



**Guidelines for candidates
annexed to the Invitation to
submit a proposal for Associate
Partners of the SJU**

Call for proposals ref. SJU/LC/0055-CFP

01.02.2011

1. INTRODUCTION

1.1. Acronyms and terminology

For the definition of the acronyms used throughout this call for proposals, please refer to Schedule 1 of the Draft Framework Partnership Agreement attached to the Invitation to submit a proposal.

1.2. The SESAR Joint Undertaking

The SESAR Joint Undertaking (hereinafter referred to as the “SJU”) is established by Council Regulation (EC) No 219/2007 of 27 February 2007, as amended by Council Regulation (EC) No 1361/2008 of 31 December 2008 (hereinafter the “SJU Regulation”), on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR).

The SJU was founded by the European Union, represented by the European Commission, and the European Organisation for the Safety of Air Navigation (EUROCONTROL), represented by its Agency, and is responsible for implementing the ATM Master Plan and for carrying out specific activities aimed at modernising the European air traffic management system by coordinating and concentrating all relevant research and development efforts in the European Union, the SESAR Programme).

On 26 March 2009, as a result of a tendering process and in accordance with the provisions of the SJU Regulation, the SJU Administrative Board decided to award the membership to the following 15 entities (hereinafter referred to as the “Member(s)”), which represent more than 30 companies:

- AENA (Aeropuertos Españoles y Navegación Aérea)
- AIRBUS S.A.S.
- ALENIA Aeronautica S.p.A.
- DFS (Deutsche Flugsicherung GmbH)
- DSNA (Direction des Services de la Navigation Aérienne)
- ENAV S.p.A.
- FREQUENTIS AG
- HONEYWELL INTERNATIONAL INC.
- INDRA Sistemas S.A.
- NATMIG (North European ATM Industry Group)
- NATS (EN ROUTE) Ltd
- NORACON (Northern European and Austro Control Consortium)
- SEAC (SESAR European Airports Consortium)
- SELEX S.I. (Selex Sistemi Integrati S.p.A.)
- THALES Group

Accession to membership of such entities was formalised through the signature of individual membership agreements (hereinafter referred to as the “Membership Agreement(s)” or as the “MA”) and a multilateral framework agreement (hereinafter referred to as the “Multilateral Framework Agreement” or as the “MFA”).

1.3. The SESAR Programme

The SESAR (Single European Sky ATM Research) Programme has been launched as an integrated element of the Single European Sky initiative (SES). This Programme represents the technological pillar of the SES and aims at developing a modernised and high-performance air traffic management system which will enable the safe, cost-efficient and environmentally friendly development of air transport.

The SESAR Programme is composed of three phases:

- a) the completed “Definition phase” (2005-2008), which delivered an ATM Master Plan for 2020 and beyond, defining the content of the next generation of ATM systems, and identifying the necessary elements for its realisation.
- b) **the ongoing “Development phase” (2008-2016)**, under the management of the SJU, which will develop the necessary elements on the basis of the Definition phase findings.
- c) the future “Deployment phase” (2014-2020), through which there will be large scale production and implementation of the new air traffic management infrastructure, composed of

fully harmonised and interoperable components which guarantee high performance air transport activities in Europe.

The SESAR Programme Development phase currently includes the ongoing projects and activities within the 2008-2016 timeframe under the management of the SJU. It is divided into 16 Work Packages (WPs) addressing Air Traffic Management (ATM) domains, which are sub-divided into Sub-Work Packages (SWP) and Projects, each addressing specific issues.

The ongoing SESAR Programme will endeavour to ensure that all activities contribute to the delivery of the performance based ATM system that has been defined through the ATM Master Plan.

1.3.1. Organisation of work

The Development Phase is described by a Work Programme and is being undertaken by the SJU Members, including EUROCONTROL. On average the activities within each Project are realised by 5 – 6 SJU Members and their subcontractors in accordance with their competences.

The Programme construct is necessarily complex, with around 300 inter-dependent projects each having input/outputs interlinked and supporting an overall performance-driven approach with results expected to be delivered every year from 2011.

