other traffic on the surface as well as ground vehicles and obstacles;
 - Demonstrate take-off and landing capability without impacting airport throughput;
 - Demonstrate D & A for ground operations taking into consideration wake turbulence and meteo conditions; and
 - Quantify minimum performance requirements for integration like speed, climb/descent and turn performance and possible mitigations means according to different airport complexity types.
- **Security**

⁶ See article 17 of the draft co-financing agreement

- Identify security threats to the RPAS integration in non-segregated airspace leading to hazards in terms of loss of control, communication, navigation or surveillance capabilities.

Furthermore, each proposed project shall:

- Establish the regulatory, operational and technical infrastructure which enable the performance of RPAS flight tests in a mixed environment
- Allow for the performance of a relevant amount of flight trials in order to be able to draw conclusions as to the feasibility and desirability of RPAS operations in non-segregated airspace;
- Highlight the solution advantages with respect to what may currently be done; and
- Raise awareness regarding SESAR activities and objectives by exposure to real life operations and to multi-stakeholder environments.

3.2 Deliverables and meetings

During the execution of the Demonstration Activities, the Consortium shall provide the SJU with the deliverables listed below.

All Reports shall be in English, in electronic format (in principle Microsoft Office format or compatible formats) and one paper copy. Templates of all Deliverables shall be provided by the SJU upon signature of the co-financing agreement by the date of the Kick-Off meeting.

3.2.1 *Deliverable A.1 – Report refining the proposed project*

Deliverable A.1 shall refine in detail the project documentation submitted in response to the call for proposals SJU/LC/0087-CFP and take into consideration the comments formulated by the SJU at the Kick-Off meeting. Under no circumstances Deliverable A.1 shall substantially deviate from the technical proposal initially submitted in response to this call.

Deliverable A.1 shall include the following elements:

- A Demonstration Plan in line with the structure and content detailed in Annexe II attached hereto (“Template to submit a technical proposal in response to call ref. SJU/LC/0087-CFP”). A “Demonstration Plan” template will be made available at kick-off meeting ; and
- A communication strategy covering the project step by step.

Where, in accordance with the procedure established in Article 12.1 (“Acceptance of Reports”) of the draft co-financing agreement attached hereto, Deliverable A.1 would not be accepted by the SJU, the co-financing agreement shall terminate and no costs shall be eligible for co-financing from the date of the SJU notification of non-acceptance.

3.2.2 *Deliverable B.1 to B.n*

Subject to approval by the SJU of Deliverable A.1, the selected consortia shall perform the proposed project, as further refined in Deliverable A.1.

The number and deadline of each specific deliverable shall be defined in Deliverable A1. In any case, 30 days before the end date of the project, the selected consortia shall provide the SJU with a draft “Final Report” in accordance with Annexe III attached hereto. The final template of this report shall be provided by the SJU by the date of the Kick-Off meeting.

The final report shall include a publishable executive summary of the activities and outcomes of the Project.

3.2.3 *Meetings and formal six-monthly reporting*

A review meeting with presentation of the draft “Final Report” shall be held with the SJU.

The following meetings shall be held with the SJU:

- Kick-off on the main site of performance of the Project or web-conferencing meeting following co-financing agreement signature;
- Six-monthly critical progress report should be submitted to the SJU tackling:
 - Key developments
 - Quality analysis of the quarterly and global outcomes
 - Expected results for the planned activities and foreseen duration and number of trials
 - Major risks and associated mitigation plan
 - Communication action; and
- Final meeting presenting the outcomes of the project.

3.3 Duration of the co-financing agreement(s)

Each Co-financing agreement will be concluded for a maximum period of **twenty-four (24) months**.

Unless otherwise agreed, activities shall start in the third quarter of 2013 (June 2013) with the respective kick off meeting and be completed within 24 months from the co-financing agreement signature.

4 Assessment of the Proposals and Award of the Co-financing agreement

4.1 Introduction

The assessment will be strictly based on the content of the received proposals and in the light of the criteria set out hereunder.