Therefore, the needs of the Programme relate not only to its size, scope and complexity, but also to the appropriate level of diversity of competencies contributing to its achievement. It has been recognised there is a need to complement the expertise brought by the SJU Members to the SESAR Programme in specific fields, hence the need to develop this call.

1.3.2. Scope of work and deliverables

The whole ATM R&D Work Programme activities will develop and deliver the necessary operational and technical results (specifications, procedures, mock-ups, prototypes, validation reports, etc.) ready for the progressive industrialisation, deployment and operation of a new ATM system.

The Work Programme is split into 4 different threads:

- Operational considerations covering Airport, TMA, En-Route and Network Operations;
- System considerations covering Aircraft System, En-Route and TMA ATC System, Flight Operation Centre System, Airport System, Network System, Communication Navigation and Surveillance Systems (CNS);
- System Wide Information Management covering Information Management and their related systems
- “Transverse” activities”, such as validation infrastructure, development of safety, security, environment and human performance cases, ATM Master Plan, Target concept and architecture maintenance,

The deliverables of the Work Programme must culminate in the successful validation of the concepts and the prototypes as “close to market” as possible. This approach is being used to manage risk and to assure the set of cases necessary in preparing for the beginning of deployment activities.

More complete and detailed information is available at www.sesarju.eu.

1.4. Background of this call for proposals for Associate Partners of the SJU

Article 1 (5) of the SJU regulation states that the SJU shall be responsible for ensuring the involvement of the stakeholders of the air traffic management sector in Europe, in particular: air navigation service providers, airspace users, professional staff associations, airports, manufacturing industry as well as the relevant scientific institutions or the relevant scientific community.

Article 1 of the SJU Statutes defined the SJU Membership. The Membership process and the principles governing the Membership are further established in the decision of the Administrative

Board dated 1st December 2008 on the *“Principles governing the accession and participation of the members of the SESAR Joint Undertaking”*¹.

During the Membership process, the Administrative Board of the SJU in its meeting of 12 October 2007, established that the *“Executive Director should organise discussions [...] in view of defining the participation in the SJU also exploring the possibility of forms of association other than membership”*.

Furthermore, in its decision ADB(D)22-2008 dated 1st December 2008, the Administrative Board of the SJU reiterated its request regarding forms of association other than membership and explicitly mandated the Executive Director to *“[...] explore other possibilities to associate interested organisations, other than membership [...]”*.

The Administrative Board of the SJU requested the Executive Director to develop the necessary legal framework to associate interested entities to the Programme activities. On 15 January 2010², the Administrative Board approved the principles establishing the legal framework for the Associate Partners of the SJU³.

The creation of this new category of stakeholders in the SESAR Programme of Associate Partners of the SJU answers the need to complement the expertise brought by the SJU Members to the SESAR Programme in specific fields. Only eligible entities which are selected following the procedure detailed below may become Associate Partners of the SJU.

The Associate Partners of the SJU will not become members of the SJU within the meaning of Article 1 of the SJU Statutes.

The Associate Partners of the SJU will become direct contractors of the SJU under a Framework Partnership Agreement (subject of this call) and with their specific contribution being further refined under mutually agreed Specific Agreement(s).

The present document constitutes guidelines for candidates as annexed to the Invitation for submission of a proposal for becoming Associate Partners of the SJU.

¹ Available at: <http://www.sesarju.eu/about/adbmeetings>

² Decision ADB(D) 02-2010, available at: <http://www.sesarju.eu/about/adbmeetings>

³ SJU-AB-012-09-DOC-06bis available at: <http://www.sesarju.eu/about/adbmeetings>

2. TERMS OF REFERENCE

2.1. Purpose of this call for proposals and eligible candidates

This call is addressed exclusively to:

- Small and Medium-sized Enterprises (SMEs), meaning micro, small and medium-sized enterprises within the meaning of the European Commission Recommendation of 6 May 2003 ref. 2003/361/EC (for the SME definition, please refer to Annex III attached hereto: Extract of Recommendation 2003/361/EC),
- Research Organisations, meaning, in line with the principles governing the Seventh Framework Programme, a legal entity established as a non-profit organisation which carries out research or technological development as one of its main objectives⁴,
- Universities, and
- Institutes of higher education,

for the purpose of requesting them to submit proposals for candidate Associate Partners of the SJU, in accordance with the principles of the aforementioned SJU Administrative Board decision of 15 January 2010.