The assessment procedure will be carried out in three consecutive stages:

- Stage 1 – assessment in the light of exclusion criteria (see section 4.2. below)
- Stage 2 – assessment in the light of selection criteria (see section 4.3. below)
- Stage 3 – assessment in the light of award criteria (see section 4.4. below)

The aim of these stages is:

- Stage: 1: to check on the basis of the exclusion criteria, whether the bidder can take part in the procurement procedure;
- Stage 2: to check on the basis of the selection criteria, i.e. legal, economic and financial, technical and professional capacity of each bidder, whether the bidder could undertake the task; and
- Stage 3: to assess on the basis of the award criteria each offer which has passed the exclusion and selection stages

4.2 Assessment in the light of exclusion criteria

To be eligible for participating in this award procedure, the bidder⁷ (i.e., the coordinator and each consortium member) cannot be in any of the following exclusion grounds:

- (a) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations
- (b) They have been convicted of an offence concerning their professional conduct by a judgement which has the force of *res judicata*
- (c) They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify
- (d) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the project is to be performed

Accordingly, bidders (i.e., the coordinator and each consortium member) must provide a **Declaration on Honour** (see Annexe VII), duly signed and dated, stating that they are not in one of the situations referred to above.

Nota Bene:

The bidder (i.e., the coordinator and each consortium member) to which the co-financing agreement is to be awarded shall provide, within 15 days following notification of award and preceding the signature of the co-financing agreement, the following documentary proofs (**originals**) to confirm the declaration referred to above:

- For points a) and b) above a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.
- For point d) recent certificates issued by the competent authorities of the States concerned.

Where the document or certificate referred to above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in its country of origin or provenance.

~~The SJU may waive the obligation for a candidate or tenderer to submit documentary evidence if such evidence has already been submitted for another procedure and provided the documents were issued not more than one year earlier and are still valid. In such cases, the candidate or tenderer must declare on his honour that the documentary evidence has already been provided in a previous procedure with the SJU, provide reference to that procedure, and confirm that there has been no change in the situation. The above-mentioned information must be included in the tender specifications. may waive the obligation of a bidder to submit the documentary evidence referred to above if such evidence has already been submitted to the SJU for the purposes of another procurement procedure and provided that the documents are not more than six (6) months old, starting from their issuing date and that they are still valid. In such a case, the bidder shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.~~

Please refer to the following web page for additional information regarding the relevant requirements and model documents under national laws of the EU Member States:
<http://ec.europa.eu/markt/ecertis/searchDocument.do>

⁷ Where parts of the activities are intended to be subcontracted, the bidder has also to ensure that the subcontractors satisfy the exclusion criteria as indicated in section 4.3 below.

4.3 Assessment in the light of selection criteria

The bidder must have the overall capabilities (legal, economic, financial, technical and professional) to perform the project. All the requirements listed below must be met in order to enter the next phase of the assessment in the light of award criteria.

Please note that in the selection phase, assessment focuses strictly on the quality of the track record and not on the quality of the (technical) offer.

The SJU may waive the obligation for a candidate or tenderer to submit the documentary evidence requested under Sections 4.3.1, 4.3.2 and 4.3.3 below if such evidence has already been submitted for another procedure and provided the documents were issued not more than one year earlier and are still valid. In such cases, the candidate or tenderer must declare on his honour that the documentary evidence has already been provided in a previous procedure with the SJU, provide reference to that procedure, and confirm that there has been no change in the situation. The above-mentioned information must be included in the tender specifications.

4.3.1 Assessment of the legal capacity

Bidders (i.e., the coordinator and each consortium member) are requested to prove that they are authorised to perform the co-financing agreement under the national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.

The bidder (and in case of consortium, the coordinator and each consortium member) shall provide a duly filled in and signed Legal entities' form (see section 10 b) of the invitation to tender Ref. SJU/LC/0087-CFP).

4.3.2 Assessment of the economic and financial capacity

In order to prove its sufficient economic and financial capacity to perform the project, the bidder (i.e., the coordinator and each consortium member) shall present at least one of the following documents:

- Evidence of professional risk indemnity insurance;
- Balance sheets (or extracts from balance sheets) for at least the last two years for which accounts have been closed; and
- Statement of overall turnover during the last three financial years.

If, for some exceptional reason which the SJU considers justified, the bidder (i.e., the coordinator and each consortium member) is [are] unable to provide the references requested here above, the bidder (and in case of consortium, the coordinator and each consortium member) may prove the economic and financial capacity by any other means which the SJU considers appropriate.

4.3.3 Assessment of the technical and professional capacity

The consortium shall establish that it has sufficient technical and professional capacity to perform this project. In order to establish its technical and professional capacity, the consortium is requested to present the following information:

- A presentation of its main current activities, with details for any entity constituting the consortium including of the identified subcontractors;
- A brief presentation of the consortium structure and how the different entities will organize themselves to achieve the project activities;
- The evidence of skills and expertise in similar subjects (i.e., demonstration of the delivery of proven results in the concerned field by providing references to participation to similar projects); and

- Demonstration that the bidder has the research and demonstration tools' capacity and the associated certificated platform needed to execute the proposed project, by providing:
 - The curriculum vitae for each of the key members of staff who will work on the project being proposed;
 - In particular for pilot and air traffic controllers involved in the airborne demonstration activities a statement of the Consortium confirming that they are legally licensed to perform the activities; and
 - A description of the facilities and/or technical infrastructure to be used for the project being proposed, etc.), taking in particular into account the different phases of the project.

4.3.4 Assessment in the light of award criteria

The SJU will evaluate, mark and establish a ranking of the submitted proposals on the basis of the criteria listed below.

Only the proposals meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality for the award of the Co-financing agreements. The evaluation in light of the award criteria and evaluation in terms of quality will be performed for each proposal respectively.

| N° | Award criteria | Weighting |
|----|---|-----------|
| 1 | Consortium organization, planning, resources made available, level of involvement of stakeholders in different aircraft/flight environments. | 20 |
| 2 | Quality of the proposed project in particular with regards to: <ul style="list-style-type: none"> - description, relevance and clarity of the proposed project and its objectives; - performance of flight trials in order to be able to draw conclusions; - advantages, risks and opportunities of the proposed project in comparison with the current situation. | 30 |
| 3 | Added value to ATM R&D activities and benefits that would be achieved if the solution is implemented and to what extent the proposed project: <ul style="list-style-type: none"> - demonstrate the benefits in a mixed RPAS/manned aircraft/flight environment that the adoption of the solution subject of the validation project will bring to aviation at European scale; - raises awareness regarding SESAR activities and objectives by exposure to real life operations and to multi-stakeholder environments; and - does the proposed project bundle the operational and technical gaps focusing on results towards integration more complex operations into non-segregated airspace? - does support the possible insertion of RPAS in the non-segregated airspace by 2016? | 35 |
| 4 | Cost-effectiveness: <ul style="list-style-type: none"> - To what extent is the estimated budget clear and detailed? - Are the estimated expenditures based on tangible elements/information? - Do the presented results of the project reflect a reasonable relationship to the estimated budget costs and the requested amount? - Is the estimated amount reasonable with regard to the project content? And - Are the estimated costs all necessary for the running of the proposed project? | 15 |

In order to be considered for SJU co-financing, a proposal must score:

- 50 % or more per award criterion, and
- 70 % or more globally as a result of the assessment in light of the award criteria.

ANNEXE I

Acronyms and terminology

| | |
|----------------|---|
| ANSP | Air navigation service provider |
| ATC | Air Traffic Control |
| ATM | Air Traffic Management |
| CTA | Controlled Time of Arrival |
| D&A | Detect and avoid |
| EC | European Commission |
| ERSG | European RPAS Steering Group |
| ICAO | International Civil Aviation Organisation |
| IFR | Instrument Flight Rules |
| IOC | Initial Operational Capability |
| LOS | Line of sight |
| R&D | Research and Development |
| RPAS | Remotely Piloted Aircraft System |
| SES | Single European Sky |
| SESAR | Single European Sky ATM Research |
| SJU | SESAR Joint Undertaking |
| SWIM | System Wide Information Management |
| TMA | Terminal Manoeuvring Area |
| UAV | Unmanned Aircraft Vehicle |
| VFR | Visual Flight Rules |

ANNEXE II

**Template for the submission of technical proposal in response
to call ref SJU/LC/0087-CFP**

Published on the SJU website

ANNEXE III

Indicative Table of Content of the draft Final Report and Final Report

| | |
|-------|---|
| 1 | EXECUTIVE SUMMARY |
| 2 | INTRODUCTION |
| 3 | CONCEPT OVERVIEW |
| 4 | CONDUCT OF DEMONSTRATION EXERCISES |
| 4.1 | EXERCISES PREPARATION |
| 4.2 | EXERCISES EXECUTION |
| 4.3 | SUMMARY OF DEVIATIONS FROM THE DEMONSTRATION PLAN |
| 5 | EXERCISES RESULTS |
| 5.1 | SUMMARY OF EXERCISES RESULTS |
| 5.2 | ANALYSIS OF EXERCISES RESULTS |
| 5.3 | CONFIDENCE IN RESULTS OF EXERCISES |
| 6 | SUMMARY OF EXECUTED COMMUNICATION ACTIVITIES INCL. COPIES OF COMMUNICATION MATERIAL |
| 7 | DESCRIPTION OF NEXT STEPS TO ENSURE TRANSITION TO INDUSTRIALISATION |
| 8 | CONCLUSIONS AND RECOMMENDATIONS |
| 8.1 | CONCLUSIONS |
| 8.2 | RECOMMENDATIONS |
| 9 | EXERCISES REPORTS |
| 9.1 | EXERCISE #1 REPORT (ONE PER EXERCISE) |
| 9.1.1 | Exercise Scope |
| 9.1.2 | Conduct of Exercise |
| 9.1.3 | Exercise Results |
| 9.1.4 | Conclusions and recommendations |
| 10 | REFERENCES |
| 11 | ACRONYMS AND TERMINOLOGY |