The maximum number of Associate Partners of the SJU shall be limited, in principle, to **ten (10) entities** (i.e., **10 separate Framework Partnership Agreements**). An entity may either take the form of:

- a) an existing legal entity within the categories listed above,
- b) a grouping constituting a legal entity (i.e., permanent, legally-established consortium) that either qualifies under the categories listed above or consists of a group of members where each member individually qualifies under one of the categories listed above, or
- c) a grouping not constituting a legal entity which has been constituted informally for this specific call for proposals and which, via a power of attorney signed by an authorised representative of each partner (except the lead partner), designates one of the partners as lead partner, and mandates it as lead partner (coordinator) to sign the Framework Partnership Agreement with the SJU in case of award. **The lead partner and all members of the group shall individually qualify under at least one of the categories listed above.**

In the context of this call, in order to promote the creation of network of competencies and excellence, preference would be given to groupings of entities constituted under b) or c) above.

2.2. Areas of activity – division into lots

This call for proposals is divided into six (6) lots; candidates for Associate Partners of the SJU may submit a proposal covering one lot, several lots or all lots.

Each lot, described below, corresponds to a discrete area of activity. In their proposals, candidates must show how they propose to engage their technical and professional capacity to bring value to these areas of activity.

LOT1 - Information Management

This work area is focussed on engaging additional and complementary skills into activities already underway in the SESAR Programme Work Packages 8 and B (hereinafter WPs 8 and B) on information and architecture model development.

⁴ 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).

Within the scope of WPs 8 and B there are opportunities to include specific expertise coming from organisations skilled in information modelling and architecture of operational services leading to industrialisation of technologies and systems validated to meet the operational need. This expertise is to complement the existing domain knowledge on these projects and does not explicitly require detailed ATM or SESAR knowledge to be successful (this is already provided through the SJU Members).

This work area and the expertise engaged within it will be used to ensure the right models are defined in the right way, primarily to serve the interests of ATM. The models must be useful to operation customers as well as to ATM systems developers while recognising the internal (to ATM) needs and including sufficient information to adequately describe the set of interfaces to/from all stakeholders, whether within or outside of ATM.

The content of any data modelling should be sufficient to describe the complete set of information required by ATM and Air transport stakeholders but also to ensure the set of information and service interfaces, external to air transport, are adequately considered in the broader multi-modal transport and related services context.

It is essential to ensure that in any information management modelling activity that as well as normal operations the model is able to orchestrate the non-normal operations and recovery activities, ensuring that all required information is included and the data model content is therefore optimal. For example, the requirement for integration of meteorological and other data within the plans, and for distribution using SWIM, to ensure appropriate action can be taken during abnormal weather phenomena operations and recovery from this state.

Candidates interested in applying for LOT1 must show how their previous work and expertise, if applied in the context of Information Management and Data Modelling in ATM, will bring value to the SESAR Programme.

LOT2 - Network & Airport Collaboration

The SESAR programme is fundamentally dependent on effective collaboration, utilising trajectory-based operations described in Network and Airport Operations Plans, the NOP and AOP respectively.

While information management activities (LOT1) structure and describe the complete set of information to be captured and exchanged, it is essential the perspective of the ATM 'network' and interdependencies with the 'airports' are included, both in normal modes of operation and for operation in abnormal circumstances. Consequently, this work area is closely related to that on Information management in LOT1 but focuses specifically on the Network and Airport Operations Plans.

LOT 2 takes a view from across the SESAR Programme at the concept level to ensure the NOP/AOP can be delivered in reality and in the context of trajectory-based operations. Consequently two key areas of activity where additional expertise needs to be applied have currently been identified:

- I. Mathematical modelling and optimisation of the Network Operations (NOP/AOP), including modelling of services, including Queue management in TMA, En-Route and airport surface operations as well as capturing airport landside dependencies.
- II. Using the model to assessing the impact from abnormal and unexpected circumstances (crisis management) and to propose mitigation procedures to be included in the SESAR Concept of Operations.

Candidates interested in applying for LOT2 must show how their previous work and expertise, if applied to SESAR network or airport level operations will bring benefit and value to the SESAR Programme.

LOT3 - Technical Service Management

Much effort has already been expended in defining an ATM operations network in terms of its services and the technologies required to support the evolving capabilities. SESAR is currently developing in a timely way the required set of technical system capabilities that need to be deployed to increase operational service levels. In the transition steps not only do new operational procedures and technologies need to be integrated with legacy capabilities established during validation, but this integrated technical configuration needs to be managed, monitored and controlled during operations once deployed. Increasingly a technical service view will be required to ensure the operational service level is being maintained.

As SESAR technologies are deployed and service levels increase then increasingly a pan-European 'network' technical service management capability will be required to support and complement the network operations service capability.

Coordinated technical service management and a means to support a coherent system supervision capability across many stakeholders will be required. SESAR currently includes system supervision at the level of an Airport or Control Centre, but the overall technical service management capability and the integration of a technical service control room capability need to be defined, along with its operating concept. Redundancy of network technical service management, the use of SWIM and the role of agents also need to be fully considered as well as correctly balancing the role of the human vs. Automation.

Candidates interested in LOT3 must show clearly a vision for an operational and technical service capability and how their expertise will assist SESAR in developing the technology and associated support necessary to achieve a deployable solution.

LOT4 - Airborne & CNS Systems

This area contains complementary activities covering the airborne and ground-based communications, navigation and surveillance capabilities required for the SESAR concept of operations. In particular, development and integration of avionics equipment and installations specifically for General Aviation (GA), Very Light Jets (VLJ), Business Aviation (BA) and Rotorcraft Aircraft (RA) operating in SESAR airspace is required, including their validation.

With increased operational service levels across the SES then enhancing the capability when operating into smaller, less well equipped airfields will be required. The cost-effective use of satellite-based signals as well as improvements in airborne and ground-based capabilities in order to further improve services requires the addition of further innovative infrastructure and application developments.

Across the related Communications, Navigation and Surveillance domains there are complementary activities including exploiting military and advanced developments to further develop the software defined radios suitable for all airspace users, exploitation of LTE, use of secure Galileo signals for ATM, combining surveillance techniques to further improve gate to gate navigation in terms of routing and planning both in the air and on the ground as new surveillance developments for highly accurate position and vector information suitable for use by new tools, navigation, routing and sequencing capabilities.

Candidates interested in applying for LOT 4 must show clearly how their activities and/or expertise (for example: in avionics, flight management, and/or CNS development) have the potential to support SESAR technical development as well as identifying mechanisms for engaging additional airspace user contribution to the programme, extending the range of flight demonstrations possible.

LOT5 – Modelling Support to Validation

In preparation for SESAR deployment, integrated validation as close to the market as possible is the final stage of SESAR development. Preparing validation exercises to a recognised best-practice methodology and providing expertise to support the execution of exercises with personnel, equipment and facilities beyond the existing SESAR membership will require engagement of additional external resources. For example, it is foreseen that a number of flight and ground based trials will be required per SESAR release, involving different aircraft types under trial conditions each participating in a meaningful way and where results can be captured, analysed and conclusions reached about deployment at a European network level.

In terms of managing the complexity of integrated validation trials (large numbers of people, procedures and technologies), using an appropriate methodology to maximise results from the investments being made and achieving scientific validity for the benefits to be claimed then further input from specialists and tooling to support the methodology will be required. The fields of model and system validation as well as normalisation and econometrics are foreseen to be required to help create convincing results from a well formulated hypothesis and a relevant set of experiments in an integrated and programmatic way.

Candidates interested in applying for LOT 5 shall describe how they could apply their skills in the context of concluding SESAR development activities and hence support preparing for deployment on a pan-European scale. This description must include elaborating the proposed role of the candidate and showing what benefits could be realised in the SESAR Programme through the optimum application of a best-practice approach involving the candidate(s) in such a role.