ANNEXE IV

Indicative List of Reference Documents

- 1 EU ATM MASTER PLAN 2012
- 2 DESCRIPTIONS OF WORK FOR ALL SESAR R&D WORK PACKAGES
- 3 SESAR RELEASE 2011
- 4 SESAR RELEASE 2012
- 5 SESAR CONCEPT OF OPERATIONS AT A GLANCE (TBC)
- 6 EU RPAS ROADMAP (ONCE ADOPTED)

CAN BE FOUND AT:

www.sesarju.eu/news-press/documents-reports

ANNEXE V

**Template for the submission of financial proposal
in response to call ref SJU/LC/0087-CFP**

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ANNEXE VI

Mandate

I, the undersigned, [forename and surname of the legal representative of the future beneficiary signing this mandate], representing,

[full official name of the future beneficiary] [ACRONYM]
[official legal status or form]⁸
[official registration No]⁹
[full official address]
[VAT number],

hereinafter referred to as "the beneficiary",

for the purposes of the signature and the implementation of the co-financing agreement resulting of call for proposal ref. SJU/LC/0087-CFP with the SESAR Joint Undertaking (hereinafter referred to as "the co-financing agreement")

hereby:

1. Mandate

[full official name of the coordinator] [ACRONYM]
[official legal status or form]
[official registration No]¹⁰
[full official address]
[VAT number],
represented by [forename, surname and function of the legal representative of the coordinator]

(hereinafter referred to as "the coordinator")

to sign in my name and on my behalf the co-financing agreement and its possible subsequent amendments with the SESAR Joint Undertaking.

2. Mandate the coordinator to act on behalf of the beneficiary in compliance with the grant agreement.

I hereby confirm that the beneficiary accepts all terms and conditions of the co-financing agreement and, in particular, all provisions affecting the coordinator and the other Consortium Members. In particular, I acknowledge that, by virtue of this mandate, the coordinator alone is entitled to receive funds from the SESAR Joint Undertaking and distribute the amounts corresponding to the beneficiary's participation in the Project.

I hereby accept that the beneficiary will do everything in its power to help the coordinator fulfil its obligations under the co-financing agreement, and in particular, to provide to the coordinator, on its request, whatever documents or information may be required.

I hereby declare that the beneficiary agrees that the provisions of the co-financing agreement, including this mandate, shall take precedence over any other agreement between the beneficiary and the coordinator which may have an effect on the implementation of the co-financing agreement.

This mandate shall be annexed to the co-financing agreement as part of the proposal, in case of award of co-financing to the Project, and shall form an integral part thereof.

SIGNATURE

[forename, surname, function of the legal representative of the mandating beneficiary]
[signature]

Done at [place], [date]

In duplicate in English

⁸ To be deleted or filled in according to the "Legal Entity" form

⁹ To be deleted or filled in according to the "Legal Entity" form

ANNEXE VII

**Declaration of honour on
exclusion criteria and absence of conflict of interest**

(Complete or delete the parts in grey italics in parentheses)
[Choose options for parts in grey between square brackets]

The undersigned *(insert name of the signatory of this form)*:

☐ in *[his][her]* own name *(for a natural person)*
or

☐ representing the following legal person: *(only if the economic operator is a legal person)*

full official name:

official legal form:

full official address:

VAT registration number:

- declares that *[the above-mentioned legal person][he][she]* is not in one of the following situations:
- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
 - c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
 - d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be performed;
 - e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
 - f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.
- *(Only for legal persons other than Member States and local authorities, otherwise delete)*
declares that the natural persons with power of representation, decision-making or control¹¹ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
- declares that *[the above-mentioned legal person][he][she]*:
- g) has no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
 - h) will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
 - i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to

¹¹ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;

j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure ;

- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties¹² if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the tenderer is a legal person and the national legislation of the country in which the tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name

Date

Signature

¹² As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

founding members



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