LOT6 – UAV/UAS integration in SESAR

The employment of Unmanned Aircraft Vehicles/Systems (UAV/UAS), for military operations or civil commercial use, remains today restricted to operations under Visual Flight Rules (VFR) or in segregated airspace. It is likely that in the SESAR timeframe, UAV integration into non segregated airspace will be enabled as demand from operators materialises. In order to do so, the UAV community needs to articulate a mature concept of operations, the development of which is outside of the scope of the SESAR Work Programme.

Nevertheless, it is necessary for SESAR to investigate the feasibility and means of achieving UAV insertion into “normal” traffic. The work to be performed will be complementary to the numerous activities taking place in the UAV domain today, and will aim at using specific UAV technical and operational expertise to work on validation exercises, or specific technical or operational activities such as: integration of the UAV concept of operations (when ready) into the SESAR ConOps, technical interfaces with SWIM, etc.

Candidates interested in applying for LOT 6 shall have expertise on UAVs operations, UAVs technical design in particular in CNS domains, and possibly the access to test UAVs platforms for validation purposes. Candidates in their proposal must provide a clear presentation of how they intend to bring the results of previous work and apply their expertise towards achieving validation and the seamless integration of UAV/UAS into non-segregated airspace operating a SESAR trajectory and SWIM based operations.

2.3. Financial allocation provided by the SJU

The Tasks to be performed by the selected Associate Partners of the SJU in accordance with section 2.2 above may be co-financed up to

- a. 75% for “*research and technological development activities*”;
- b. 50% for all the other activities

of the related costs that are considered eligible.

2.4. Nature of the resulting agreement(s)

Following the endorsement by the Administrative Board of the Executive Director's recommendation of the final list of Associate Partners of the SJU together with the areas of activity (Lots) to be awarded, the SJU shall conclude a separate Framework Partnership Agreement with each successful entity in accordance with the draft Framework Partnership Agreement attached to this call for proposals. The SJU may award one or several Framework Partnership Agreements within the same Lot to different candidates.

The SJU will award up to two Framework Partnership Agreements within each Lot to different candidates, separately. The SJU reserves the right to award two, one or no Framework Partnership Agreement(s) per lot as a result of this call.

2.4.1. Implementation of the Framework Partnership Agreements to be awarded as a result of this call

The Framework Partnership Agreement(s) to be placed will be implemented through mutually agreed Specific Agreement(s) according to the template attached to the Draft Framework Partnership Agreement annexed to this Invitation to submit a proposal.

The specific Tasks which may be requested⁵ by the SJU will result from the need to perform complementary Tasks to the activities to be performed by the SJU Members, including EUROCONTROL, within the Programme⁶, and will be subject to a written Invitation to submit a Specific Proposal open to all the SJU Partners for whom this type of task is covered by the Lot for which they have been selected for.

The Invitation to submit a specific proposal will include:

- the nature of the Tasks to be performed and objectives to be reached,
- the duration of the Tasks to be performed,
- the Deliverables to be produced,
- the requested date of delivery and, when applicable,
- the maximum amount of co-financing for the Tasks to be performed under the Specific Agreement,
- the technical and financial criteria against which the Specific Proposal will be evaluated.

The Partners are required to submit written Specific Proposals, in a predefined format, which shall indicate the following:

- a confirmation of the capacity of the Partner to perform the Tasks requested, including any possible risk detected at that stage and any possible limitations,
- the resources offered to perform the Tasks, including in the case of Consortium, the identification of the specific entity(ies) who will actually participate in the performance of the requested Tasks, and where appropriate CVs of the concerned persons, assets made available, technologies etc,
- the total cost of the Tasks, in accordance with Article 3.3 of the Draft Framework Partnership Agreement, as shown in an estimated budget attached to the Specific Proposal including a detailed breakdown of the costs that are Eligible for Co-financing under the terms set forth in Schedule 8 of the Draft Framework Partnership Agreement. The amounts and sources of co-financing other than those from the SJU shall be set out in the estimated budget to be attached to each Specific Proposal, and
- any other information requested in the Invitation to submit a Specific Proposal.

⁵ Signature of the Framework Partnership Agreement does not impose any obligation on the SJU to place any Specific Agreement(s). Only implementation of the Framework Partnership Agreement through signed Specific Agreements are binding on the SJU.

⁶ Prior to the launching of a Specific Agreement, the SJU may define the Tasks that need to be undertaken in cooperation with the relevant SJU Members, or any other SJU contractor depending on the need identified by the SJU on a case-by-case basis.

The SJU shall evaluate the Specific Proposal(s) sent by the Partner(s) of the SJU against the criteria included in the Invitation to submit a specific proposal. This evaluation will include a financial evaluation for performing the requested Tasks.

The SJU may sign a Specific Agreement within the same Lot with one or more Partners as the case might be.

3. ASSESSMENT OF THE PROPOSALS AND RECOGNITION OF AN ENTITY AS ASSOCIATE PARTNER OF THE SJU

3.1. Introduction

The SJU Executive Director shall be responsible for setting up the necessary procedures for the assessment of the proposals.

The assessment of the proposals received in response to this invitation shall be based on the SJU implementing rules, as provisionally adopted by the Executive Director of the SJU on 28 February 2008 through Decision SJU/ED/07, the SJU Financial Rules adopted by the SJU Administrative Board on 28 July 2009, as well as the “*Principles governing the accession and participation of the members of the SESAR Joint Undertaking*” (Decision ref. ADB(D) 13-2008).

In particular, the selection will be strictly based on the content of the submitted documentation and in the light of the criteria set out hereunder. The selection process will be carried out in two consecutive stages:

- **Stage 1: Administrative assessment** (see section 3.2 below);
- **Stage 2: Technical assessment** (see section 3.3 below);

3.2. Administrative assessment of the proposals

The administrative assessment is divided into three consecutive steps as follows:

3.2.1. **Assessment of the eligibility of candidates Associate Partners of the SJU**

Target audience

Any SME, Research Organisation, University and Institute of higher education in the meaning of Section 2.1 hereabove, which express a substantiated interest to add value and to take part in the achievement of the SESAR Programme, are eligible as Associate Partners of the SJU, provided that the minimum conditions laid down in the Invitation to submit a proposal are complied with.

Participation of groupings

Groupings (or consortia) are allowed to submit a proposal provided that they comply with the rules of competition. Consortium may be either a permanent, legally-established grouping or a grouping constituted for this specific call for proposals.

The consortium must clearly specify the company or person leading the project (the coordinator). Therefore the proposal must also include a/- document/-s (e.g. letter(s) of intent) from each member of the consortium, authorising the coordinator to submit a proposal on their behalf and also confirming that the consortium members will place the resources necessary for performance of the resulting agreement.

All members of the consortium who will be actually participating in a Specific Agreement (i.e. whose involvement is clearly identified in the Specific Proposal of the consortium) are jointly and severally liable towards the SESAR Joint Undertaking for the undertaking of the Specific Agreement. Please refer to Article 21.1 E) of the Grant Partnership Agreement annexed to the Invitation to submit a proposal.

In addition, each member of a grouping in accordance with sections 3.2.2 and 3.2.3 below must provide the required evidence for the exclusion criteria and the assessment of the legal, economic and financial capacity. Exclusion of one of the entities in a grouping on these grounds may result in the exclusion of the whole consortium or of the member not fulfilling the exclusion criteria only, as the case may be.

Concerning the selection criteria with regard to technical and professional capacity, the evidence provided by each member of a grouping will be verified and evaluated as part of the technical

assessment (see 3.3) and will be checked during the administrative assessment to ensure that the grouping as a whole is both declared and fulfils the criteria.

Participation of entities acting either as affiliates to an SJU Member or subcontractors of an SJU Member notified under Article 14 of the MFA

Entities already engaged in the SESAR Programme as affiliates of an SJU Member or subcontractors of an SJU Member under Article 14 of the MFA and which are eligible to submit a proposal for this invitation (please refer to section 2.1 above) are eligible for participating in the Invitation to submit a proposal.

Participation of entities from non-EU Member States

Candidates Associate Partners of the SJU from non-EU Member States are allowed to participate in this call subject to the following conditions and in accordance with the "Principles governing the accession and participation of the members of the SESAR Joint Undertaking" adopted by the SJU Administrative Board on 1st December 2008 (Decision ref. ADB (D) 13-2008, available at: <http://www.sesarju.eu/about/adbmeetings>) (applicable for each individual member of the grouping):

- the country of origin of the entity has signed at least one aviation agreement with the European Community/European Union;
- the participation is based on proven added value for the SESAR Programme and on the European benefits as well as benefits for the European society;
- if an equivalent programme to the SESAR Programme exists in country of origin, the principles of reciprocity, in terms of access for European Industry to equivalent funding possibilities, are to be complied with.

3.2.2. Assessment in the light of exclusion criteria

The candidate Associate Partner of the SJU cannot be in any of the following exclusion grounds:

- (a) be 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) have been convicted of an offence concerning their professional conduct by a judgement which has the force of *res judicata*;
- (c) have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) 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 Framework Partnership Agreement is to be implemented;

Accordingly, the candidate Associate Partner of the SJU must provide a **Declaration on honour** (see Annexe I), duly signed and dated, stating that it is not in one of the situations referred to above.

Nota Bene:

The candidate Associate Partner of the SJU to which the Framework Partnership Agreement is to be awarded shall provide, within 15 days following notification of award and preceding the signature of the 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 of a candidate to submit the documentary evidence referred to if such evidence has already been submitted to the SJU for the purposes of a previous 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 candidate 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/internal_market/publicprocurement/2004_18/index_en.htm.

3.2.3. Assessment of the Legal, Economic and Financial Capacity of the candidate Associate Partner of the SJU

The candidate Associate Partners of the SJU must have the necessary legal, economic and financial capabilities to perform the Tasks proposed to be entrusted to them.

If one of the criteria listed below is not complied with, the proposal shall not be further evaluated.

Legal capacity

Every candidate Associate Partner of the SJU is required to prove that it is authorised to perform the proposed Tasks 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 candidate Associate Partner of the SJU shall provide a duly completed and signed Legal Entity Form accompanied by the documents requested therein (please, use the form available on the following web page:

http://ec.europa.eu/budget/info_contract/legal_entities_en.htm);

Economic and financial capacity

Every candidate must have stable and sufficient sources of funding to maintain his activity throughout the duration of the Framework Partnership Agreement and to participate in its funding.

The following categories of legal entities are not subject to a verification of their economic and financial capacity:

- Public bodies,
- Higher and secondary education establishments.

All the other legal entities submitting a proposal will be subject to a verification of their economic and financial capacity and shall provide the following documentation for each of its components (in case of proposals submitted by consortia):

- annual accounts (or extracts from annual accounts), including balance sheet, profit & loss and cash flow, for at least the last two financial years for which accounts have been closed;
- statement of overall turnover and turnover concerning the services to be covered by the Framework Partnership Agreement during the last three financial years
- statutory audit report on the three above financial statements (if available⁷)

As a general rule, no prospective financial data should be used, except in case of “young” legal entities (such as start-up companies) with no closed accounts. For those legal entities, a Business Plan will be required (especially for “young” SMEs) or similar relevant document(s) of prospective activities, if available.

In case of ad hoc groupings, the information listed here above has to be provided by each respective entity constituting the grouping.

⁷ The requirements on the statutory audit reports however can be waived for those legal entities or groupings which are exempted from audit under their national legislation.

3.3. Assessment in the light of award criteria

The candidates Associate Partner of the SJU shall establish that they have sufficient technical and professional capacity to participate in the SESAR Programme activities.

To that end, they are requested to present the following information:

- a brief presentation of the structure of the candidate's organisation, focusing in particular on the research capacity and the organisational set up to perform the Tasks,
- a presentation of the main current and other relevant Tasks of the candidate,
- references related to previous experience in the relevant field(s),
- a description of the added value of their proposed participation in one or more Lots, including their understanding of the requirements, details of how they apply previous expertise and experience along with describing the prospective benefits to the SESAR Programme from their proposed contribution,
- detailed CVs of key personnel with the expertise being offered, and

when the candidate Associate Partner of the SJU is an entity from non-EU Member States,

- demonstrate the compliance with the conditions set in Section 3.2.1 hereabove.

For each lot, the SJU will evaluate, mark and establish a ranking of the candidates Associate Partners of the SJU on the basis of criteria listed below. Please note that in case of the candidate being a consortium, each partner of the consortium will be evaluated against the award criteria's mentioned below (the results will be put together and the consortium will be given one total scoring per criteria 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 Framework Partnership Agreement. The evaluation in light of the award criteria and evaluation in terms of quality will be performed for each proposal respectively.

Quality of the following aspects related to the candidate : <ul style="list-style-type: none">- The level of expertise and knowledge of the field proposed to address the lot(s) of interest,- The coverage of one or several lots through diversified expertise,- The level of reputation in the field shown, and recognised by third parties,- The delivery of proven results in the same field(s), in particular considering the candidate participation to previous or ongoing activities/projects in these fields,- CVs, including of the management team.	30
Added Value: <ul style="list-style-type: none">- The understanding of the requirements expected to be addressed in each lot of interest,- The quality of the proposal for each lot of interest in demonstrating the added value brought to the SESAR Programme.	40
Capacity: <ul style="list-style-type: none">- The level of research capacity made available by the candidate in its proposal to execute the expected contribution (staff, expertise, facilities, etc.)- The clarity and efficiency of the organisation of the candidate or of the entities in a grouping to perform the expected Tasks.	20

Management aspects: - That management processes and accountabilities are clearly defined, - The proposed organisational arrangements are well matched to achieving the objectives of the Lots on the SESAR Programme and where appropriate adequate justification is provided.	10
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Only proposals whose award evaluation gives them a score of at least half the available number of points in each of the four main criteria above and a total of 60 or more points may be recommended for award of a Framework Partnership Agreement.

3.3.1. Financial evaluation of the offers

Note: the financial evaluation will be performed at the moment of the establishment of Specific Agreements in accordance with Section 2.4.1 above. The financial information requested by the SJU at this stage (please refer to the Invitation to submit a proposal - Section 7 "TABLE OF CONTENT OF THE PROPOSAL"), will only be used as an indicative factor to assess the adequacy between the type of level of resources dedicated to each addressed lot and their indicative cost.

3.4. Recommendation of the SJU Executive Director and endorsement by the SJU Administrative Board for award of the status of Associate Partner of the SJU and the relative Framework Partnership Agreement(s)

The candidate(s) with the highest scoring against the technical award criteria and with a total score of 60 points or more within each Lot may be recommended by the Executive Director of the SJU to the SJU Administrative Board for award of the status of Associate Partner of the SJU including the relative Framework Partnership Agreement(s).

The Proposal Analysis Board (PAB) in charge of the assessment of the proposals in light of the criteria listed above will record its findings and formulate recommendations for the placing of the Framework Partnership Agreement(s). In accordance with the SJU Financial Rules, this report will be submitted to the SJU Executive Director who will then submit his recommendations to the Administrative Board for endorsement.

Following the endorsement of the Executive Director's recommendation by the Administrative Board, the SJU will notify the candidates Associate Partners of the SJU of the results of the selection process and will establish the necessary steps for the signature of the Framework Partnership Agreement(s).

ANNEX I

DECLARATION ON HONOUR

[To be completed and signed by the candidate Associate Partner of the SJU [the coordinator and each consortium member in case of consortia]]

The undersigned:

Name of the individual/company/ organisation:

Legal address:

Registration number/ID Card No.:

VAT number:

Declares on oath that the individual/company/organisation mentioned above is not in any of the situations mentioned below:

- 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 SJU 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 Framework Partnership Agreement is to be implemented;

I the undersigned understand that Framework Partnership Agreements may not be awarded if during the procedure the individual/company/organisation mentioned above:

- is subject to a conflict of interest;
- is guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procedure or fail to supply this information;

Full name:

Date & Signature:

ANNEX II

Background Information Template

To be filled by the candidate Associate Partner if of any relevance at this stage of the procedure

(available on the SJU website in EXCEL format)

ANNEX III

DEFINITION OF SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs): EXTRACT OF EC RECOMMENDATION 2003/361/EC OF 6 MAY 2003